

17:48-6ff, 17:48A-7cc, 17:48E-35.30 et al**LEGISLATIVE HISTORY CHECKLIST**

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LAWS OF: 2025 **CHAPTER:** 89**NJSA:** 17:48-6ff, 17:48A-7cc, 17:48E-35.30 et al Requires health benefits coverage for additional orthotic and prosthetic appliances under certain circumstances; requires coverage for orthotic and prosthetic appliances obtained through podiatrists.**BILL NO:** S1439 (Substituted for A3856 (2R))**SPONSOR(S)** Singleton, Troy and others**DATE INTRODUCED:** 1/9/2024**COMMITTEE:** **ASSEMBLY:** Financial Institutions & Insurance
Appropriations**SENATE:** Commerce
Budget & Appropriations**AMENDED DURING PASSAGE:** Yes**DATE OF PASSAGE: ASSEMBLY:** 05/22/2025**SENATE:** 06/28/2024**DATE OF APPROVAL:** 7/8/2025**FOLLOWING ARE ATTACHED IF AVAILABLE:****FINAL TEXT OF BILL** (S1439 Sca (1R) enacted)**ADVANCE LAW** Yes**PAMPHLET LAW** Yes**S 1439****INTRODUCED BILL:** (Includes sponsor(s) statement) Yes**REPRINT(S):** Yes SCM 5/13/24 1R**TECHNICAL REVIEW OF BILL:** No**COMMITTEE STATEMENT: ASSEMBLY:** Yes Financial Institutions & Insurance
Appropriations**SENATE:** Yes Commerce
Budget & Appropriations(Audio archived recordings of the committee meetings, corresponding to the date of the committee statement, *may possibly* be found at www.njleg.state.nj.us)**FLOOR AMENDMENT STATEMENT:** No**LEGISLATIVE FISCAL ESTIMATE:** Yes 06/28/2024

A3856 (2R)

INTRODUCED BILL: (Includes sponsor(s) statement)	Yes	
REPRINT(S):	Yes	AFI 12/9/24 1R AAP 3/20/25 2R
TECHNICAL REVIEW OF BILL:	No	
COMMITTEE STATEMENT:	ASSEMBLY:	Yes Financial Institutions & Insurance Appropriations
	SENATE:	No

(Audio archived recordings of the committee meetings, corresponding to the date of the committee statement, *may possibly* be found at www.njleg.state.nj.us)

FLOOR AMENDMENT STATEMENT:	No	
LEGISLATIVE FISCAL ESTIMATE:	Yes	12/19/2024 03/28/2025
VETO MESSAGE:	No	
GOVERNOR'S PRESS RELEASE ON SIGNING:	Yes	
LEGISLATOR STATEMENT:	Yes	

FOLLOWING WERE PRINTED:

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REPORTS:	No
HEARINGS:	No
NEWSPAPER ARTICLES:	No

CL/MMcB

P.L. 2025, CHAPTER 89, *approved July 8, 2025*
Senate, No. 1439 (*First Reprint*)

1 AN ACT concerning health benefits coverage and prosthetic
2 appliances and amending P.L.2007, c.345.

3

4 **BE IT ENACTED** by the Senate and General Assembly of the State
5 of New Jersey:

6

7 1. Section 1 of P.L.2007, c.345 (C.17:48-6ff) is amended to read
8 as follows:

9 1. a. Every hospital service corporation contract that provides
10 hospital or medical expense benefits and is delivered, issued, executed
11 or renewed in this State pursuant to P.L.1938, c.366 (C.17:48-1 et
12 seq.), or approved for issuance or renewal in this State by the
13 Commissioner of Banking and Insurance on or after the effective date
14 of ¹**["this act"]** P.L.2007, c.345 (C.17:48-6ff et al.)¹, shall provide
15 benefits to any person covered thereunder for expenses incurred in
16 obtaining:

17 (1) an orthotic or prosthetic appliance from any licensed orthotist
18 or prosthetist, ¹licensed podiatrist,¹ or any certified pedorthist, as
19 determined medically necessary by the covered person's physician;
20 and

21 (2) an additional orthotic or prosthetic appliance from any licensed
22 orthotist or prosthetist, ¹licensed podiatrist,¹ or any certified
23 pedorthist, if the covered person's physician determines that the
24 additional appliance is necessary to enable the covered person to
25 engage in physical and recreational activities, including running,
26 bicycling, swimming, climbing, skiing, snowboarding, and team and
27 individual sports.

28 As used in this section, "orthotic appliance," "prosthetic
29 appliance," "licensed orthotist" and "licensed prosthetist" have the
30 meaning assigned to them in section 3 of P.L.1991, c.512 (C.45:12B-
31 3)¹, "licensed podiatrist" has the meaning assigned to it in R.S.45:5-
32 1 et seq.,¹ and "certified pedorthist" has the meaning assigned to it in
33 subsection j. of section 18 of P.L.1991, c.512 (C.45:12B-18).

34 b. On and after the effective date of ¹**["this act"]** P.L.2007, c.345
35 (C.17:48-6ff et al.)¹, a hospital service corporation contract shall
36 reimburse for orthotic and prosthetic appliances at the same rate as
37 reimbursement for such appliances under the federal Medicare
38 reimbursement schedule.

EXPLANATION – Matter enclosed in bold-faced brackets **["thus"]** in the above bill is
not enacted and is intended to be omitted in the law.

Matter underlined thus is new matter

Matter enclosed in superscript numerals has been adopted as follows:

¹Senate SCM committee amendments adopted May 13, 2024.

1 c. The benefits shall be provided to the same extent as for any
2 other medical condition under the contract.

3 d. The provisions of this section shall apply to all hospital service
4 corporation contracts in which the hospital service corporation has
5 reserved the right to change the premium.
6 (cf: P.L.2007, c.345, s.1)
7

8 2. Section 2 of P.L.2007, c.345 (C.17:48A-7cc) is amended to
9 read as follows:

10 2. a. Every medical service corporation contract that provides
11 hospital or medical expense benefits and is delivered, issued, executed
12 or renewed in this State pursuant to P.L.1940, c.74 (C.17:48A-1 et
13 seq.), or approved for issuance or renewal in this State by the
14 Commissioner of Banking and Insurance on or after the effective date
15 of '[this act] P.L.2007, c.345 (C.17:48-6ff et al.)'¹, shall provide
16 benefits to any person covered thereunder for expenses incurred in
17 obtaining:

18 (1) an orthotic or prosthetic appliance from any licensed orthotist
19 or prosthetist, 'licensed podiatrist,'¹ or any certified pedorthist, as
20 determined medically necessary by the covered person's physician;
21 and

22 (2) an additional orthotic or prosthetic appliance from any licensed
23 orthotist or prosthetist, 'licensed podiatrist,' or any certified
24 pedorthist, if the covered person's physician determines that the
25 additional appliance is necessary to enable the covered person to
26 engage in physical and recreational activities, including running,
27 bicycling, swimming, climbing, skiing, snowboarding, and team and
28 individual sports.

29 As used in this section, "orthotic appliance," "prosthetic
30 appliance," "licensed orthotist" and "licensed prosthetist" have the
31 meaning assigned to them in section 3 of P.L.1991, c.512 (C.45:12B-
32 3)¹, "licensed podiatrist" has the meaning assigned to it in R.S.45:5-
33 1 et seq.,¹ and "certified pedorthist" has the meaning assigned to it in
34 subsection j. of section 18 of P.L.1991, c.512 (C.45:12B-18).

35 b. On and after the effective date of '[this act] P.L.2007, c.345
36 (C.17:48-6ff et al.)'¹, a medical service corporation contract shall
37 reimburse for orthotic and prosthetic appliances at the same rate as
38 reimbursement for such appliances under the federal Medicare
39 reimbursement schedule.

40 c. The benefits shall be provided to the same extent as for any
41 other medical condition under the contract.

42 d. The provisions of this section shall apply to all medical service
43 corporation contracts in which the medical service corporation has
44 reserved the right to change the premium.
45 (cf: P.L.2007, c.345, s.2)

1 3. Section 3 of P.L.2007, c.345 (C.17:48E-35.30) is amended to
2 read as follows:

3 3. a. Every health service corporation contract that provides
4 hospital or medical expense benefits and is delivered, issued, executed
5 or renewed in this State pursuant to P.L.1985, c.236 (C.17:48E-1 et
6 seq.), or approved for issuance or renewal in this State by the
7 Commissioner of Banking and Insurance on or after the effective date
8 of **'[this act] P.L.2007, c.345 (C.17:48-6ff et al.)'**¹, shall provide
9 benefits to any person covered thereunder for expenses incurred in
10 obtaining:

11 (1) an orthotic or prosthetic appliance from any licensed orthotist
12 or prosthetist, 'licensed podiatrist,'¹ or any certified pedorthist, as
13 determined medically necessary by the covered person's physician;
14 and

15 (2) an additional orthotic or prosthetic appliance from any licensed
16 orthotist or prosthetist, 'licensed podiatrist,' or any certified
17 pedorthist, if the covered person's physician determines that the
18 additional appliance is necessary to enable the covered person to
19 engage in physical and recreational activities, including running,
20 bicycling, swimming, climbing, skiing, snowboarding, and team and
21 individual sports.

22 As used in this section, "orthotic appliance," "prosthetic
23 appliance," "licensed orthotist" and "licensed prosthetist" have the
24 meaning assigned to them in section 3 of P.L.1991, c.512 (C.45:12B-
25 3)¹, "licensed podiatrist" has the meaning assigned to it in R.S.45:5-
26 1 et seq.,¹ and "certified pedorthist" has the meaning assigned to it in
27 subsection j. of section 18 of P.L.1991, c.512 (C.45:12B-18).

28 b. On and after the effective date of **'[this act] P.L.2007, c.345**
29 **(C.17:48-6ff et al.)'**¹, a health service corporation contract shall
30 reimburse for orthotic and prosthetic appliances at the same rate as
31 reimbursement for such appliances under the federal Medicare
32 reimbursement schedule.

33 c. The benefits shall be provided to the same extent as for any
34 other medical condition under the contract.

35 d. The provisions of this section shall apply to all health service
36 corporation contracts in which the health service corporation has
37 reserved the right to change the premium.

38 (cf: P.L.2007, c.345, s.3)

39

40 4. Section 4 of P.L.2007, c.345 (C.17B:26-2.1z) is amended to
41 read as follows:

42 4. a. Every individual health insurance policy that provides
43 hospital or medical expense benefits and is delivered, issued, executed
44 or renewed in this State pursuant to N.J.S.17B:26-1 et seq., or
45 approved for issuance or renewal in this State by the Commissioner of
46 Banking and Insurance on or after the effective date of **'[this act]**

1 P.L.2007, c.345 (C.17:48-6ff et al.)¹, shall provide benefits to any
2 person covered thereunder for expenses incurred in obtaining:

3 (1) an orthotic or prosthetic appliance from any licensed orthotist
4 or prosthetist, 'licensed podiatrist.'¹ or any certified pedorthist, as
5 determined medically necessary by the covered person's physician;
6 and

7 (2) an additional orthotic or prosthetic appliance from any licensed
8 orthotist or prosthetist, 'licensed podiatrist,' or any certified
9 pedorthist, if the covered person's physician determines that the
10 additional appliance is necessary to enable the covered person to
11 engage in physical and recreational activities, including running,
12 bicycling, swimming, climbing, skiing, snowboarding, and team and
13 individual sports.

14 As used in this section, "orthotic appliance," "prosthetic
15 appliance," "licensed orthotist" and "licensed prosthetist" have the
16 meaning assigned to them in section 3 of P.L.1991, c.512 (C.45:12B-
17 3)¹, "licensed podiatrist" has the meaning assigned to it in R.S.45:5-
18 1 et seq.¹ and "certified pedorthist" has the meaning assigned to it in
19 subsection j. of section 18 of P.L.1991, c.512 (C.45:12B-18).

20 b. On and after the effective date of ¹**【this act】** P.L.2007, c.345
21 (C.17:48-6ff et al.)¹, an individual health insurance policy shall
22 reimburse for orthotic and prosthetic appliances at the same rate as
23 reimbursement for such appliances under the federal Medicare
24 reimbursement schedule.

25 c. The benefits shall be provided to the same extent as for any
26 other medical condition under the policy.

27 d. The provisions of this section shall apply to all individual
28 health insurance policies in which the insurer has reserved the right to
29 change the premium.

30 (cf: P.L.2007, c.345, s.4)

31

32 5. Section 5 of P.L.2007, c.345 (C.17B:27-46.1ff) is amended to
33 read as follows:

34 5. a. Every group health insurance policy that provides hospital
35 or medical expense benefits and is delivered, issued, executed or
36 renewed in this State pursuant to N.J.S.17B:27-26 et seq., or approved
37 for issuance or renewal in this State by the Commissioner of Banking
38 and Insurance on or after the effective date of ¹**【this act】** P.L.2007,
39 c.345 (C.17:48-6ff et al.)¹, shall provide benefits to any person
40 covered thereunder for expenses incurred in obtaining:

41 (1) an orthotic or prosthetic appliance from any licensed orthotist
42 or prosthetist, 'licensed podiatrist.'¹ or any certified pedorthist, as
43 determined medically necessary by the covered person's physician;
44 and

45 (2) an additional orthotic or prosthetic appliance from any licensed
46 orthotist or prosthetist, 'licensed podiatrist,' or any certified
47 pedorthist, if the covered person's physician determines that the

1 additional appliance is necessary to enable the covered person to
 2 engage in physical and recreational activities, including running,
 3 bicycling, swimming, climbing, skiing, snowboarding, and team and
 4 individual sports.

5 As used in this section, "orthotic appliance," "prosthetic
 6 appliance," "licensed orthotist" and "licensed prosthetist" have the
 7 meaning assigned to them in section 3 of P.L.1991, c.512 (C.45:12B-
 8 3)¹, "licensed podiatrist" has the meaning assigned to it in R.S.45:5-
 9 1 et seq.,¹ and "certified pedorthist" has the meaning assigned to it in
 10 subsection j. of section 18 of P.L.1991, c.512 (C.45:12B-18).

11 b. On and after the effective date of ¹**【this act】** P.L.2007, c.345
 12 (C.17:48-6ff et al.)¹, a group health insurance policy shall reimburse
 13 for orthotic and prosthetic appliances at the same rate as
 14 reimbursement for such appliances under the federal Medicare
 15 reimbursement schedule.

16 c. The benefits shall be provided to the same extent as for any
 17 other medical condition under the policy.

18 d. The provisions of this section shall apply to all group health
 19 insurance policies in which the insurer has reserved the right to change
 20 the premium.

21 (cf: P.L.2007, c.345, s.5)

22

23 6. Section 6 of P.L.2007, c.345 (C.17B:27A-7.13) is amended to
 24 read as follows:

25 6. a. Every individual health benefits plan that provides hospital
 26 or medical expense benefits and is delivered, issued, executed or
 27 renewed in this State pursuant to P.L.1992, c.161 (C.17B:27A-2 et
 28 seq.), or approved for issuance or renewal in this State by the
 29 Commissioner of Banking and Insurance on or after the effective date
 30 of ¹**【this act】** P.L.2007, c.345 (C.17:48-6ff et al.)¹, shall provide
 31 benefits to any person covered thereunder for expenses incurred in
 32 obtaining:

33 (1) an orthotic or prosthetic appliance from any licensed orthotist
 34 or prosthetist, ¹licensed podiatrist,¹ or any certified pedorthist, as
 35 determined medically necessary by the covered person's physician;
 36 and

37 (2) an additional orthotic or prosthetic appliance from any licensed
 38 orthotist or prosthetist, ¹licensed podiatrist,¹ or any certified
 39 pedorthist, if the covered person's physician determines that the
 40 additional appliance is necessary to enable the covered person to
 41 engage in physical and recreational activities, including running,
 42 bicycling, swimming, climbing, skiing, snowboarding, and team and
 43 individual sports.

44 As used in this section, "orthotic appliance," "prosthetic
 45 appliance," "licensed orthotist" and "licensed prosthetist" have the
 46 meaning assigned to them in section 3 of P.L.1991, c.512 (C.45:12B-
 47 3)¹, "licensed podiatrist" has the meaning assigned to it in R.S.45:5-

1 1 et seq.,¹ and "certified pedorthist" has the meaning assigned to it in
2 subsection j. of section 18 of P.L.1991, c.512 (C.45:12B-18).

3 b. On and after the effective date of ¹**【this act】** P.L.2007, c.345
4 (C.17:48-6ff et al.)¹, an individual health benefits plan shall reimburse
5 for orthotic and prosthetic appliances at the same rate as
6 reimbursement for such appliances under the federal Medicare
7 reimbursement schedule.

8 c. The benefits shall be provided to the same extent as for any
9 other medical condition under the health benefits plan.

10 d. The provisions of this section shall apply to all individual
11 health benefits plans in which the carrier has reserved the right to
12 change the premium.

13 (cf: P.L.2007, c.345, s.6)

14

15 7. Section 7 of P.L.2007, c.345 (C.17B:27A-19.17) is amended to
16 read as follows:

17 7. a. Every small employer health benefits plan that provides
18 hospital or medical expense benefits and is delivered, issued, executed
19 or renewed in this State pursuant to P.L.1992, c.162 (C.17B:27A-17 et
20 seq.), or approved for issuance or renewal in this State by the
21 Commissioner of Banking and Insurance on or after the effective date
22 of ¹**【this act】** P.L.2007, c.345 (C.17:48-6ff et al.)¹, shall provide
23 benefits to any person covered thereunder for expenses incurred in
24 obtaining:

25 (1) an orthotic or prosthetic appliance from any licensed orthotist
26 or prosthetist, ¹licensed podiatrist,¹ or any certified pedorthist, as
27 determined medically necessary by the covered person's physician;
28 and

29 (2) an additional orthotic or prosthetic appliance from any licensed
30 orthotist or prosthetist, ¹licensed podiatrist,¹ or any certified
31 pedorthist, if the covered person's physician determines that the
32 additional appliance is necessary to enable the covered person to
33 engage in physical and recreational activities, including running,
34 bicycling, swimming, climbing, skiing, snowboarding, and team and
35 individual sports.

36 As used in this section, "orthotic appliance," "prosthetic
37 appliance," "licensed orthotist" and "licensed prosthetist" have the
38 meaning assigned to them in section 3 of P.L.1991, c.512 (C.45:12B-
39 3)¹, "licensed podiatrist" has the meaning assigned to it in R.S.45:5-
40 1 et seq.,¹ and "certified pedorthist" has the meaning assigned to it in
41 subsection j. of section 18 of P.L.1991, c.512 (C.45:12B-18).

42 b. On and after the effective date of ¹**【this act】** P.L.2007, c.345
43 (C.17:48-6ff et al.)¹, a small employer health benefits plan shall
44 reimburse for orthotic and prosthetic appliances at the same rate as
45 reimbursement for such appliances under the federal Medicare
46 reimbursement schedule.

1 c. The benefits shall be provided to the same extent as for any
2 other medical condition under the health benefits plan.

3 d. The provisions of this section shall apply to all small employer
4 health benefits plans in which the carrier has reserved the right to
5 change the premium.

6 (cf: P.L.2007, c.345, s.7)

7
8 8. Section 8 of P.L.2007, c.345 (C.26:2J-4.31) is amended to read
9 as follows:

10 8. a. A certificate of authority to establish and operate a health
11 maintenance organization in this State pursuant to P.L.1973, c.337
12 (C.26:2J-1 et seq.) shall not be issued or continued by the
13 Commissioner of Health and Senior Services on or after the effective
14 date of ¹**["this act"] P.L.2007, c.345 (C.17:48-6ff et al.)¹ unless the
15 health maintenance organization provides health care services for any
16 person covered thereunder for expenses incurred in obtaining:**

17 (1) an orthotic or prosthetic appliance from any licensed orthotist
18 or prosthetist, ¹licensed podiatrist,¹ or any certified pedorthist, as
19 determined medically necessary by the covered person's physician;
20 and

21 (2) an additional orthotic or prosthetic appliance from any licensed
22 orthotist or prosthetist, ¹licensed podiatrist,¹ or any certified
23 pedorthist, if the covered person's physician determines that the
24 additional appliance is necessary to enable the covered person to
25 engage in physical and recreational activities, including running,
26 bicycling, swimming, climbing, skiing, snowboarding, and team and
27 individual sports.

28 As used in this section, "orthotic appliance," "prosthetic
29 appliance," "licensed orthotist" and "licensed prosthetist" have the
30 meaning assigned to them in section 3 of P.L.1991, c.512 (C.45:12B-
31 3)¹, "licensed podiatrist" has the meaning assigned to it in R.S.45:5-
32 1 et seq.,¹ and "certified pedorthist" has the meaning assigned to it in
33 subsection j. of section 18 of P.L.1991, c.512 (C.45:12B-18).

34 b. On and after the effective date of ¹**["this act"] P.L.2007, c.345**
35 **(C.17:48-6ff et al.)**¹, a health maintenance organization shall
36 reimburse for orthotic and prosthetic appliances at the same rate as
37 reimbursement for such appliances under the federal Medicare
38 reimbursement schedule.

39 c. The benefits shall be provided to the same extent as for any
40 other medical condition under the enrollee agreement.

41 d. The provisions of this section shall apply to all enrollee
42 agreements in which the health maintenance organization has reserved
43 the right to change the schedule of charges.

44 (cf: P.L.2012, c.17, s.276)

45
46 9. Section 9 of P.L.2007, c.345 (C.52:14-17.29m) is amended to
47 read as follows:

1 9. a. The State Health Benefits Commission shall ensure that
2 every contract purchased by the commission on or after the effective
3 date of ¹**["this act"] P.L.2007, c.345 (C.17:48-6ff et al.)**¹ that provides
4 hospital or medical expense benefits, shall provide benefits to any
5 person covered thereunder for expenses incurred in obtaining:

6 (1) an orthotic or prosthetic appliance from any licensed orthotist
7 or prosthetist, ¹licensed podiatrist,¹ or any certified pedorthist, as
8 determined medically necessary by the covered person's physician;
9 and

10 (2) an additional orthotic or prosthetic appliance from any licensed
11 orthotist or prosthetist, ¹licensed podiatrist,¹ or any certified
12 pedorthist, if the covered person's physician determines that the
13 additional appliance is necessary to enable the covered person to
14 engage in physical and recreational activities, including running,
15 bicycling, swimming, climbing, skiing, snowboarding, and team and
16 individual sports.

17 As used in this section, "orthotic appliance," "prosthetic
18 appliance," "licensed orthotist" and "licensed prosthetist" have the
19 meaning assigned to them in section 3 of P.L.1991, c.512 (C.45:12B-
20 3)¹, "licensed podiatrist" has the meaning assigned to it in R.S.45:5-
21 1 et seq.,¹ and "certified pedorthist" has the meaning assigned to it in
22 subsection j. of section 18 of P.L.1991, c.512 (C.45:12B-18).

23 b. On and after the effective date of ¹**["this act"] P.L.2007, c.345**
24 **(C.17:48-6ff et al.)**¹, a contract purchased by the commission shall
25 reimburse for orthotic and prosthetic appliances at the same rate as
26 reimbursement for such appliances under the federal Medicare
27 reimbursement schedule.

28 c. The benefits shall be provided to the same extent as for any
29 other medical condition under the contract.

30 (cf: P.L.2007, c.345, s.9)
31

32 10. This act shall take effect on the 90th day after enactment,
33 and shall apply to policies or contracts issued or renewed on or after
34 the effective date.
35
36
37

38
39 Requires health benefits coverage for additional orthotic and
40 prosthetic appliances under certain circumstances; requires
41 coverage for orthotic and prosthetic appliances obtained through
42 podiatrists.

CHAPTER 89

AN ACT concerning health benefits coverage and prosthetic appliances and amending P.L.2007, c.345.

BE IT ENACTED by the Senate and General Assembly of the State of New Jersey:

1. Section 1 of P.L.2007, c.345 (C.17:48-6ff) is amended to read as follows:

C.17:48-6ff Hospital service corporation to provide benefits for orthotic and prosthetic appliances.

1. a. Every hospital service corporation contract that provides hospital or medical expense benefits and is delivered, issued, executed or renewed in this State pursuant to P.L.1938, c.366 (C.17:48-1 et seq.), or approved for issuance or renewal in this State by the Commissioner of Banking and Insurance on or after the effective date of P.L.2007, c.345 (C.17:48-6ff et al.), shall provide benefits to any person covered thereunder for expenses incurred in obtaining:

(1) an orthotic or prosthetic appliance from any licensed orthotist or prosthetist, licensed podiatrist, or any certified pedorthist, as determined medically necessary by the covered person's physician; and

(2) an additional orthotic or prosthetic appliance from any licensed orthotist or prosthetist, licensed podiatrist, or any certified pedorthist, if the covered person's physician determines that the additional appliance is necessary to enable the covered person to engage in physical and recreational activities, including running, bicycling, swimming, climbing, skiing, snowboarding, and team and individual sports.

As used in this section, "orthotic appliance," "prosthetic appliance," "licensed orthotist" and "licensed prosthetist" have the meaning assigned to them in section 3 of P.L.1991, c.512 (C.45:12B-3), "licensed podiatrist" has the meaning assigned to it in R.S.45:5-1 et seq., and "certified pedorthist" has the meaning assigned to it in subsection j. of section 18 of P.L.1991, c.512 (C.45:12B-18).

b. On and after the effective date of P.L.2007, c.345 (C.17:48-6ff et al.), a hospital service corporation contract shall reimburse for orthotic and prosthetic appliances at the same rate as reimbursement for such appliances under the federal Medicare reimbursement schedule.

c. The benefits shall be provided to the same extent as for any other medical condition under the contract.

d. The provisions of this section shall apply to all hospital service corporation contracts in which the hospital service corporation has reserved the right to change the premium.

2. Section 2 of P.L.2007, c.345 (C.17:48A-7cc) is amended to read as follows:

C.17:48A-7cc Medical service corporation to provide benefits for orthotic and prosthetic appliances.

2. a. Every medical service corporation contract that provides hospital or medical expense benefits and is delivered, issued, executed or renewed in this State pursuant to P.L.1940, c.74 (C.17:48A-1 et seq.), or approved for issuance or renewal in this State by the Commissioner of Banking and Insurance on or after the effective date of P.L.2007, c.345 (C.17:48-6ff et al.), shall provide benefits to any person covered thereunder for expenses incurred in obtaining:

(1) an orthotic or prosthetic appliance from any licensed orthotist or prosthetist, licensed podiatrist, or any certified pedorthist, as determined medically necessary by the covered person's physician; and

(2) an additional orthotic or prosthetic appliance from any licensed orthotist or prosthetist, licensed podiatrist, or any certified pedorthist, if the covered person's physician determines that the additional appliance is necessary to enable the covered person to engage in physical and recreational activities, including running, bicycling, swimming, climbing, skiing, snowboarding, and team and individual sports.

As used in this section, "orthotic appliance," "prosthetic appliance," "licensed orthotist" and "licensed prosthetist" have the meaning assigned to them in section 3 of P.L.1991, c.512 (C.45:12B-3), "licensed podiatrist" has the meaning assigned to it in R.S.45:5-1 et seq., and "certified pedorthist" has the meaning assigned to it in subsection j. of section 18 of P.L.1991, c.512 (C.45:12B-18).

b. On and after the effective date of P.L.2007, c.345 (C.17:48-6ff et al.), a medical service corporation contract shall reimburse for orthotic and prosthetic appliances at the same rate as reimbursement for such appliances under the federal Medicare reimbursement schedule.

c. The benefits shall be provided to the same extent as for any other medical condition under the contract.

d. The provisions of this section shall apply to all medical service corporation contracts in which the medical service corporation has reserved the right to change the premium.

3. Section 3 of P.L.2007, c.345 (C.17:48E-35.30) is amended to read as follows:

C.17:48E-35.30 Health service corporation to provide benefits for orthotic and prosthetic appliances.

3. a. Every health service corporation contract that provides hospital or medical expense benefits and is delivered, issued, executed or renewed in this State pursuant to P.L.1985, c.236 (C.17:48E-1 et seq.), or approved for issuance or renewal in this State by the Commissioner of Banking and Insurance on or after the effective date of P.L.2007, c.345 (C.17:48-6ff et al.), shall provide benefits to any person covered thereunder for expenses incurred in obtaining:

(1) an orthotic or prosthetic appliance from any licensed orthotist or prosthetist, licensed podiatrist, or any certified pedorthist, as determined medically necessary by the covered person's physician; and

(2) an additional orthotic or prosthetic appliance from any licensed orthotist or prosthetist, licensed podiatrist, or any certified pedorthist, if the covered person's physician determines that the additional appliance is necessary to enable the covered person to engage in physical and recreational activities, including running, bicycling, swimming, climbing, skiing, snowboarding, and team and individual sports.

As used in this section, "orthotic appliance," "prosthetic appliance," "licensed orthotist" and "licensed prosthetist" have the meaning assigned to them in section 3 of P.L.1991, c.512 (C.45:12B-3), "licensed podiatrist" has the meaning assigned to it in R.S.45:5-1 et seq., and "certified pedorthist" has the meaning assigned to it in subsection j. of section 18 of P.L.1991, c.512 (C.45:12B-18).

b. On and after the effective date of P.L.2007, c.345 (C.17:48-6ff et al.), a health service corporation contract shall reimburse for orthotic and prosthetic appliances at the same rate as reimbursement for such appliances under the federal Medicare reimbursement schedule.

c. The benefits shall be provided to the same extent as for any other medical condition under the contract.

d. The provisions of this section shall apply to all health service corporation contracts in which the health service corporation has reserved the right to change the premium.

4. Section 4 of P.L.2007, c.345 (C.17B:26-2.1z) is amended to read as follows:

C.17B:26-2.1z Individual health insurance policies to provide benefits for orthotic and prosthetic appliances.

4. a. Every individual health insurance policy that provides hospital or medical expense benefits and is delivered, issued, executed or renewed in this State pursuant to N.J.S.17B:26-1 et seq., or approved for issuance or renewal in this State by the Commissioner of Banking and Insurance on or after the effective date of P.L.2007, c.345 (C.17:48-6ff et al.), shall provide benefits to any person covered thereunder for expenses incurred in obtaining:

(1) an orthotic or prosthetic appliance from any licensed orthotist or prosthetist, licensed podiatrist, or any certified pedorthist, as determined medically necessary by the covered person's physician; and

(2) an additional orthotic or prosthetic appliance from any licensed orthotist or prosthetist, licensed podiatrist, or any certified pedorthist, if the covered person's physician determines that the additional appliance is necessary to enable the covered person to engage in physical and recreational activities, including running, bicycling, swimming, climbing, skiing, snowboarding, and team and individual sports.

As used in this section, "orthotic appliance," "prosthetic appliance," "licensed orthotist" and "licensed prosthetist" have the meaning assigned to them in section 3 of P.L.1991, c.512 (C.45:12B-3), "licensed podiatrist" has the meaning assigned to it in R.S.45:5-1 et seq., and "certified pedorthist" has the meaning assigned to it in subsection j. of section 18 of P.L.1991, c.512 (C.45:12B-18).

b. On and after the effective date of P.L.2007, c.345 (C.17:48-6ff et al.), an individual health insurance policy shall reimburse for orthotic and prosthetic appliances at the same rate as reimbursement for such appliances under the federal Medicare reimbursement schedule.

c. The benefits shall be provided to the same extent as for any other medical condition under the policy.

d. The provisions of this section shall apply to all individual health insurance policies in which the insurer has reserved the right to change the premium.

5. Section 5 of P.L.2007, c.345 (C.17B:27-46.1ff) is amended to read as follows:

C.17B:27-46.1ff Group health insurance policies to provide benefits for orthotic and prosthetic appliances.

5. a. Every group health insurance policy that provides hospital or medical expense benefits and is delivered, issued, executed or renewed in this State pursuant to N.J.S.17B:27-26 et seq., or approved for issuance or renewal in this State by the Commissioner of Banking and Insurance on or after the effective date of P.L.2007, c.345 (C.17:48-6ff et al.), shall provide benefits to any person covered thereunder for expenses incurred in obtaining:

(1) an orthotic or prosthetic appliance from any licensed orthotist or prosthetist, licensed podiatrist, or any certified pedorthist, as determined medically necessary by the covered person's physician; and

(2) an additional orthotic or prosthetic appliance from any licensed orthotist or prosthetist, licensed podiatrist, or any certified pedorthist, if the covered person's physician determines that the additional appliance is necessary to enable the covered person to engage in physical and recreational activities, including running, bicycling, swimming, climbing, skiing, snowboarding, and team and individual sports.

As used in this section, "orthotic appliance," "prosthetic appliance," "licensed orthotist" and "licensed prosthetist" have the meaning assigned to them in section 3 of P.L.1991, c.512 (C.45:12B-3), "licensed podiatrist" has the meaning assigned to it in R.S.45:5-1 et seq., and "certified pedorthist" has the meaning assigned to it in subsection j. of section 18 of P.L.1991, c.512 (C.45:12B-18).

b. On and after the effective date of P.L.2007, c.345 (C.17:48-6ff et al.), a group health insurance policy shall reimburse for orthotic and prosthetic appliances at the same rate as reimbursement for such appliances under the federal Medicare reimbursement schedule.

c. The benefits shall be provided to the same extent as for any other medical condition under the policy.

d. The provisions of this section shall apply to all group health insurance policies in which the insurer has reserved the right to change the premium.

6. Section 6 of P.L.2007, c.345 (C.17B:27A-7.13) is amended to read as follows:

C.17B:27A-7.13 Individual health benefits plans to provide benefits for orthotic and prosthetic appliances.

6. a. Every individual health benefits plan that provides hospital or medical expense benefits and is delivered, issued, executed or renewed in this State pursuant to P.L.1992, c.161 (C.17B:27A-2 et seq.), or approved for issuance or renewal in this State by the Commissioner of Banking and Insurance on or after the effective date of P.L.2007, c.345 (C.17:48-6ff et al.), shall provide benefits to any person covered thereunder for expenses incurred in obtaining:

(1) an orthotic or prosthetic appliance from any licensed orthotist or prosthetist, licensed podiatrist, or any certified pedorthist, as determined medically necessary by the covered person's physician; and

(2) an additional orthotic or prosthetic appliance from any licensed orthotist or prosthetist, licensed podiatrist, or any certified pedorthist, if the covered person's physician determines that the additional appliance is necessary to enable the covered person to engage in physical and recreational activities, including running, bicycling, swimming, climbing, skiing, snowboarding, and team and individual sports.

As used in this section, "orthotic appliance," "prosthetic appliance," "licensed orthotist" and "licensed prosthetist" have the meaning assigned to them in section 3 of P.L.1991, c.512 (C.45:12B-3), "licensed podiatrist" has the meaning assigned to it in R.S.45:5-1 et seq., and "certified pedorthist" has the meaning assigned to it in subsection j. of section 18 of P.L.1991, c.512 (C.45:12B-18).

b. On and after the effective date of P.L.2007, c.345 (C.17:48-6ff et al.), an individual health benefits plan shall reimburse for orthotic and prosthetic appliances at the same rate as reimbursement for such appliances under the federal Medicare reimbursement schedule.

c. The benefits shall be provided to the same extent as for any other medical condition under the health benefits plan.

d. The provisions of this section shall apply to all individual health benefits plans in which the carrier has reserved the right to change the premium.

7. Section 7 of P.L.2007, c.345 (C.17B:27A-19.17) is amended to read as follows:

C.17B:27A-19.17 Small employer health benefits plans to provide benefits for orthotic and prosthetic appliances.

7. a. Every small employer health benefits plan that provides hospital or medical expense benefits and is delivered, issued, executed or renewed in this State pursuant to P.L.1992, c.162 (C.17B:27A-17 et seq.), or approved for issuance or renewal in this State by the Commissioner of Banking and Insurance on or after the effective date of P.L.2007, c.345 (C.17:48-6ff et al.), shall provide benefits to any person covered thereunder for expenses incurred in obtaining:

(1) an orthotic or prosthetic appliance from any licensed orthotist or prosthetist, licensed podiatrist, or any certified pedorthist, as determined medically necessary by the covered person's physician; and

(2) an additional orthotic or prosthetic appliance from any licensed orthotist or prosthetist, licensed podiatrist, or any certified pedorthist, if the covered person's physician determines that the additional appliance is necessary to enable the covered person to engage in physical and recreational activities, including running, bicycling, swimming, climbing, skiing, snowboarding, and team and individual sports.

As used in this section, "orthotic appliance," "prosthetic appliance," "licensed orthotist" and "licensed prosthetist" have the meaning assigned to them in section 3 of P.L.1991, c.512 (C.45:12B-3), "licensed podiatrist" has the meaning assigned to it in R.S.45:5-1 et seq., and "certified pedorthist" has the meaning assigned to it in subsection j. of section 18 of P.L.1991, c.512 (C.45:12B-18).

b. On and after the effective date of P.L.2007, c.345 (C.17:48-6ff et al.), a small employer health benefits plan shall reimburse for orthotic and prosthetic appliances at the same rate as reimbursement for such appliances under the federal Medicare reimbursement schedule.

c. The benefits shall be provided to the same extent as for any other medical condition under the health benefits plan.

d. The provisions of this section shall apply to all small employer health benefits plans in which the carrier has reserved the right to change the premium.

8. Section 8 of P.L.2007, c.345 (C.26:2J-4.31) is amended to read as follows:

C.26:2J-4.31 HMOs to provide benefits for orthotic and prosthetic appliances.

8. a. A certificate of authority to establish and operate a health maintenance organization in this State pursuant to P.L.1973, c.337 (C.26:2J-1 et seq.) shall not be issued or continued by the Commissioner of Health and Senior Services on or after the effective date of P.L.2007, c.345 (C.17:48-6ff et al.) unless the health maintenance organization provides health care services for any person covered thereunder for expenses incurred in obtaining:

(1) an orthotic or prosthetic appliance from any licensed orthotist or prosthetist, licensed podiatrist, or any certified pedorthist, as determined medically necessary by the covered person's physician; and

(2) an additional orthotic or prosthetic appliance from any licensed orthotist or prosthetist, licensed podiatrist, or any certified pedorthist, if the covered person's physician determines that the additional appliance is necessary to enable the covered person to engage in physical and recreational activities, including running, bicycling, swimming, climbing, skiing, snowboarding, and team and individual sports.

As used in this section, "orthotic appliance," "prosthetic appliance," "licensed orthotist" and "licensed prosthetist" have the meaning assigned to them in section 3 of P.L.1991, c.512 (C.45:12B-3), "licensed podiatrist" has the meaning assigned to it in R.S.45:5-1 et seq., and "certified pedorthist" has the meaning assigned to it in subsection j. of section 18 of P.L.1991, c.512 (C.45:12B-18).

b. On and after the effective date of P.L.2007, c.345 (C.17:48-6ff et al.), a health maintenance organization shall reimburse for orthotic and prosthetic appliances at the same rate as reimbursement for such appliances under the federal Medicare reimbursement schedule.

c. The benefits shall be provided to the same extent as for any other medical condition under the enrollee agreement.

d. The provisions of this section shall apply to all enrollee agreements in which the health maintenance organization has reserved the right to change the schedule of charges.

9. Section 9 of P.L.2007, c.345 (C.52:14-17.29m) is amended to read as follows:

C.52:14-17.29m State health benefits plan to provide benefits for orthotic and prosthetic appliances.

9. a. The State Health Benefits Commission shall ensure that every contract purchased by the commission on or after the effective date of P.L.2007, c.345 (C.17:48-6ff et al.) that provides hospital or medical expense benefits, shall provide benefits to any person covered thereunder for expenses incurred in obtaining:

(1) an orthotic or prosthetic appliance from any licensed orthotist or prosthetist, licensed podiatrist, or any certified pedorthist, as determined medically necessary by the covered person's physician; and

(2) an additional orthotic or prosthetic appliance from any licensed orthotist or prosthetist, licensed podiatrist, or any certified pedorthist, if the covered person's physician determines that the additional appliance is necessary to enable the covered person to engage in physical and recreational activities, including running, bicycling, swimming, climbing, skiing, snowboarding, and team and individual sports.

As used in this section, "orthotic appliance," "prosthetic appliance," "licensed orthotist" and "licensed prosthetist" have the meaning assigned to them in section 3 of P.L.1991, c.512 (C.45:12B-3), "licensed podiatrist" has the meaning assigned to it in R.S.45:5-1 et seq., and "certified pedorthist" has the meaning assigned to it in subsection j. of section 18 of P.L.1991, c.512 (C.45:12B-18).

b. On and after the effective date of P.L.2007, c.345 (C.17:48-6ff et al.), a contract purchased by the commission shall reimburse for orthotic and prosthetic appliances at the same rate as reimbursement for such appliances under the federal Medicare reimbursement schedule.

c. The benefits shall be provided to the same extent as for any other medical condition under the contract.

10. This act shall take effect on the 90th day after enactment, and shall apply to policies or contracts issued or renewed on or after the effective date.

Approved July 8, 2025.

SENATE, No. 1439

STATE OF NEW JERSEY
221st LEGISLATURE

PRE-FILED FOR INTRODUCTION IN THE 2024 SESSION

Sponsored by:

Senator TROY SINGLETON

District 7 (Burlington)

Senator ANTHONY M. BUCCO

District 25 (Morris and Passaic)

Co-Sponsored by:

Senators Diegnan and Steinhardt

SYNOPSIS

Requires health benefits coverage for additional prosthetic appliance under certain circumstances.

CURRENT VERSION OF TEXT

Introduced Pending Technical Review by Legislative Counsel.



(Sponsorship Updated As Of: 5/6/2024)

1 **AN ACT** concerning health benefits coverage and prosthetic
2 appliances and amending P.L.2007, c.345.

3

4 **BE IT ENACTED** *by the Senate and General Assembly of the State*
5 *of New Jersey:*

6

7 1. Section 1 of P.L.2007, c.345 (C.17:48-6ff) is amended to
8 read as follows:

9 1. a. Every hospital service corporation contract that provides
10 hospital or medical expense benefits and is delivered, issued,
11 executed or renewed in this State pursuant to P.L.1938, c.366
12 (C.17:48-1 et seq.), or approved for issuance or renewal in this State
13 by the Commissioner of Banking and Insurance on or after the
14 effective date of this act, shall provide benefits to any person
15 covered thereunder for expenses incurred in obtaining:

16 (1) an orthotic or prosthetic appliance from any licensed
17 orthotist or prosthetist, or any certified pedorthist, as determined
18 medically necessary by the covered person's physician; and

19 (2) an additional orthotic or prosthetic appliance from any
20 licensed orthotist or prosthetist, or any certified pedorthist, if the
21 covered person's physician determines that the additional appliance
22 is necessary to enable the covered person to engage in physical and
23 recreational activities, including running, bicycling, swimming,
24 climbing, skiing, snowboarding, and team and individual sports.

25 As used in this section, "orthotic appliance," "prosthetic
26 appliance," "licensed orthotist" and "licensed prosthetist" have the
27 meaning assigned to them in section 3 of P.L.1991, c.512
28 (C.45:12B-3) and "certified pedorthist" has the meaning assigned to
29 it in subsection j. of section 18 of P.L.1991, c.512 (C.45:12B-18).

30 b. On and after the effective date of this act, a hospital service
31 corporation contract shall reimburse for orthotic and prosthetic
32 appliances at the same rate as reimbursement for such appliances
33 under the federal Medicare reimbursement schedule.

34 c. The benefits shall be provided to the same extent as for any
35 other medical condition under the contract.

36 d. The provisions of this section shall apply to all hospital
37 service corporation contracts in which the hospital service
38 corporation has reserved the right to change the premium.

39 (cf: P.L.2007, c.345, s.1)

40

41 2. Section 2 of P.L.2007, c.345 (C.17:48A-7cc) is amended to
42 read as follows:

43 2. a. Every medical service corporation contract that provides
44 hospital or medical expense benefits and is delivered, issued,
45 executed or renewed in this State pursuant to P.L.1940, c.74
46 (C.17:48A-1 et seq.), or approved for issuance or renewal in this

EXPLANATION – Matter enclosed in bold-faced brackets **【thus】** in the above bill is
not enacted and is intended to be omitted in the law.

Matter underlined thus is new matter.

1 State by the Commissioner of Banking and Insurance on or after the
2 effective date of this act, shall provide benefits to any person
3 covered thereunder for expenses incurred in obtaining:

4 (1) an orthotic or prosthetic appliance from any licensed
5 orthotist or prosthetist, or any certified pedorthist, as determined
6 medically necessary by the covered person's physician; and

7 (2) an additional orthotic or prosthetic appliance from any
8 licensed orthotist or prosthetist, or any certified pedorthist, if the
9 covered person's physician determines that the additional appliance
10 is necessary to enable the covered person to engage in physical and
11 recreational activities, including running, bicycling, swimming,
12 climbing, skiing, snowboarding, and team and individual sports.

13 As used in this section, "orthotic appliance," "prosthetic
14 appliance," "licensed orthotist" and "licensed prosthetist" have the
15 meaning assigned to them in section 3 of P.L.1991, c.512
16 (C.45:12B-3) and "certified pedorthist" has the meaning assigned to
17 it in subsection j. of section 18 of P.L.1991, c.512 (C.45:12B-18).

18 b. On and after the effective date of this act, a medical service
19 corporation contract shall reimburse for orthotic and prosthetic
20 appliances at the same rate as reimbursement for such appliances
21 under the federal Medicare reimbursement schedule.

22 c. The benefits shall be provided to the same extent as for any
23 other medical condition under the contract.

24 d. The provisions of this section shall apply to all medical
25 service corporation contracts in which the medical service
26 corporation has reserved the right to change the premium.

27 (cf: P.L.2007, c.345, s.2)

28
29 3. Section 3 of P.L.2007, c.345 (C.17:48E-35.30) is amended
30 to read as follows:

31 3. a. Every health service corporation contract that provides
32 hospital or medical expense benefits and is delivered, issued,
33 executed or renewed in this State pursuant to P.L.1985, c.236
34 (C.17:48E-1 et seq.), or approved for issuance or renewal in this
35 State by the Commissioner of Banking and Insurance on or after the
36 effective date of this act, shall provide benefits to any person
37 covered thereunder for expenses incurred in obtaining:

38 (1) an orthotic or prosthetic appliance from any licensed
39 orthotist or prosthetist, or any certified pedorthist, as determined
40 medically necessary by the covered person's physician; and

41 (2) an additional orthotic or prosthetic appliance from any
42 licensed orthotist or prosthetist, or any certified pedorthist, if the
43 covered person's physician determines that the additional appliance
44 is necessary to enable the covered person to engage in physical and
45 recreational activities, including running, bicycling, swimming,
46 climbing, skiing, snowboarding, and team and individual sports.

47 As used in this section, "orthotic appliance," "prosthetic
48 appliance," "licensed orthotist" and "licensed prosthetist" have the

1 meaning assigned to them in section 3 of P.L.1991, c.512
2 (C.45:12B-3) and "certified pedorthist" has the meaning assigned to
3 it in subsection j. of section 18 of P.L.1991, c.512 (C.45:12B-18).

4 b. On and after the effective date of this act, a health service
5 corporation contract shall reimburse for orthotic and prosthetic
6 appliances at the same rate as reimbursement for such appliances
7 under the federal Medicare reimbursement schedule.

8 c. The benefits shall be provided to the same extent as for any
9 other medical condition under the contract.

10 d. The provisions of this section shall apply to all health
11 service corporation contracts in which the health service
12 corporation has reserved the right to change the premium.
13 (cf: P.L.2007, c.345, s.3)

14

15 4. Section 4 of P.L.2007, c.345 (C.17B:26-2.1z) is amended to
16 read as follows:

17 4. a. Every individual health insurance policy that provides
18 hospital or medical expense benefits and is delivered, issued,
19 executed or renewed in this State pursuant to N.J.S.17B:26-1 et
20 seq., or approved for issuance or renewal in this State by the
21 Commissioner of Banking and Insurance on or after the effective
22 date of this act, shall provide benefits to any person covered
23 thereunder for expenses incurred in obtaining:

24 (1) an orthotic or prosthetic appliance from any licensed
25 orthotist or prosthetist, or any certified pedorthist, as determined
26 medically necessary by the covered person's physician; and

27 (2) an additional orthotic or prosthetic appliance from any
28 licensed orthotist or prosthetist, or any certified pedorthist, if the
29 covered person's physician determines that the additional appliance
30 is necessary to enable the covered person to engage in physical and
31 recreational activities, including running, bicycling, swimming,
32 climbing, skiing, snowboarding, and team and individual sports.

33 As used in this section, "orthotic appliance," "prosthetic
34 appliance," "licensed orthotist" and "licensed prosthetist" have the
35 meaning assigned to them in section 3 of P.L.1991, c.512
36 (C.45:12B-3) and "certified pedorthist" has the meaning assigned to
37 it in subsection j. of section 18 of P.L.1991, c.512 (C.45:12B-18).

38 b. On and after the effective date of this act, an individual
39 health insurance policy shall reimburse for orthotic and prosthetic
40 appliances at the same rate as reimbursement for such appliances
41 under the federal Medicare reimbursement schedule.

42 c. The benefits shall be provided to the same extent as for any
43 other medical condition under the policy.

44 d. The provisions of this section shall apply to all individual
45 health insurance policies in which the insurer has reserved the right
46 to change the premium.

47 (cf: P.L.2007, c.345, s.4)

1 5. Section 5 of P.L.2007, c.345 (C.17B:27-46.1ff) is amended
2 to read as follows:

3 5. a. Every group health insurance policy that provides
4 hospital or medical expense benefits and is delivered, issued,
5 executed or renewed in this State pursuant to N.J.S.17B:27-26 et
6 seq., or approved for issuance or renewal in this State by the
7 Commissioner of Banking and Insurance on or after the effective
8 date of this act, shall provide benefits to any person covered
9 thereunder for expenses incurred in obtaining:

10 (1) an orthotic or prosthetic appliance from any licensed
11 orthotist or prosthetist, or any certified pedorthist, as determined
12 medically necessary by the covered person's physician; and

13 (2) an additional orthotic or prosthetic appliance from any
14 licensed orthotist or prosthetist, or any certified pedorthist, if the
15 covered person's physician determines that the additional appliance
16 is necessary to enable the covered person to engage in physical and
17 recreational activities, including running, bicycling, swimming,
18 climbing, skiing, snowboarding, and team and individual sports.

19 As used in this section, "orthotic appliance," "prosthetic
20 appliance," "licensed orthotist" and "licensed prosthetist" have the
21 meaning assigned to them in section 3 of P.L.1991, c.512
22 (C.45:12B-3) and "certified pedorthist" has the meaning assigned to
23 it in subsection j. of section 18 of P.L.1991, c.512 (C.45:12B-18).

24 b. On and after the effective date of this act, a group health
25 insurance policy shall reimburse for orthotic and prosthetic
26 appliances at the same rate as reimbursement for such appliances
27 under the federal Medicare reimbursement schedule.

28 c. The benefits shall be provided to the same extent as for any
29 other medical condition under the policy.

30 d. The provisions of this section shall apply to all group health
31 insurance policies in which the insurer has reserved the right to
32 change the premium.

33 (cf: P.L.2007, c.345, s.5)
34

35 6. Section 6 of P.L.2007, c.345 (C.17B:27A-7.13) is amended
36 to read as follows:

37 6. a. Every individual health benefits plan that provides
38 hospital or medical expense benefits and is delivered, issued,
39 executed or renewed in this State pursuant to P.L.1992, c.161
40 (C.17B:27A-2 et seq.), or approved for issuance or renewal in this
41 State by the Commissioner of Banking and Insurance on or after the
42 effective date of this act, shall provide benefits to any person
43 covered thereunder for expenses incurred in obtaining:

44 (1) an orthotic or prosthetic appliance from any licensed
45 orthotist or prosthetist, or any certified pedorthist, as determined
46 medically necessary by the covered person's physician; and

47 (2) an additional orthotic or prosthetic appliance from any
48 licensed orthotist or prosthetist, or any certified pedorthist, if the

1 covered person's physician determines that the additional appliance
2 is necessary to enable the covered person to engage in physical and
3 recreational activities, including running, bicycling, swimming,
4 climbing, skiing, snowboarding, and team and individual sports.

5 As used in this section, "orthotic appliance," "prosthetic
6 appliance," "licensed orthotist" and "licensed prosthetist" have the
7 meaning assigned to them in section 3 of P.L.1991, c.512
8 (C.45:12B-3) and "certified pedorthist" has the meaning assigned to
9 it in subsection j. of section 18 of P.L.1991, c.512 (C.45:12B-18).

10 b. On and after the effective date of this act, an individual
11 health benefits plan shall reimburse for orthotic and prosthetic
12 appliances at the same rate as reimbursement for such appliances
13 under the federal Medicare reimbursement schedule.

14 c. The benefits shall be provided to the same extent as for any
15 other medical condition under the health benefits plan.

16 d. The provisions of this section shall apply to all individual
17 health benefits plans in which the carrier has reserved the right to
18 change the premium.

19 (cf: P.L.2007, c.345, s.6)

20
21 7. Section 7 of P.L.2007, c.345 (C.17B:27A-19.17) is amended
22 to read as follows:

23 7. a. Every small employer health benefits plan that provides
24 hospital or medical expense benefits and is delivered, issued,
25 executed or renewed in this State pursuant to P.L.1992, c.162
26 (C.17B:27A-17 et seq.), or approved for issuance or renewal in this
27 State by the Commissioner of Banking and Insurance on or after the
28 effective date of this act, shall provide benefits to any person
29 covered thereunder for expenses incurred in obtaining:

30 (1) an orthotic or prosthetic appliance from any licensed
31 orthotist or prosthetist, or any certified pedorthist, as determined
32 medically necessary by the covered person's physician; and

33 (2) an additional orthotic or prosthetic appliance from any
34 licensed orthotist or prosthetist, or any certified pedorthist, if the
35 covered person's physician determines that the additional appliance
36 is necessary to enable the covered person to engage in physical and
37 recreational activities, including running, bicycling, swimming,
38 climbing, skiing, snowboarding, and team and individual sports.

39 As used in this section, "orthotic appliance," "prosthetic
40 appliance," "licensed orthotist" and "licensed prosthetist" have the
41 meaning assigned to them in section 3 of P.L.1991, c.512
42 (C.45:12B-3) and "certified pedorthist" has the meaning assigned to
43 it in subsection j. of section 18 of P.L.1991, c.512 (C.45:12B-18).

44 b. On and after the effective date of this act, a small employer
45 health benefits plan shall reimburse for orthotic and prosthetic
46 appliances at the same rate as reimbursement for such appliances
47 under the federal Medicare reimbursement schedule.

1 c. The benefits shall be provided to the same extent as for any
2 other medical condition under the health benefits plan.

3 d. The provisions of this section shall apply to all small
4 employer health benefits plans in which the carrier has reserved the
5 right to change the premium.
6 (cf: P.L.2007, c.345, s.7)
7

8 8. Section 8 of P.L.2007, c.345 (C.26:2J-4.31) is amended to
9 read as follows:

10 8. a. A certificate of authority to establish and operate a health
11 maintenance organization in this State pursuant to P.L.1973, c.337
12 (C.26:2J-1 et seq.) shall not be issued or continued by the
13 Commissioner of Health and Senior Services on or after the
14 effective date of this act unless the health maintenance organization
15 provides health care services for any person covered thereunder for
16 expenses incurred in obtaining:

17 (1) an orthotic or prosthetic appliance from any licensed
18 orthotist or prosthetist, or any certified pedorthist, as determined
19 medically necessary by the covered person's physician; and

20 (2) an additional orthotic or prosthetic appliance from any
21 licensed orthotist or prosthetist, or any certified pedorthist, if the
22 covered person's physician determines that the additional appliance
23 is necessary to enable the covered person to engage in physical and
24 recreational activities, including running, bicycling, swimming,
25 climbing, skiing, snowboarding, and team and individual sports.

26 As used in this section, "orthotic appliance," "prosthetic
27 appliance," "licensed orthotist" and "licensed prosthetist" have the
28 meaning assigned to them in section 3 of P.L.1991, c.512
29 (C.45:12B-3) and "certified pedorthist" has the meaning assigned to
30 it in subsection j. of section 18 of P.L.1991, c.512 (C.45:12B-18).

31 b. On and after the effective date of this act, a health
32 maintenance organization shall reimburse for orthotic and prosthetic
33 appliances at the same rate as reimbursement for such appliances
34 under the federal Medicare reimbursement schedule.

35 c. The benefits shall be provided to the same extent as for any
36 other medical condition under the enrollee agreement.

37 d. The provisions of this section shall apply to all enrollee
38 agreements in which the health maintenance organization has
39 reserved the right to change the schedule of charges.
40 (cf: P.L.2012, c.17, s.276)
41

42 9. Section 9 of P.L.2007, c.345 (C.52:14-17.29m) is amended
43 to read as follows:

44 9. a. The State Health Benefits Commission shall ensure that
45 every contract purchased by the commission on or after the
46 effective date of this act that provides hospital or medical expense
47 benefits, shall provide benefits to any person covered thereunder for
48 expenses incurred in obtaining:

(1) an orthotic or prosthetic appliance from any licensed orthotist or prosthetist, or any certified pedorthist, as determined medically necessary by the covered person's physician; and

(2) an additional orthotic or prosthetic appliance from any licensed orthotist or prosthetist, or any certified pedorthist, if the covered person's physician determines that the additional appliance is necessary to enable the covered person to engage in physical and recreational activities, including running, bicycling, swimming, climbing, skiing, snowboarding, and team and individual sports.

As used in this section, "orthotic appliance," "prosthetic appliance," "licensed orthotist" and "licensed prosthetist" have the meaning assigned to them in section 3 of P.L.1991, c.512 (C.45:12B-3) and "certified pedorthist" has the meaning assigned to it in subsection j. of section 18 of P.L.1991, c.512 (C.45:12B-18).

b. On and after the effective date of this act, a contract purchased by the commission shall reimburse for orthotic and prosthetic appliances at the same rate as reimbursement for such appliances under the federal Medicare reimbursement schedule.

c. The benefits shall be provided to the same extent as for any other medical condition under the contract.

(cf: P.L.2007, c.345, s.9)

10. This act shall take effect on the 90th day after enactment, and shall apply to policies or contracts issued or renewed on or after the effective date.

STATEMENT

This bill requires health benefits coverage for an additional prosthetic appliance under certain circumstances.

The bill requires health benefits coverage for an additional orthotic or prosthetic appliance from any licensed orthotist or prosthetist, or any certified pedorthist, if the covered person's physician determines that the additional appliance is necessary to enable the covered person to engage in physical and recreational activities, including running, bicycling, swimming, climbing, skiing, snowboarding, and team and individual sports. The reimbursement for the additional orthotic or prosthetic appliance is at the same rate as reimbursement for the appliances under the federal Medicare reimbursement schedule.

Current law requires health benefits coverage for expenses incurred in obtaining an orthotic or prosthetic appliance from any licensed orthotist or prosthetist, or any certified pedorthist, as determined medically necessary by the covered person's physician, but does not require coverage of an additional appliance for physical or recreational activities.

1 The bill would apply to hospital, medical, and health service
2 corporations; commercial individual, small employer, and larger
3 group insurers; health maintenance organizations; and the State
4 Health Benefits Program and the School Employees' Health
5 Benefits Program.

[First Reprint]

SENATE, No. 1439

STATE OF NEW JERSEY

221st LEGISLATURE

PRE-FILED FOR INTRODUCTION IN THE 2024 SESSION

Sponsored by:

Senator TROY SINGLETON

District 7 (Burlington)

Senator ANTHONY M. BUCCO

District 25 (Morris and Passaic)

Assemblyman WILLIAM B. SAMPSON, IV

District 31 (Hudson)

Assemblyman ANTWAN L. MCCLELLAN

District 1 (Atlantic, Cape May and Cumberland)

Assemblyman CODY D. MILLER

District 4 (Atlantic, Camden and Gloucester)

Co-Sponsored by:

Senators Diegnan, Steinhardt, Burgess, Ruiz, McKnight, Pou,

Assemblywoman McCann Stamato, Assemblyman Atkins,

Assemblywomen Ramirez, Drulis, Assemblymen Simonsen, Bergen,

Assemblywoman Flynn, Assemblyman Scharfenberger, Assemblywomen

Bagolie, Reynolds-Jackson, Haider, Assemblymen Hutchison and Freiman

SYNOPSIS

Requires health benefits coverage for additional orthotic and prosthetic appliances under certain circumstances; requires coverage for orthotic and prosthetic appliances obtained through podiatrists.

CURRENT VERSION OF TEXT

As reported by the Senate Commerce Committee on May 13, 2024, with amendments.

(Sponsorship Updated As Of: 5/22/2025)

1 AN ACT concerning health benefits coverage and prosthetic
2 appliances and amending P.L.2007, c.345.

3

4 BE IT ENACTED by the Senate and General Assembly of the State
5 of New Jersey:

6

7 1. Section 1 of P.L.2007, c.345 (C.17:48-6ff) is amended to read
8 as follows:

9 1. a. Every hospital service corporation contract that provides
10 hospital or medical expense benefits and is delivered, issued, executed
11 or renewed in this State pursuant to P.L.1938, c.366 (C.17:48-1 et
12 seq.), or approved for issuance or renewal in this State by the
13 Commissioner of Banking and Insurance on or after the effective date
14 of ¹**["this act"] P.L.2007, c.345 (C.17:48-6ff et al.)¹**, shall provide
15 benefits to any person covered thereunder for expenses incurred in
16 obtaining:

17 (1) an orthotic or prosthetic appliance from any licensed orthotist
18 or prosthetist, ¹licensed podiatrist,¹ or any certified pedorthist, as
19 determined medically necessary by the covered person's physician;
20 and

21 (2) an additional orthotic or prosthetic appliance from any licensed
22 orthotist or prosthetist, ¹licensed podiatrist,¹ or any certified
23 pedorthist, if the covered person's physician determines that the
24 additional appliance is necessary to enable the covered person to
25 engage in physical and recreational activities, including running,
26 bicycling, swimming, climbing, skiing, snowboarding, and team and
27 individual sports.

28 As used in this section, "orthotic appliance," "prosthetic
29 appliance," "licensed orthotist" and "licensed prosthetist" have the
30 meaning assigned to them in section 3 of P.L.1991, c.512 (C.45:12B-
31 3)¹, "licensed podiatrist" has the meaning assigned to it in R.S.45:5-
32 1 et seq.,¹ and "certified pedorthist" has the meaning assigned to it in
33 subsection j. of section 18 of P.L.1991, c.512 (C.45:12B-18).

34 b. On and after the effective date of ¹**["this act"] P.L.2007, c.345**
35 **(C.17:48-6ff et al.)¹**, a hospital service corporation contract shall
36 reimburse for orthotic and prosthetic appliances at the same rate as
37 reimbursement for such appliances under the federal Medicare
38 reimbursement schedule.

39 c. The benefits shall be provided to the same extent as for any
40 other medical condition under the contract.

41 d. The provisions of this section shall apply to all hospital service
42 corporation contracts in which the hospital service corporation has
43 reserved the right to change the premium.

44 (cf: P.L.2007, c.345, s.1)

EXPLANATION – Matter enclosed in bold-faced brackets **["thus"]** in the above bill is
not enacted and is intended to be omitted in the law.

Matter underlined thus is new matter

Matter enclosed in superscript numerals has been adopted as follows:

¹Senate SCM committee amendments adopted May 13, 2024.

1 2. Section 2 of P.L.2007, c.345 (C.17:48A-7cc) is amended to
2 read as follows:

3 2. a. Every medical service corporation contract that provides
4 hospital or medical expense benefits and is delivered, issued, executed
5 or renewed in this State pursuant to P.L.1940, c.74 (C.17:48A-1 et
6 seq.), or approved for issuance or renewal in this State by the
7 Commissioner of Banking and Insurance on or after the effective date
8 of ¹["this act"] P.L.2007, c.345 (C.17:48-6ff et al.)¹, shall provide
9 benefits to any person covered thereunder for expenses incurred in
10 obtaining:

11 (1) an orthotic or prosthetic appliance from any licensed orthotist
12 or prosthetist, ¹licensed podiatrist,¹ or any certified pedorthist, as
13 determined medically necessary by the covered person's physician;
14 and

15 (2) an additional orthotic or prosthetic appliance from any licensed
16 orthotist or prosthetist, ¹licensed podiatrist,¹ or any certified
17 pedorthist, if the covered person's physician determines that the
18 additional appliance is necessary to enable the covered person to
19 engage in physical and recreational activities, including running,
20 bicycling, swimming, climbing, skiing, snowboarding, and team and
21 individual sports.

22 As used in this section, "orthotic appliance," "prosthetic
23 appliance," "licensed orthotist" and "licensed prosthetist" have the
24 meaning assigned to them in section 3 of P.L.1991, c.512 (C.45:12B-
25 3)¹, "licensed podiatrist" has the meaning assigned to it in R.S.45:5-
26 1 et seq.,¹ and "certified pedorthist" has the meaning assigned to it in
27 subsection j. of section 18 of P.L.1991, c.512 (C.45:12B-18).

28 b. On and after the effective date of ¹["this act"] P.L.2007, c.345
29 (C.17:48-6ff et al.)¹, a medical service corporation contract shall
30 reimburse for orthotic and prosthetic appliances at the same rate as
31 reimbursement for such appliances under the federal Medicare
32 reimbursement schedule.

33 c. The benefits shall be provided to the same extent as for any
34 other medical condition under the contract.

35 d. The provisions of this section shall apply to all medical service
36 corporation contracts in which the medical service corporation has
37 reserved the right to change the premium.

38 (cf: P.L.2007, c.345, s.2)

39
40 3. Section 3 of P.L.2007, c.345 (C.17:48E-35.30) is amended to
41 read as follows:

42 3. a. Every health service corporation contract that provides
43 hospital or medical expense benefits and is delivered, issued, executed
44 or renewed in this State pursuant to P.L.1985, c.236 (C.17:48E-1 et
45 seq.), or approved for issuance or renewal in this State by the
46 Commissioner of Banking and Insurance on or after the effective date
47 of ¹["this act"] P.L.2007, c.345 (C.17:48-6ff et al.)¹, shall provide

1 benefits to any person covered thereunder for expenses incurred in
2 obtaining:

3 (1) an orthotic or prosthetic appliance from any licensed orthotist
4 or prosthetist, 'licensed podiatrist,'¹ or any certified pedorthist, as
5 determined medically necessary by the covered person's physician;
6 and

7 (2) an additional orthotic or prosthetic appliance from any licensed
8 orthotist or prosthetist, 'licensed podiatrist,' or any certified
9 pedorthist, if the covered person's physician determines that the
10 additional appliance is necessary to enable the covered person to
11 engage in physical and recreational activities, including running,
12 bicycling, swimming, climbing, skiing, snowboarding, and team and
13 individual sports.

14 As used in this section, "orthotic appliance," "prosthetic
15 appliance," "licensed orthotist" and "licensed prosthetist" have the
16 meaning assigned to them in section 3 of P.L.1991, c.512 (C.45:12B-
17 3)¹, "licensed podiatrist" has the meaning assigned to it in R.S.45:5-
18 1 et seq.,¹ and "certified pedorthist" has the meaning assigned to it in
19 subsection j. of section 18 of P.L.1991, c.512 (C.45:12B-18).

20 b. On and after the effective date of **'[this act] P.L.2007, c.345**
21 **(C.17:48-6ff et al.)**¹, a health service corporation contract shall
22 reimburse for orthotic and prosthetic appliances at the same rate as
23 reimbursement for such appliances under the federal Medicare
24 reimbursement schedule.

25 c. The benefits shall be provided to the same extent as for any
26 other medical condition under the contract.

27 d. The provisions of this section shall apply to all health service
28 corporation contracts in which the health service corporation has
29 reserved the right to change the premium.

30 (cf: P.L.2007, c.345, s.3)

31

32 4. Section 4 of P.L.2007, c.345 (C.17B:26-2.1z) is amended to
33 read as follows:

34 4. a. Every individual health insurance policy that provides
35 hospital or medical expense benefits and is delivered, issued, executed
36 or renewed in this State pursuant to N.J.S.17B:26-1 et seq., or
37 approved for issuance or renewal in this State by the Commissioner of
38 Banking and Insurance on or after the effective date of **'[this act]**
39 **P.L.2007, c.345 (C.17:48-6ff et al.)**¹, shall provide benefits to any
40 person covered thereunder for expenses incurred in obtaining:

41 (1) an orthotic or prosthetic appliance from any licensed orthotist
42 or prosthetist, 'licensed podiatrist,'¹ or any certified pedorthist, as
43 determined medically necessary by the covered person's physician;
44 and

45 (2) an additional orthotic or prosthetic appliance from any licensed
46 orthotist or prosthetist, 'licensed podiatrist,' or any certified
47 pedorthist, if the covered person's physician determines that the

1 additional appliance is necessary to enable the covered person to
 2 engage in physical and recreational activities, including running,
 3 bicycling, swimming, climbing, skiing, snowboarding, and team and
 4 individual sports.

5 As used in this section, "orthotic appliance," "prosthetic
 6 appliance," "licensed orthotist" and "licensed prosthetist" have the
 7 meaning assigned to them in section 3 of P.L.1991, c.512 (C.45:12B-
 8 3)¹, "licensed podiatrist" has the meaning assigned to it in R.S.45:5-
 9 1 et seq.,¹ and "certified pedorthist" has the meaning assigned to it in
 10 subsection j. of section 18 of P.L.1991, c.512 (C.45:12B-18).

11 b. On and after the effective date of ¹**[this act]** P.L.2007, c.345
 12 (C.17:48-6ff et al.)¹, an individual health insurance policy shall
 13 reimburse for orthotic and prosthetic appliances at the same rate as
 14 reimbursement for such appliances under the federal Medicare
 15 reimbursement schedule.

16 c. The benefits shall be provided to the same extent as for any
 17 other medical condition under the policy.

18 d. The provisions of this section shall apply to all individual
 19 health insurance policies in which the insurer has reserved the right to
 20 change the premium.

21 (cf: P.L.2007, c.345, s.4)

22

23 5. Section 5 of P.L.2007, c.345 (C.17B:27-46.1ff) is amended to
 24 read as follows:

25 5. a. Every group health insurance policy that provides hospital
 26 or medical expense benefits and is delivered, issued, executed or
 27 renewed in this State pursuant to N.J.S.17B:27-26 et seq., or approved
 28 for issuance or renewal in this State by the Commissioner of Banking
 29 and Insurance on or after the effective date of ¹**[this act]** P.L.2007,
 30 c.345 (C.17:48-6ff et al.)¹, shall provide benefits to any person
 31 covered thereunder for expenses incurred in obtaining:

32 (1) an orthotic or prosthetic appliance from any licensed orthotist
 33 or prosthetist, ¹licensed podiatrist,¹ or any certified pedorthist, as
 34 determined medically necessary by the covered person's physician;
 35 and

36 (2) an additional orthotic or prosthetic appliance from any licensed
 37 orthotist or prosthetist, ¹licensed podiatrist,¹ or any certified
 38 pedorthist, if the covered person's physician determines that the
 39 additional appliance is necessary to enable the covered person to
 40 engage in physical and recreational activities, including running,
 41 bicycling, swimming, climbing, skiing, snowboarding, and team and
 42 individual sports.

43 As used in this section, "orthotic appliance," "prosthetic
 44 appliance," "licensed orthotist" and "licensed prosthetist" have the
 45 meaning assigned to them in section 3 of P.L.1991, c.512 (C.45:12B-
 46 3)¹, "licensed podiatrist" has the meaning assigned to it in R.S.45:5-

1 1 et seq.,¹ and "certified pedorthist" has the meaning assigned to it in
2 subsection j. of section 18 of P.L.1991, c.512 (C.45:12B-18).

3 b. On and after the effective date of ¹**["this act"]** P.L.2007, c.345
4 (C.17:48-6ff et al.)¹, a group health insurance policy shall reimburse
5 for orthotic and prosthetic appliances at the same rate as
6 reimbursement for such appliances under the federal Medicare
7 reimbursement schedule.

8 c. The benefits shall be provided to the same extent as for any
9 other medical condition under the policy.

10 d. The provisions of this section shall apply to all group health
11 insurance policies in which the insurer has reserved the right to change
12 the premium.

13 (cf: P.L.2007, c.345, s.5)

14

15 6. Section 6 of P.L.2007, c.345 (C.17B:27A-7.13) is amended to
16 read as follows:

17 6. a. Every individual health benefits plan that provides hospital
18 or medical expense benefits and is delivered, issued, executed or
19 renewed in this State pursuant to P.L.1992, c.161 (C.17B:27A-2 et
20 seq.), or approved for issuance or renewal in this State by the
21 Commissioner of Banking and Insurance on or after the effective date
22 of ¹**["this act"]** P.L.2007, c.345 (C.17:48-6ff et al.)¹, shall provide
23 benefits to any person covered thereunder for expenses incurred in
24 obtaining:

25 (1) an orthotic or prosthetic appliance from any licensed orthotist
26 or prosthetist, ¹licensed podiatrist,¹ or any certified pedorthist, as
27 determined medically necessary by the covered person's physician;
28 and

29 (2) an additional orthotic or prosthetic appliance from any licensed
30 orthotist or prosthetist, ¹licensed podiatrist,¹ or any certified
31 pedorthist, if the covered person's physician determines that the
32 additional appliance is necessary to enable the covered person to
33 engage in physical and recreational activities, including running,
34 bicycling, swimming, climbing, skiing, snowboarding, and team and
35 individual sports.

36 As used in this section, "orthotic appliance," "prosthetic
37 appliance," "licensed orthotist" and "licensed prosthetist" have the
38 meaning assigned to them in section 3 of P.L.1991, c.512 (C.45:12B-
39 3)¹, "licensed podiatrist" has the meaning assigned to it in R.S.45:5-
40 1 et seq.,¹ and "certified pedorthist" has the meaning assigned to it in
41 subsection j. of section 18 of P.L.1991, c.512 (C.45:12B-18).

42 b. On and after the effective date of ¹**["this act"]** P.L.2007, c.345
43 (C.17:48-6ff et al.)¹, an individual health benefits plan shall reimburse
44 for orthotic and prosthetic appliances at the same rate as
45 reimbursement for such appliances under the federal Medicare
46 reimbursement schedule.

1 c. The benefits shall be provided to the same extent as for any
2 other medical condition under the health benefits plan.

3 d. The provisions of this section shall apply to all individual
4 health benefits plans in which the carrier has reserved the right to
5 change the premium.

6 (cf: P.L.2007, c.345, s.6)

7
8 7. Section 7 of P.L.2007, c.345 (C.17B:27A-19.17) is amended to
9 read as follows:

10 7. a. Every small employer health benefits plan that provides
11 hospital or medical expense benefits and is delivered, issued, executed
12 or renewed in this State pursuant to P.L.1992, c.162 (C.17B:27A-17 et
13 seq.), or approved for issuance or renewal in this State by the
14 Commissioner of Banking and Insurance on or after the effective date
15 of '[this act] P.L.2007, c.345 (C.17:48-6ff et al.)'¹, shall provide
16 benefits to any person covered thereunder for expenses incurred in
17 obtaining:

18 (1) an orthotic or prosthetic appliance from any licensed orthotist
19 or prosthetist, 'licensed podiatrist,'¹ or any certified pedorthist, as
20 determined medically necessary by the covered person's physician;
21 and

22 (2) an additional orthotic or prosthetic appliance from any licensed
23 orthotist or prosthetist, 'licensed podiatrist,' or any certified
24 pedorthist, if the covered person's physician determines that the
25 additional appliance is necessary to enable the covered person to
26 engage in physical and recreational activities, including running,
27 bicycling, swimming, climbing, skiing, snowboarding, and team and
28 individual sports.

29 As used in this section, "orthotic appliance," "prosthetic
30 appliance," "licensed orthotist" and "licensed prosthetist" have the
31 meaning assigned to them in section 3 of P.L.1991, c.512 (C.45:12B-
32 3)¹, "licensed podiatrist" has the meaning assigned to it in R.S.45:5-
33 1 et seq.,¹ and "certified pedorthist" has the meaning assigned to it in
34 subsection j. of section 18 of P.L.1991, c.512 (C.45:12B-18).

35 b. On and after the effective date of '[this act] P.L.2007, c.345
36 (C.17:48-6ff et al.)'¹, a small employer health benefits plan shall
37 reimburse for orthotic and prosthetic appliances at the same rate as
38 reimbursement for such appliances under the federal Medicare
39 reimbursement schedule.

40 c. The benefits shall be provided to the same extent as for any
41 other medical condition under the health benefits plan.

42 d. The provisions of this section shall apply to all small employer
43 health benefits plans in which the carrier has reserved the right to
44 change the premium.

45 (cf: P.L.2007, c.345, s.7)

1 8. Section 8 of P.L.2007, c.345 (C.26:2J-4.31) is amended to read
2 as follows:

3 8. a. A certificate of authority to establish and operate a health
4 maintenance organization in this State pursuant to P.L.1973, c.337
5 (C.26:2J-1 et seq.) shall not be issued or continued by the
6 Commissioner of Health and Senior Services on or after the effective
7 date of ¹**【this act】** P.L.2007, c.345 (C.17:48-6ff et al.)¹ unless the
8 health maintenance organization provides health care services for any
9 person covered thereunder for expenses incurred in obtaining:

10 (1) an orthotic or prosthetic appliance from any licensed orthotist
11 or prosthetist, ¹licensed podiatrist,¹ or any certified pedorthist, as
12 determined medically necessary by the covered person's physician;
13 and

14 (2) an additional orthotic or prosthetic appliance from any licensed
15 orthotist or prosthetist, ¹licensed podiatrist,¹ or any certified
16 pedorthist, if the covered person's physician determines that the
17 additional appliance is necessary to enable the covered person to
18 engage in physical and recreational activities, including running,
19 bicycling, swimming, climbing, skiing, snowboarding, and team and
20 individual sports.

21 As used in this section, "orthotic appliance," "prosthetic
22 appliance," "licensed orthotist" and "licensed prosthetist" have the
23 meaning assigned to them in section 3 of P.L.1991, c.512 (C.45:12B-
24 3)¹, "licensed podiatrist" has the meaning assigned to it in R.S.45:5-
25 1 et seq.,¹ and "certified pedorthist" has the meaning assigned to it in
26 subsection j. of section 18 of P.L.1991, c.512 (C.45:12B-18).

27 b. On and after the effective date of ¹**【this act】** P.L.2007, c.345
28 (C.17:48-6ff et al.)¹, a health maintenance organization shall
29 reimburse for orthotic and prosthetic appliances at the same rate as
30 reimbursement for such appliances under the federal Medicare
31 reimbursement schedule.

32 c. The benefits shall be provided to the same extent as for any
33 other medical condition under the enrollee agreement.

34 d. The provisions of this section shall apply to all enrollee
35 agreements in which the health maintenance organization has reserved
36 the right to change the schedule of charges.

37 (cf: P.L.2012, c.17, s.276)
38

39 9. Section 9 of P.L.2007, c.345 (C.52:14-17.29m) is amended to
40 read as follows:

41 9. a. The State Health Benefits Commission shall ensure that
42 every contract purchased by the commission on or after the effective
43 date of ¹**【this act】** P.L.2007, c.345 (C.17:48-6ff et al.)¹ that provides
44 hospital or medical expense benefits, shall provide benefits to any
45 person covered thereunder for expenses incurred in obtaining:

46 (1) an orthotic or prosthetic appliance from any licensed orthotist
47 or prosthetist, ¹licensed podiatrist,¹ or any certified pedorthist, as

1 determined medically necessary by the covered person's physician;
2 and

3 (2) an additional orthotic or prosthetic appliance from any licensed
4 orthotist or prosthetist, 'licensed podiatrist,' or any certified
5 pedorthist, if the covered person's physician determines that the
6 additional appliance is necessary to enable the covered person to
7 engage in physical and recreational activities, including running,
8 bicycling, swimming, climbing, skiing, snowboarding, and team and
9 individual sports.

10 As used in this section, "orthotic appliance," "prosthetic
11 appliance," "licensed orthotist" and "licensed prosthetist" have the
12 meaning assigned to them in section 3 of P.L.1991, c.512 (C.45:12B-
13 3)¹, "licensed podiatrist" has the meaning assigned to it in R.S.45:5-
14 1 et seq.,¹ and "certified pedorthist" has the meaning assigned to it in
15 subsection j. of section 18 of P.L.1991, c.512 (C.45:12B-18).

16 b. On and after the effective date of ¹**【this act】** P.L.2007, c.345
17 (C.17:48-6ff et al.)¹, a contract purchased by the commission shall
18 reimburse for orthotic and prosthetic appliances at the same rate as
19 reimbursement for such appliances under the federal Medicare
20 reimbursement schedule.

21 c. The benefits shall be provided to the same extent as for any
22 other medical condition under the contract.

23 (cf: P.L.2007, c.345, s.9)
24

25 10. This act shall take effect on the 90th day after enactment,
26 and shall apply to policies or contracts issued or renewed on or after
27 the effective date.

ASSEMBLY FINANCIAL INSTITUTIONS AND INSURANCE
COMMITTEE

STATEMENT TO

[First Reprint]

SENATE, No. 1439

STATE OF NEW JERSEY

DATED: DECEMBER 9, 2024

The Assembly Financial Institutions and Insurance Committee reports favorably Senate Bill No. 1439 (1R).

The bill requires health benefits coverage for an additional orthotic or prosthetic appliance from any licensed orthotist or prosthetist, any certified pedorthist, or licensed podiatrist, if the covered person's physician determines that the additional appliance is necessary to enable the covered person to engage in physical and recreational activities, including running, bicycling, swimming, climbing, skiing, snowboarding, and team and individual sports. The reimbursement for the additional orthotic or prosthetic appliance is at the same rate as reimbursement for the appliances under the federal Medicare reimbursement schedule.

The bill also requires health benefits coverage for orthotic or prosthetic appliances, as well as additional orthotics or prosthetic appliances for engaging in physical and recreational activities, obtained from a licensed podiatrist.

Current law requires health benefits coverage for expenses incurred in obtaining an orthotic or prosthetic appliance from any licensed orthotist or prosthetist, or any certified pedorthist, as determined medically necessary by the covered person's physician, but does not require coverage of an additional appliance for physical or recreational activities.

The bill would apply to hospital, medical, and health service corporations; commercial individual, small employer, and larger group insurers; health maintenance organizations; and the State Health Benefits Program and the School Employees' Health Benefits Program.

As reported by the committee, Senate Bill No. 1439 (1R) is identical to Assembly Bill No. 3856 (1R), which was also amended and reported by the committee on this date.

ASSEMBLY APPROPRIATIONS COMMITTEE

STATEMENT TO

[First Reprint]

SENATE, No. 1439

STATE OF NEW JERSEY

DATED: MARCH 20, 2025

The Assembly Appropriations Committee reports favorably Senate Bill No. 1439 (1R).

As reported, the bill requires health benefits coverage for an additional orthotic or prosthetic appliance from any licensed orthotist or prosthetist, any certified pedorthist, or licensed podiatrist, if the covered person's physician determines that the additional appliance is necessary to enable the covered person to engage in physical and recreational activities, including running, bicycling, swimming, climbing, skiing, snowboarding, and team and individual sports. The reimbursement for the additional orthotic or prosthetic appliance is at the same rate as reimbursement for the appliances under the federal Medicare reimbursement schedule.

The bill also requires health benefits coverage for orthotic or prosthetic appliances, as well as additional orthotics or prosthetic appliances for engaging in physical and recreational activities, obtained from a licensed podiatrist.

Current law requires health benefits coverage for expenses incurred in obtaining an orthotic or prosthetic appliance from any licensed orthotist or prosthetist, or any certified pedorthist, as determined medically necessary by the covered person's physician, but does not require coverage of an additional appliance for physical or recreational activities.

The bill would apply to hospital, medical, and health service corporations; commercial individual, small employer, and larger group insurers; health maintenance organizations; and the State Health Benefits Program and the School Employees' Health Benefits Program.

As reported by the committee, Senate Bill No. 1439 (1R) is identical to Assembly Bill No. 3856 (1R), which was amended and reported by the committee on this date.

FISCAL IMPACT:

The Office of Legislative Services (OLS) estimates that requiring health benefits coverage for an additional orthotic or prosthetic applicant under certain circumstances will result in a total annual increase of \$461,000 to \$577,000 in State and local government unit

expenditures for the State Health Benefits Program and the School Employees' Health Benefits Program.

A report by the New Jersey Mandated Health Benefits Advisory Commission prior to the passage of the State's initial mandate for health benefits coverage for orthotic and prosthetic appliances found that health care premiums for the fully insured group insurance and individual insurance markets were likely to increase by 0.025 percent due to the mandate. A subsequent analysis for a related, but limited mandate in Maine suggested that expanding coverage for prosthetics for devices necessary for recreational activities would increase premiums by up to 0.02 percent.

The OLS does not know the actual number of covered individuals whose physicians will determine that an additional prosthetic appliance is medically necessary to engage in physical recreational activities, but assumes for the purpose of the analysis that half of all covered individuals granted prosthetic devices for medical necessity under current law could be approved for an additional prosthetic device for recreational use.

SENATE COMMERCE COMMITTEE

STATEMENT TO

SENATE, No. 1439

with committee amendments

STATE OF NEW JERSEY

DATED: MAY 13, 2024

The Senate Commerce Committee reports favorably and with committee amendments Senate Bill No. 1439.

As amended, the bill requires health benefits coverage for an additional orthotic or prosthetic appliance from any licensed orthotist or prosthetist, any certified pedorthist, or licensed podiatrist, if the covered person's physician determines that the additional appliance is necessary to enable the covered person to engage in physical and recreational activities, including running, bicycling, swimming, climbing, skiing, snowboarding, and team and individual sports. The reimbursement for the additional orthotic or prosthetic appliance is at the same rate as reimbursement for the appliances under the federal Medicare reimbursement schedule.

The bill also requires health benefits coverage for orthotic or prosthetic appliances, as well as additional orthotics or prosthetic appliances for engaging in physical and recreational activities, obtained from a licensed podiatrist.

Current law requires health benefits coverage for expenses incurred in obtaining an orthotic or prosthetic appliance from any licensed orthotist or prosthetist, or any certified pedorthist, as determined medically necessary by the covered person's physician, but does not require coverage of an additional appliance for physical or recreational activities.

The bill would apply to hospital, medical, and health service corporations; commercial individual, small employer, and larger group insurers; health maintenance organizations; and the State Health Benefits Program and the School Employees' Health Benefits Program.

This bill was prefiled for introduction in the 2024-2025 session pending technical review. As reported, the bill includes the changes required by technical review, which has been performed.

COMMITTEE AMENDMENTS:

The committee amended the bill to require health benefits coverage for orthotic or prosthetic appliances obtained from a licensed podiatrist.

SENATE BUDGET AND APPROPRIATIONS COMMITTEE

STATEMENT TO

[First Reprint]

SENATE, No. 1439

STATE OF NEW JERSEY

DATED: JUNE 24, 2024

The Senate Budget and Appropriations Committee reports favorably Senate Bill No. 1439 (1R).

The bill requires health benefits coverage for an additional orthotic or prosthetic appliance from any licensed orthotist or prosthetist, any certified pedorthist, or licensed podiatrist, if the covered person's physician determines that the additional appliance is necessary to enable the covered person to engage in physical and recreational activities, including running, bicycling, swimming, climbing, skiing, snowboarding, and team and individual sports. The reimbursement for the additional orthotic or prosthetic appliance is at the same rate as reimbursement for the appliances under the federal Medicare reimbursement schedule.

The bill also requires health benefits coverage for orthotic or prosthetic appliances, as well as additional orthotics or prosthetic appliances for engaging in physical and recreational activities, obtained from a licensed podiatrist.

Current law requires health benefits coverage for expenses incurred in obtaining an orthotic or prosthetic appliance from any licensed orthotist or prosthetist, or any certified pedorthist, as determined medically necessary by the covered person's physician, but does not require coverage of an additional appliance for physical or recreational activities.

The bill would apply to hospital, medical, and health service corporations; commercial individual, small employer, and larger group insurers; health maintenance organizations; and the State Health Benefits Program and the School Employees' Health Benefits Program.

FISCAL IMPACT:

The Office of Legislative Services (OLS) estimates that requiring health benefits coverage for an additional orthotic or prosthetic applicant under certain circumstances will result in a total annual increase of \$461,000 to \$577,000 in State and local government unit expenditures for the State Health Benefits Program and the School Employees' Health Benefits Program.

A report by the New Jersey Mandated Health Benefits Advisory Commission prior to the passage of the State's initial mandate for health benefits coverage for orthotic and prosthetic appliances found that health care premiums for the fully insured group insurance and individual insurance markets were likely to increase by 0.025 percent due to the mandate. A subsequent analysis for a related, but limited mandate in Maine suggested that expanding coverage for prosthetics for devices necessary for recreational activities would increase premiums by up to 0.02 percent.

The OLS does not know the actual number of covered individuals whose physicians will determine that an additional prosthetic appliance is medically necessary to engage in physical recreational activities, but assumes for the purpose of the analysis that half of all covered individuals granted prosthetic devices for medical necessity under current law could be approved for an additional prosthetic device for recreational use.

LEGISLATIVE FISCAL ESTIMATE

[First Reprint]

SENATE, No. 1439

STATE OF NEW JERSEY

221st LEGISLATURE

DATED: JUNE 28, 2024

SUMMARY

- Synopsis:** Requires health benefits coverage for additional orthotic and prosthetic appliances under certain circumstances; requires coverage for orthotic and prosthetic appliances obtained through podiatrists.
- Type of Impact:** Annual expenditure increase to the State General Fund and certain local government units.
- Agencies Affected:** Division of Pensions and Benefits in the Department of the Treasury; certain local government units.

Office of Legislative Services Estimate

Fiscal Impact	<u>Annual</u>
State Expenditure Increase	\$171,000 to \$215,000
Local Expenditure Increase	<u>\$290,000 to \$363,000</u>
Total Expenditure Increase	\$461,000 to \$577,000

- The Office of Legislative Services (OLS) estimates that requiring health benefits coverage for an additional orthotic or prosthetic applicant under certain circumstances will result in a total annual increase of \$461,000 to \$577,000 in State and local government unit expenditures for the State Health Benefits Program and the School Employees’ Health Benefits Program.
- A report by the New Jersey Mandated Health Benefits Advisory Commission prior to the passage of the State’s initial mandate for health benefits coverage for orthotic and prosthetic appliances found that health care premiums for the fully insured group insurance and individual insurance markets were likely to increase by 0.025 percent due to the mandate. A subsequent analysis for a related, but limited mandate in Maine suggested that expanding coverage for prosthetics for devices necessary for recreational activities would increase premiums by up to 0.02 percent.
- The OLS does not know the actual number of covered individuals whose physicians will determine that an additional prosthetic appliance is medically necessary to engage in physical recreational activities, but assumes for the purpose of the analysis that half of all covered

individuals granted prosthetic devices for medical necessity under current law could be approved for an additional prosthetic device for recreational use.

BILL DESCRIPTION

This bill requires health benefits coverage for an additional orthotic or prosthetic device from a licensed specialist if the covered person's physician determines that an additional appliance is necessary for physical and recreational activities. This bill also requires health benefits coverage for an orthotic or prosthetic device from a licensed podiatrist if the covered person's physician determines that an appliance is medically necessary.

Current law requires health benefits coverage for one orthotic or prosthetic device from a licensed specialist per covered person if the covered person's physician determines that the appliance is medically necessary.

By law, the reimbursement rate for orthotic and prosthetic appliances is the same as the reimbursement rate for such appliances under the federal Medicare reimbursement schedule.

FISCAL ANALYSIS

EXECUTIVE BRANCH

None received.

OFFICE OF LEGISLATIVE SERVICES

The OLS estimates that requiring health benefits coverage for an additional orthotic or prosthetic applicant under certain circumstances will result in a total annual increase of \$461,000 to \$577,000 in State and local government unit expenditures for the State Health Benefits Program and the School Employees' Health Benefits Program.

The OLS does not know the actual number of covered individuals whose physicians will determine that an additional prosthetic appliance is medically necessary to engage in physical recreational activities, but assumes for the purpose of this analysis that half of all covered individuals granted prosthetic devices for medical necessity under current law could be approved for an additional prosthetic device for recreational use.

A report by the New Jersey Mandated Health Benefits Advisory Commission prior to the passage of the State's initial mandate for health benefits coverage for orthotic and prosthetic appliances found that health care premiums for the fully insured group insurance and individual insurance markets were likely to increase by 0.025 percent. Under current law, the State Health Benefits Program and the School Employees' Health Benefits program are included in the State mandate.

Based on data from the Plan Year 2024 Rate Setting Analyses, a 0.01 percent increase in projected costs for incurred medical claims would result in expenditure increases of approximately \$215,000 for the State portion of the State Health Benefits Program, \$156,000 for the local portion of the State Health Benefits Program, and \$208,000 for the School Employees' Health Benefits Program for Plan Year 2024 before cost-sharing.

Section: State Government

*Analyst: Camryn Mathews
Assistant Fiscal Analyst*

*Approved: Thomas Koenig
Legislative Budget and Finance Officer*

This legislative fiscal estimate has been produced by the Office of Legislative Services due to the failure of the Executive Branch to respond to our request for a fiscal note.

This fiscal estimate has been prepared pursuant to P.L.1980, c.67 (C.52:13B-6 et seq.).

ASSEMBLY, No. 3856

STATE OF NEW JERSEY

221st LEGISLATURE

INTRODUCED FEBRUARY 22, 2024

Sponsored by:

Assemblyman HERB CONAWAY, JR.

District 7 (Burlington)

Assemblyman WILLIAM B. SAMPSON, IV

District 31 (Hudson)

Assemblyman ANTWAN L. MCCLELLAN

District 1 (Atlantic, Cape May and Cumberland)

Co-Sponsored by:

**Assemblywoman McCann Stamato, Assemblyman Atkins,
Assemblywomen Ramirez, Drulis, Assemblymen Simonsen and Bergen**

SYNOPSIS

Requires health benefits coverage for additional prosthetic appliance under certain circumstances.

CURRENT VERSION OF TEXT

As introduced.



(Sponsorship Updated As Of: 6/26/2024)

1 AN ACT concerning health benefits coverage and prosthetic
2 appliances and amending P.L.2007, c.345.

3
4 **BE IT ENACTED** *by the Senate and General Assembly of the State*
5 *of New Jersey:*

6
7 1. Section 1 of P.L.2007, c.345 (C.17:48-6ff) is amended to
8 read as follows:

9 1. a. Every hospital service corporation contract that provides
10 hospital or medical expense benefits and is delivered, issued,
11 executed or renewed in this State pursuant to P.L.1938, c.366
12 (C.17:48-1 et seq.), or approved for issuance or renewal in this State
13 by the Commissioner of Banking and Insurance on or after the
14 effective date of this act, shall provide benefits to any person
15 covered thereunder for expenses incurred in obtaining:

16 (1) an orthotic or prosthetic appliance from any licensed
17 orthotist or prosthetist, or any certified pedorthist, as determined
18 medically necessary by the covered person's physician; and

19 (2) an additional orthotic or prosthetic appliance from any
20 licensed orthotist or prosthetist, or any certified pedorthist, if the
21 covered person's physician determines that the additional appliance
22 is necessary to enable the covered person to engage in physical and
23 recreational activities, including running, bicycling, swimming,
24 climbing, skiing, snowboarding, and team and individual sports.

25 As used in this section, "orthotic appliance," "prosthetic
26 appliance," "licensed orthotist" and "licensed prosthetist" have the
27 meaning assigned to them in section 3 of P.L.1991, c.512
28 (C.45:12B-3) and "certified pedorthist" has the meaning assigned to
29 it in subsection j. of section 18 of P.L.1991, c.512 (C.45:12B-18).

30 b. On and after the effective date of this act, a hospital service
31 corporation contract shall reimburse for orthotic and prosthetic
32 appliances at the same rate as reimbursement for such appliances
33 under the federal Medicare reimbursement schedule.

34 c. The benefits shall be provided to the same extent as for any
35 other medical condition under the contract.

36 d. The provisions of this section shall apply to all hospital
37 service corporation contracts in which the hospital service
38 corporation has reserved the right to change the premium.

39 (cf: P.L.2007, c.345, s.1)

40
41 2. Section 2 of P.L.2007, c.345 (C.17:48A-7cc) is amended to
42 read as follows:

43 2. a. Every medical service corporation contract that provides
44 hospital or medical expense benefits and is delivered, issued,
45 executed or renewed in this State pursuant to P.L.1940, c.74

EXPLANATION – Matter enclosed in bold-faced brackets **[thus]** in the above bill is
not enacted and is intended to be omitted in the law.

Matter underlined thus is new matter.

(C.17:48A-1 et seq.), or approved for issuance or renewal in this State by the Commissioner of Banking and Insurance on or after the effective date of this act, shall provide benefits to any person covered thereunder for expenses incurred in obtaining:

(1) an orthotic or prosthetic appliance from any licensed orthotist or prosthetist, or any certified pedorthist, as determined medically necessary by the covered person's physician; and

(2) an additional orthotic or prosthetic appliance from any licensed orthotist or prosthetist, or any certified pedorthist, if the covered person's physician determines that the additional appliance is necessary to enable the covered person to engage in physical and recreational activities, including running, bicycling, swimming, climbing, skiing, snowboarding, and team and individual sports.

As used in this section, "orthotic appliance," "prosthetic appliance," "licensed orthotist" and "licensed prosthetist" have the meaning assigned to them in section 3 of P.L.1991, c.512 (C.45:12B-3) and "certified pedorthist" has the meaning assigned to it in subsection j. of section 18 of P.L.1991, c.512 (C.45:12B-18).

b. On and after the effective date of this act, a medical service corporation contract shall reimburse for orthotic and prosthetic appliances at the same rate as reimbursement for such appliances under the federal Medicare reimbursement schedule.

c. The benefits shall be provided to the same extent as for any other medical condition under the contract.

d. The provisions of this section shall apply to all medical service corporation contracts in which the medical service corporation has reserved the right to change the premium.

(cf: P.L.2007, c.345, s.2)

3. Section 3 of P.L.2007, c.345 (C.17:48E-35.30) is amended to read as follows:

3. a. Every health service corporation contract that provides hospital or medical expense benefits and is delivered, issued, executed or renewed in this State pursuant to P.L.1985, c.236 (C.17:48E-1 et seq.), or approved for issuance or renewal in this State by the Commissioner of Banking and Insurance on or after the effective date of this act, shall provide benefits to any person covered thereunder for expenses incurred in obtaining:

(1) an orthotic or prosthetic appliance from any licensed orthotist or prosthetist, or any certified pedorthist, as determined medically necessary by the covered person's physician; and

(2) an additional orthotic or prosthetic appliance from any licensed orthotist or prosthetist, or any certified pedorthist, if the covered person's physician determines that the additional appliance is necessary to enable the covered person to engage in physical and recreational activities, including running, bicycling, swimming, climbing, skiing, snowboarding, and team and individual sports.

1 As used in this section, "orthotic appliance," "prosthetic
2 appliance," "licensed orthotist" and "licensed prosthetist" have the
3 meaning assigned to them in section 3 of P.L.1991, c.512
4 (C.45:12B-3) and "certified pedorthist" has the meaning assigned to
5 it in subsection j. of section 18 of P.L.1991, c.512 (C.45:12B-18).

6 b. On and after the effective date of this act, a health service
7 corporation contract shall reimburse for orthotic and prosthetic
8 appliances at the same rate as reimbursement for such appliances
9 under the federal Medicare reimbursement schedule.

10 c. The benefits shall be provided to the same extent as for any
11 other medical condition under the contract.

12 d. The provisions of this section shall apply to all health
13 service corporation contracts in which the health service
14 corporation has reserved the right to change the premium.
15 (cf: P.L.2007, c.345, s.3)

16
17 4. Section 4 of P.L.2007, c.345 (C.17B:26-2.1z) is amended to
18 read as follows:

19 4. a. Every individual health insurance policy that provides
20 hospital or medical expense benefits and is delivered, issued,
21 executed or renewed in this State pursuant to N.J.S.17B:26-1 et
22 seq., or approved for issuance or renewal in this State by the
23 Commissioner of Banking and Insurance on or after the effective
24 date of this act, shall provide benefits to any person covered
25 thereunder for expenses incurred in obtaining:

26 (1) an orthotic or prosthetic appliance from any licensed
27 orthotist or prosthetist, or any certified pedorthist, as determined
28 medically necessary by the covered person's physician; and

29 (2) an additional orthotic or prosthetic appliance from any
30 licensed orthotist or prosthetist, or any certified pedorthist, if the
31 covered person's physician determines that the additional appliance
32 is necessary to enable the covered person to engage in physical and
33 recreational activities, including running, bicycling, swimming,
34 climbing, skiing, snowboarding, and team and individual sports.

35 As used in this section, "orthotic appliance," "prosthetic
36 appliance," "licensed orthotist" and "licensed prosthetist" have the
37 meaning assigned to them in section 3 of P.L.1991, c.512
38 (C.45:12B-3) and "certified pedorthist" has the meaning assigned to
39 it in subsection j. of section 18 of P.L.1991, c.512 (C.45:12B-18).

40 b. On and after the effective date of this act, an individual
41 health insurance policy shall reimburse for orthotic and prosthetic
42 appliances at the same rate as reimbursement for such appliances
43 under the federal Medicare reimbursement schedule.

44 c. The benefits shall be provided to the same extent as for any
45 other medical condition under the policy.

46 d. The provisions of this section shall apply to all individual

1 health insurance policies in which the insurer has reserved the right
2 to change the premium.

3 (cf: P.L.2007, c.345, s.4)

4
5 5. Section 5 of P.L.2007, c.345 (C.17B:27-46.1ff) is amended
6 to read as follows:

7 5. a. Every group health insurance policy that provides
8 hospital or medical expense benefits and is delivered, issued,
9 executed or renewed in this State pursuant to N.J.S.17B:27-26 et
10 seq., or approved for issuance or renewal in this State by the
11 Commissioner of Banking and Insurance on or after the effective
12 date of this act, shall provide benefits to any person covered
13 thereunder for expenses incurred in obtaining:

14 (1) an orthotic or prosthetic appliance from any licensed
15 orthotist or prosthetist, or any certified pedorthist, as determined
16 medically necessary by the covered person's physician; and

17 (2) an additional orthotic or prosthetic appliance from any
18 licensed orthotist or prosthetist, or any certified pedorthist, if the
19 covered person's physician determines that the additional appliance
20 is necessary to enable the covered person to engage in physical and
21 recreational activities, including running, bicycling, swimming,
22 climbing, skiing, snowboarding, and team and individual sports.

23 As used in this section, "orthotic appliance," "prosthetic
24 appliance," "licensed orthotist" and "licensed prosthetist" have the
25 meaning assigned to them in section 3 of P.L.1991, c.512
26 (C.45:12B-3) and "certified pedorthist" has the meaning assigned to
27 it in subsection j. of section 18 of P.L.1991, c.512 (C.45:12B-18).

28 b. On and after the effective date of this act, a group health
29 insurance policy shall reimburse for orthotic and prosthetic
30 appliances at the same rate as reimbursement for such appliances
31 under the federal Medicare reimbursement schedule.

32 c. The benefits shall be provided to the same extent as for any
33 other medical condition under the policy.

34 d. The provisions of this section shall apply to all group health
35 insurance policies in which the insurer has reserved the right to
36 change the premium.

37 (cf: P.L.2007, c.345, s.5)

38
39 6. Section 6 of P.L.2007, c.345 (C.17B:27A-7.13) is amended
40 to read as follows:

41 6. a. Every individual health benefits plan that provides
42 hospital or medical expense benefits and is delivered, issued,
43 executed or renewed in this State pursuant to P.L.1992, c.161
44 (C.17B:27A-2 et seq.), or approved for issuance or renewal in this
45 State by the Commissioner of Banking and Insurance on or after the
46 effective date of this act, shall provide benefits to any person
47 covered thereunder for expenses incurred in obtaining:

1 (1) an orthotic or prosthetic appliance from any licensed
2 orthotist or prosthetist, or any certified pedorthist, as determined
3 medically necessary by the covered person's physician; and

4 (2) an additional orthotic or prosthetic appliance from any
5 licensed orthotist or prosthetist, or any certified pedorthist, if the
6 covered person's physician determines that the additional appliance
7 is necessary to enable the covered person to engage in physical and
8 recreational activities, including running, bicycling, swimming,
9 climbing, skiing, snowboarding, and team and individual sports.

10 As used in this section, "orthotic appliance," "prosthetic
11 appliance," "licensed orthotist" and "licensed prosthetist" have the
12 meaning assigned to them in section 3 of P.L.1991, c.512
13 (C.45:12B-3) and "certified pedorthist" has the meaning assigned to
14 it in subsection j. of section 18 of P.L.1991, c.512 (C.45:12B-18).

15 b. On and after the effective date of this act, an individual
16 health benefits plan shall reimburse for orthotic and prosthetic
17 appliances at the same rate as reimbursement for such appliances
18 under the federal Medicare reimbursement schedule.

19 c. The benefits shall be provided to the same extent as for any
20 other medical condition under the health benefits plan.

21 d. The provisions of this section shall apply to all individual
22 health benefits plans in which the carrier has reserved the right to
23 change the premium.

24 (cf: P.L.2007, c.345, s.6)

25
26 7. Section 7 of P.L.2007, c.345 (C.17B:27A-19.17) is amended
27 to read as follows:

28 7. a. Every small employer health benefits plan that provides
29 hospital or medical expense benefits and is delivered, issued,
30 executed or renewed in this State pursuant to P.L.1992, c.162
31 (C.17B:27A-17 et seq.), or approved for issuance or renewal in this
32 State by the Commissioner of Banking and Insurance on or after the
33 effective date of this act, shall provide benefits to any person
34 covered thereunder for expenses incurred in obtaining:

35 (1) an orthotic or prosthetic appliance from any licensed
36 orthotist or prosthetist, or any certified pedorthist, as determined
37 medically necessary by the covered person's physician; and

38 (2) an additional orthotic or prosthetic appliance from any
39 licensed orthotist or prosthetist, or any certified pedorthist, if the
40 covered person's physician determines that the additional appliance
41 is necessary to enable the covered person to engage in physical and
42 recreational activities, including running, bicycling, swimming,
43 climbing, skiing, snowboarding, and team and individual sports.

44 As used in this section, "orthotic appliance," "prosthetic
45 appliance," "licensed orthotist" and "licensed prosthetist" have the
46 meaning assigned to them in section 3 of P.L.1991, c.512
47 (C.45:12B-3) and "certified pedorthist" has the meaning assigned to
48 it in subsection j. of section 18 of P.L.1991, c.512 (C.45:12B-18).

1 b. On and after the effective date of this act, a small employer
2 health benefits plan shall reimburse for orthotic and prosthetic
3 appliances at the same rate as reimbursement for such appliances
4 under the federal Medicare reimbursement schedule.

5 c. The benefits shall be provided to the same extent as for any
6 other medical condition under the health benefits plan.

7 d. The provisions of this section shall apply to all small
8 employer health benefits plans in which the carrier has reserved the
9 right to change the premium.

10 (cf: P.L.2007, c.345, s.7)

11
12 8. Section 8 of P.L.2007, c.345 (C.26:2J-4.31) is amended to
13 read as follows:

14 8. a. A certificate of authority to establish and operate a health
15 maintenance organization in this State pursuant to P.L.1973, c.337
16 (C.26:2J-1 et seq.) shall not be issued or continued by the
17 Commissioner of Health and Senior Services on or after the
18 effective date of this act unless the health maintenance organization
19 provides health care services for any person covered thereunder for
20 expenses incurred in obtaining:

21 (1) an orthotic or prosthetic appliance from any licensed
22 orthotist or prosthetist, or any certified pedorthist, as determined
23 medically necessary by the covered person's physician; and

24 (2) an additional orthotic or prosthetic appliance from any
25 licensed orthotist or prosthetist, or any certified pedorthist, if the
26 covered person's physician determines that the additional appliance
27 is necessary to enable the covered person to engage in physical and
28 recreational activities, including running, bicycling, swimming,
29 climbing, skiing, snowboarding, and team and individual sports.

30 As used in this section, "orthotic appliance," "prosthetic
31 appliance," "licensed orthotist" and "licensed prosthetist" have the
32 meaning assigned to them in section 3 of P.L.1991, c.512
33 (C.45:12B-3) and "certified pedorthist" has the meaning assigned to
34 it in subsection j. of section 18 of P.L.1991, c.512 (C.45:12B-18).

35 b. On and after the effective date of this act, a health
36 maintenance organization shall reimburse for orthotic and prosthetic
37 appliances at the same rate as reimbursement for such appliances
38 under the federal Medicare reimbursement schedule.

39 c. The benefits shall be provided to the same extent as for any
40 other medical condition under the enrollee agreement.

41 d. The provisions of this section shall apply to all enrollee
42 agreements in which the health maintenance organization has
43 reserved the right to change the schedule of charges.

44 (cf: P.L.2012, c.17, s.276)

45
46 9. Section 9 of P.L.2007, c.345 (C.52:14-17.29m) is amended
47 to read as follows:

1 licensed orthotist or prosthetist, or any certified pedorthist, as
2 determined medically necessary by the covered person's physician,
3 but does not require coverage of an additional appliance for
4 physical or recreational activities.

5 The bill would apply to hospital, medical, and health service
6 corporations; commercial individual, small employer, and larger
7 group insurers; health maintenance organizations; and the State
8 Health Benefits Program and the School Employees' Health
9 Benefits Program.

[First Reprint]

ASSEMBLY, No. 3856

STATE OF NEW JERSEY

221st LEGISLATURE

INTRODUCED FEBRUARY 22, 2024

Sponsored by:

Assemblyman WILLIAM B. SAMPSON, IV

District 31 (Hudson)

Assemblyman ANTWAN L. MCCLELLAN

District 1 (Atlantic, Cape May and Cumberland)

Assemblyman CODY D. MILLER

District 4 (Atlantic, Camden and Gloucester)

Co-Sponsored by:

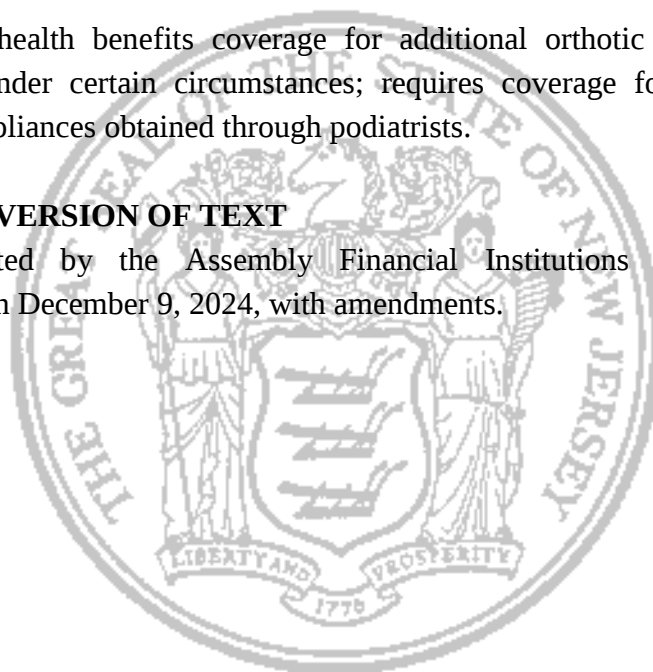
**Assemblywoman McCann Stamato, Assemblyman Atkins,
Assemblywomen Ramirez, Drulis, Assemblymen Simonsen, Bergen,
Assemblywoman Flynn, Assemblyman Scharfenberger, Assemblywomen
Bagolie, Reynolds-Jackson, Haider and Assemblyman Hutchison**

SYNOPSIS

Requires health benefits coverage for additional orthotic and prosthetic appliances under certain circumstances; requires coverage for orthotic and prosthetic appliances obtained through podiatrists.

CURRENT VERSION OF TEXT

As reported by the Assembly Financial Institutions and Insurance Committee on December 9, 2024, with amendments.



(Sponsorship Updated As Of: 3/20/2025)

1 AN ACT concerning health benefits coverage and prosthetic
2 appliances and amending P.L.2007, c.345.

3
4 **BE IT ENACTED** by the Senate and General Assembly of the State
5 of New Jersey:

6
7 1. Section 1 of P.L.2007, c.345 (C.17:48-6ff) is amended to
8 read as follows:

9 1. a. Every hospital service corporation contract that provides
10 hospital or medical expense benefits and is delivered, issued,
11 executed or renewed in this State pursuant to P.L.1938, c.366
12 (C.17:48-1 et seq.), or approved for issuance or renewal in this State
13 by the Commissioner of Banking and Insurance on or after the
14 effective date of ¹**[this act]** P.L.2007, c.345 (C.17:48-6ff et al.)¹,
15 shall provide benefits to any person covered thereunder for
16 expenses incurred in obtaining:

17 (1) an orthotic or prosthetic appliance from any licensed
18 orthotist or prosthetist, ¹licensed podiatrist,¹ or any certified
19 pedorthist, as determined medically necessary by the covered
20 person's physician; and

21 (2) an additional orthotic or prosthetic appliance from any
22 licensed orthotist or prosthetist, ¹licensed podiatrist,¹ or any
23 certified pedorthist, if the covered person's physician determines
24 that the additional appliance is necessary to enable the covered
25 person to engage in physical and recreational activities, including
26 running, bicycling, swimming, climbing, skiing, snowboarding, and
27 team and individual sports.

28 As used in this section, "orthotic appliance," "prosthetic
29 appliance," "licensed orthotist" and "licensed prosthetist" have the
30 meaning assigned to them in section 3 of P.L.1991, c.512
31 (C.45:12B-3) ¹, "licensed podiatrist" has the meaning assigned to it
32 in R.S.45:5-1 et seq.,¹ and "certified pedorthist" has the meaning
33 assigned to it in subsection j. of section 18 of P.L.1991, c.512
34 (C.45:12B-18).

35 b. On and after the effective date of ¹**[this act]** P.L.2007, c.345
36 (C.17:48-6ff et al.)¹, a hospital service corporation contract shall
37 reimburse for orthotic and prosthetic appliances at the same rate as
38 reimbursement for such appliances under the federal Medicare
39 reimbursement schedule.

40 c. The benefits shall be provided to the same extent as for any
41 other medical condition under the contract.

42 d. The provisions of this section shall apply to all hospital
43 service corporation contracts in which the hospital service
44 corporation has reserved the right to change the premium.

45 (cf: P.L.2007, c.345, s.1)

EXPLANATION – Matter enclosed in bold-faced brackets **[thus]** in the above bill is
not enacted and is intended to be omitted in the law.

Matter underlined thus is new matter.

Matter enclosed in superscript numerals has been adopted as follows:

¹Assembly AFI committee amendments adopted December 9, 2024.

1 2. Section 2 of P.L.2007, c.345 (C.17:48A-7cc) is amended to
2 read as follows:

3 2. a. Every medical service corporation contract that provides
4 hospital or medical expense benefits and is delivered, issued,
5 executed or renewed in this State pursuant to P.L.1940, c.74
6 (C.17:48A-1 et seq.), or approved for issuance or renewal in this
7 State by the Commissioner of Banking and Insurance on or after the
8 effective date of ¹**["this act"]** P.L.2007, c.345 (C.17:48-6ff et al.)¹,
9 shall provide benefits to any person covered thereunder for
10 expenses incurred in obtaining:

11 (1) an orthotic or prosthetic appliance from any licensed
12 orthotist or prosthetist, ¹licensed podiatrist,¹ or any certified
13 pedorthist, as determined medically necessary by the covered
14 person's physician; and

15 (2) an additional orthotic or prosthetic appliance from any
16 licensed orthotist or prosthetist, ¹licensed podiatrist,¹ or any
17 certified pedorthist, if the covered person's physician determines
18 that the additional appliance is necessary to enable the covered
19 person to engage in physical and recreational activities, including
20 running, bicycling, swimming, climbing, skiing, snowboarding, and
21 team and individual sports.

22 As used in this section, "orthotic appliance," "prosthetic
23 appliance," "licensed orthotist" and "licensed prosthetist" have the
24 meaning assigned to them in section 3 of P.L.1991, c.512
25 (C.45:12B-3) ¹, "licensed podiatrist" has the meaning assigned to it
26 in R.S.45:5-1 et seq.,¹ and "certified pedorthist" has the meaning
27 assigned to it in subsection j. of section 18 of P.L.1991, c.512
28 (C.45:12B-18).

29 b. On and after the effective date of ¹**["this act"]** P.L.2007, c.345
30 (C.17:48-6ff et al.)¹, a medical service corporation contract shall
31 reimburse for orthotic and prosthetic appliances at the same rate as
32 reimbursement for such appliances under the federal Medicare
33 reimbursement schedule.

34 c. The benefits shall be provided to the same extent as for any
35 other medical condition under the contract.

36 d. The provisions of this section shall apply to all medical
37 service corporation contracts in which the medical service
38 corporation has reserved the right to change the premium.

39 (cf: P.L.2007, c.345, s.2)

40

41 3. Section 3 of P.L.2007, c.345 (C.17:48E-35.30) is amended
42 to read as follows:

43 3. a. Every health service corporation contract that provides
44 hospital or medical expense benefits and is delivered, issued,
45 executed or renewed in this State pursuant to P.L.1985, c.236
46 (C.17:48E-1 et seq.), or approved for issuance or renewal in this
47 State by the Commissioner of Banking and Insurance on or after the

effective date of ¹**["this act"] P.L.2007, c.345 (C.17:48-6ff et al.)¹**, shall provide benefits to any person covered thereunder for expenses incurred in obtaining:

(1) an orthotic or prosthetic appliance from any licensed orthotist or prosthetist, ¹licensed podiatrist,¹ or any certified pedorthist, as determined medically necessary by the covered person's physician; and

(2) an additional orthotic or prosthetic appliance from any licensed orthotist or prosthetist, ¹licensed podiatrist,¹ or any certified pedorthist, if the covered person's physician determines that the additional appliance is necessary to enable the covered person to engage in physical and recreational activities, including running, bicycling, swimming, climbing, skiing, snowboarding, and team and individual sports.

As used in this section, "orthotic appliance," "prosthetic appliance," "licensed orthotist" and "licensed prosthetist" have the meaning assigned to them in section 3 of P.L.1991, c.512 (C.45:12B-3) and "certified pedorthist" has the meaning assigned to it in subsection j. of section 18 of P.L.1991, c.512 (C.45:12B-18).

b. On and after the effective date of ¹**["this act"] P.L.2007, c.345 (C.17:48-6ff et al.)¹**, a health service corporation contract shall reimburse for orthotic and prosthetic appliances at the same rate as reimbursement for such appliances under the federal Medicare reimbursement schedule.

c. The benefits shall be provided to the same extent as for any other medical condition under the contract.

d. The provisions of this section shall apply to all health service corporation contracts in which the health service corporation has reserved the right to change the premium.

(cf: P.L.2007, c.345, s.3)

4. Section 4 of P.L.2007, c.345 (C.17B:26-2.1z) is amended to read as follows:

4. a. Every individual health insurance policy that provides hospital or medical expense benefits and is delivered, issued, executed or renewed in this State pursuant to N.J.S.17B:26-1 et seq., or approved for issuance or renewal in this State by the Commissioner of Banking and Insurance on or after the effective date of ¹**["this act"] P.L.2007, c.345 (C.17:48-6ff et al.)¹**, shall provide benefits to any person covered thereunder for expenses incurred in obtaining:

(1) an orthotic or prosthetic appliance from any licensed orthotist or prosthetist, ¹licensed podiatrist,¹ or any certified pedorthist, as determined medically necessary by the covered person's physician; and

(2) an additional orthotic or prosthetic appliance from any licensed orthotist or prosthetist, ¹licensed podiatrist,¹ or any

1 certified pedorthist, if the covered person's physician determines
2 that the additional appliance is necessary to enable the covered
3 person to engage in physical and recreational activities, including
4 running, bicycling, swimming, climbing, skiing, snowboarding, and
5 team and individual sports.

6 As used in this section, "orthotic appliance," "prosthetic
7 appliance," "licensed orthotist" and "licensed prosthetist" have the
8 meaning assigned to them in section 3 of P.L.1991, c.512
9 (C.45:12B-3) ¹, "licensed podiatrist" has the meaning assigned to it
10 in R.S.45:5-1 et seq.¹ and "certified pedorthist" has the meaning
11 assigned to it in subsection j. of section 18 of P.L.1991, c.512
12 (C.45:12B-18).

13 b. On and after the effective date of ¹**[this act]** P.L.2007, c.345
14 (C.17:48-6ff et al.)¹, an individual health insurance policy shall
15 reimburse for orthotic and prosthetic appliances at the same rate as
16 reimbursement for such appliances under the federal Medicare
17 reimbursement schedule.

18 c. The benefits shall be provided to the same extent as for any
19 other medical condition under the policy.

20 d. The provisions of this section shall apply to all individual
21 health insurance policies in which the insurer has reserved the right
22 to change the premium.

23 (cf: P.L.2007, c.345, s.4)

24
25 5. Section 5 of P.L.2007, c.345 (C.17B:27-46.1ff) is amended
26 to read as follows:

27 5. a. Every group health insurance policy that provides
28 hospital or medical expense benefits and is delivered, issued,
29 executed or renewed in this State pursuant to N.J.S.17B:27-26 et
30 seq., or approved for issuance or renewal in this State by the
31 Commissioner of Banking and Insurance on or after the effective
32 date of ¹**[this act]** P.L.2007, c.345 (C.17:48-6ff et al.)¹, shall
33 provide benefits to any person covered thereunder for expenses
34 incurred in obtaining:

35 (1) an orthotic or prosthetic appliance from any licensed
36 orthotist or prosthetist, ¹licensed podiatrist,¹ or any certified
37 pedorthist, as determined medically necessary by the covered
38 person's physician; and

39 (2) an additional orthotic or prosthetic appliance from any
40 licensed orthotist or prosthetist, ¹licensed podiatrist,¹ or any
41 certified pedorthist, if the covered person's physician determines
42 that the additional appliance is necessary to enable the covered
43 person to engage in physical and recreational activities, including
44 running, bicycling, swimming, climbing, skiing, snowboarding, and
45 team and individual sports.

46 As used in this section, "orthotic appliance," "prosthetic
47 appliance," "licensed orthotist" and "licensed prosthetist" have the

1 meaning assigned to them in section 3 of P.L.1991, c.512
2 (C.45:12B-3) ¹, "licensed podiatrist" has the meaning assigned to it
3 in R.S.45:5-1 et seq.,¹ and "certified pedorthist" has the meaning
4 assigned to it in subsection j. of section 18 of P.L.1991, c.512
5 (C.45:12B-18).

6 b. On and after the effective date of ¹**["this act"]** P.L.2007, c.345
7 (C.17:48-6ff et al.)¹, a group health insurance policy shall
8 reimburse for orthotic and prosthetic appliances at the same rate as
9 reimbursement for such appliances under the federal Medicare
10 reimbursement schedule.

11 c. The benefits shall be provided to the same extent as for any
12 other medical condition under the policy.

13 d. The provisions of this section shall apply to all group health
14 insurance policies in which the insurer has reserved the right to
15 change the premium.

16 (cf: P.L.2007, c.345, s.5)

17

18 6. Section 6 of P.L.2007, c.345 (C.17B:27A-7.13) is amended
19 to read as follows:

20 6. a. Every individual health benefits plan that provides
21 hospital or medical expense benefits and is delivered, issued,
22 executed or renewed in this State pursuant to P.L.1992, c.161
23 (C.17B:27A-2 et seq.), or approved for issuance or renewal in this
24 State by the Commissioner of Banking and Insurance on or after the
25 effective date of ¹**["this act"]** P.L.2007, c.345 (C.17:48-6ff et al.)¹,
26 shall provide benefits to any person covered thereunder for
27 expenses incurred in obtaining:

28 (1) an orthotic or prosthetic appliance from any licensed
29 orthotist or prosthetist, ¹"licensed podiatrist,"¹ or any certified
30 pedorthist, as determined medically necessary by the covered
31 person's physician; and

32 (2) an additional orthotic or prosthetic appliance from any
33 licensed orthotist or prosthetist, ¹"licensed podiatrist,"¹ or any
34 certified pedorthist, if the covered person's physician determines
35 that the additional appliance is necessary to enable the covered
36 person to engage in physical and recreational activities, including
37 running, bicycling, swimming, climbing, skiing, snowboarding, and
38 team and individual sports.

39 As used in this section, "orthotic appliance," "prosthetic
40 appliance," "licensed orthotist" and "licensed prosthetist" have the
41 meaning assigned to them in section 3 of P.L.1991, c.512
42 (C.45:12B-3) ¹, "licensed podiatrist" has the meaning assigned to it
43 in R.S.45:5-1 et seq.,¹ and "certified pedorthist" has the meaning
44 assigned to it in subsection j. of section 18 of P.L.1991, c.512
45 (C.45:12B-18).

46 b. On and after the effective date of ¹**["this act"]** P.L.2007, c.345
47 (C.17:48-6ff et al.)¹, an individual health benefits plan shall

1 reimburse for orthotic and prosthetic appliances at the same rate as
2 reimbursement for such appliances under the federal Medicare
3 reimbursement schedule.

4 c. The benefits shall be provided to the same extent as for any
5 other medical condition under the health benefits plan.

6 d. The provisions of this section shall apply to all individual
7 health benefits plans in which the carrier has reserved the right to
8 change the premium.

9 (cf: P.L.2007, c.345, s.6)

10

11 7. Section 7 of P.L.2007, c.345 (C.17B:27A-19.17) is amended
12 to read as follows:

13 7. a. Every small employer health benefits plan that provides
14 hospital or medical expense benefits and is delivered, issued,
15 executed or renewed in this State pursuant to P.L.1992, c.162
16 (C.17B:27A-17 et seq.), or approved for issuance or renewal in this
17 State by the Commissioner of Banking and Insurance on or after the
18 effective date of ¹["this act"] P.L.2007, c.345 (C.17:48-6ff et al.)¹,
19 shall provide benefits to any person covered thereunder for
20 expenses incurred in obtaining:

21 (1) an orthotic or prosthetic appliance from any licensed
22 orthotist or prosthetist, ¹licensed podiatrist,¹ or any certified
23 pedorthist, as determined medically necessary by the covered
24 person's physician; and

25 (2) an additional orthotic or prosthetic appliance from any
26 licensed orthotist or prosthetist, ¹licensed podiatrist,¹ or any
27 certified pedorthist, if the covered person's physician determines
28 that the additional appliance is necessary to enable the covered
29 person to engage in physical and recreational activities, including
30 running, bicycling, swimming, climbing, skiing, snowboarding, and
31 team and individual sports.

32 As used in this section, "orthotic appliance," "prosthetic
33 appliance," "licensed orthotist" and "licensed prosthetist" have the
34 meaning assigned to them in section 3 of P.L.1991, c.512
35 (C.45:12B-3) ¹, "licensed podiatrist" has the meaning assigned to it
36 in R.S.45:5-1 et seq.,¹ and "certified pedorthist" has the meaning
37 assigned to it in subsection j. of section 18 of P.L.1991, c.512
38 (C.45:12B-18).

39 b. On and after the effective date of ¹["this act"] P.L.2007, c.345
40 (C.17:48-6ff et al.)¹, a small employer health benefits plan shall
41 reimburse for orthotic and prosthetic appliances at the same rate as
42 reimbursement for such appliances under the federal Medicare
43 reimbursement schedule.

44 c. The benefits shall be provided to the same extent as for any
45 other medical condition under the health benefits plan.

d. The provisions of this section shall apply to all small employer health benefits plans in which the carrier has reserved the right to change the premium.

(cf: P.L.2007, c.345, s.7)

8. Section 8 of P.L.2007, c.345 (C.26:2J-4.31) is amended to read as follows:

8. a. A certificate of authority to establish and operate a health maintenance organization in this State pursuant to P.L.1973, c.337 (C.26:2J-1 et seq.) shall not be issued or continued by the Commissioner of Health and Senior Services on or after the effective date of ¹["this act"] P.L.2007, c.345 (C.17:48-6ff et al.)¹ unless the health maintenance organization provides health care services for any person covered thereunder for expenses incurred in obtaining:

(1) an orthotic or prosthetic appliance from any licensed orthotist or prosthetist, ¹licensed podiatrist,¹ or any certified pedorthist, as determined medically necessary by the covered person's physician; and

(2) an additional orthotic or prosthetic appliance from any licensed orthotist or prosthetist, ¹licensed podiatrist,¹ or any certified pedorthist, if the covered person's physician determines that the additional appliance is necessary to enable the covered person to engage in physical and recreational activities, including running, bicycling, swimming, climbing, skiing, snowboarding, and team and individual sports.

As used in this section, "orthotic appliance," "prosthetic appliance," "licensed orthotist" and "licensed prosthetist" have the meaning assigned to them in section 3 of P.L.1991, c.512 (C.45:12B-3) and "certified pedorthist" has the meaning assigned to it in subsection j. of section 18 of P.L.1991, c.512 (C.45:12B-18).

b. On and after the effective date of ¹["this act"] P.L.2007, c.345 (C.17:48-6ff et al.)¹, a health maintenance organization shall reimburse for orthotic and prosthetic appliances at the same rate as reimbursement for such appliances under the federal Medicare reimbursement schedule.

c. The benefits shall be provided to the same extent as for any other medical condition under the enrollee agreement.

d. The provisions of this section shall apply to all enrollee agreements in which the health maintenance organization has reserved the right to change the schedule of charges.

(cf: P.L.2012, c.17, s.276)

9. Section 9 of P.L.2007, c.345 (C.52:14-17.29m) is amended to read as follows:

9. a. The State Health Benefits Commission shall ensure that every contract purchased by the commission on or after the

1 effective date of ¹**["this act"]** P.L.2007, c.345 (C.17:48-6ff et al.)¹
2 that provides hospital or medical expense benefits, shall provide
3 benefits to any person covered thereunder for expenses incurred in
4 obtaining;

5 (1) an orthotic or prosthetic appliance from any licensed
6 orthotist or prosthetist, ¹licensed podiatrist,¹ or any certified
7 pedorthist, as determined medically necessary by the covered
8 person's physician; and

9 (2) an additional orthotic or prosthetic appliance from any
10 licensed orthotist or prosthetist, ¹licensed podiatrist,¹ or any
11 certified pedorthist, if the covered person's physician determines
12 that the additional appliance is necessary to enable the covered
13 person to engage in physical and recreational activities, including
14 running, bicycling, swimming, climbing, skiing, snowboarding, and
15 team and individual sports.

16 As used in this section, "orthotic appliance," "prosthetic
17 appliance," "licensed orthotist" and "licensed prosthetist" have the
18 meaning assigned to them in section 3 of P.L.1991, c.512
19 (C.45:12B-3) and "certified pedorthist" has the meaning assigned to
20 it in subsection j. of section 18 of P.L.1991, c.512 (C.45:12B-18).

21 b. On and after the effective date of ¹**["this act"]** P.L.2007, c.345
22 (C.17:48-6ff et al.)¹, a contract purchased by the commission shall
23 reimburse for orthotic and prosthetic appliances at the same rate as
24 reimbursement for such appliances under the federal Medicare
25 reimbursement schedule.

26 c. The benefits shall be provided to the same extent as for any
27 other medical condition under the contract.

28 (cf: P.L.2007, c.345, s.9)

29

30 10. This act shall take effect on the 90th day after enactment,
31 and shall apply to policies or contracts issued or renewed on or after
32 the effective date.

[Second Reprint]

ASSEMBLY, No. 3856

STATE OF NEW JERSEY

221st LEGISLATURE

INTRODUCED FEBRUARY 22, 2024

Sponsored by:

Assemblyman WILLIAM B. SAMPSON, IV

District 31 (Hudson)

Assemblyman ANTWAN L. MCCLELLAN

District 1 (Atlantic, Cape May and Cumberland)

Assemblyman CODY D. MILLER

District 4 (Atlantic, Camden and Gloucester)

Co-Sponsored by:

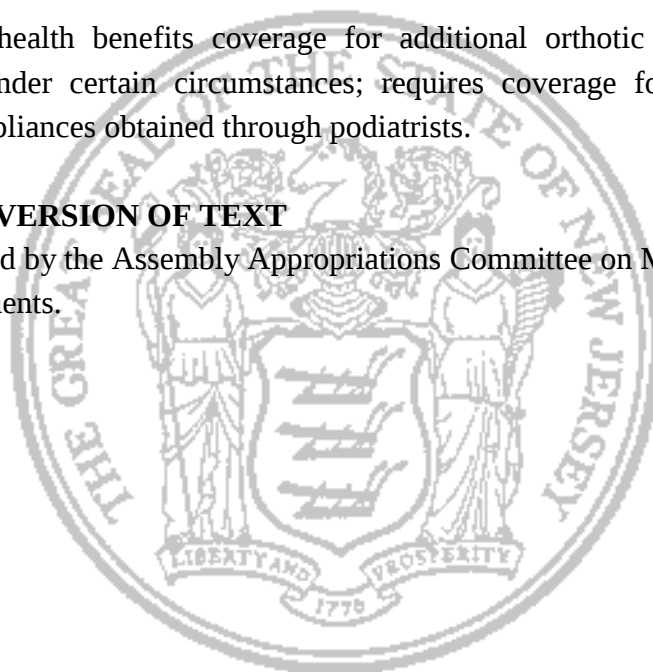
**Assemblywoman McCann Stamato, Assemblyman Atkins,
Assemblywomen Ramirez, Drulis, Assemblymen Simonsen, Bergen,
Assemblywoman Flynn, Assemblyman Scharfenberger, Assemblywomen
Bagolie, Reynolds-Jackson, Haider, Assemblymen Hutchison and Freiman**

SYNOPSIS

Requires health benefits coverage for additional orthotic and prosthetic appliances under certain circumstances; requires coverage for orthotic and prosthetic appliances obtained through podiatrists.

CURRENT VERSION OF TEXT

As reported by the Assembly Appropriations Committee on March 20, 2025, with amendments.



(Sponsorship Updated As Of: 5/22/2025)

1 AN ACT concerning health benefits coverage and prosthetic
2 appliances and amending P.L.2007, c.345.

3
4 **BE IT ENACTED** *by the Senate and General Assembly of the State*
5 *of New Jersey:*

6
7 1. Section 1 of P.L.2007, c.345 (C.17:48-6ff) is amended to
8 read as follows:

9 1. a. Every hospital service corporation contract that provides
10 hospital or medical expense benefits and is delivered, issued,
11 executed or renewed in this State pursuant to P.L.1938, c.366
12 (C.17:48-1 et seq.), or approved for issuance or renewal in this State
13 by the Commissioner of Banking and Insurance on or after the
14 effective date of ¹**[this act]** P.L.2007, c.345 (C.17:48-6ff et al.)¹,
15 shall provide benefits to any person covered thereunder for
16 expenses incurred in obtaining:

17 (1) an orthotic or prosthetic appliance from any licensed
18 orthotist or prosthetist, ¹licensed podiatrist,¹ or any certified
19 pedorthist, as determined medically necessary by the covered
20 person's physician; and

21 (2) an additional orthotic or prosthetic appliance from any
22 licensed orthotist or prosthetist, ¹licensed podiatrist,¹ or any
23 certified pedorthist, if the covered person's physician determines
24 that the additional appliance is necessary to enable the covered
25 person to engage in physical and recreational activities, including
26 running, bicycling, swimming, climbing, skiing, snowboarding, and
27 team and individual sports.

28 As used in this section, "orthotic appliance," "prosthetic
29 appliance," "licensed orthotist" and "licensed prosthetist" have the
30 meaning assigned to them in section 3 of P.L.1991, c.512
31 (C.45:12B-3) ¹, "licensed podiatrist" has the meaning assigned to it
32 in R.S.45:5-1 et seq.,¹ and "certified pedorthist" has the meaning
33 assigned to it in subsection j. of section 18 of P.L.1991, c.512
34 (C.45:12B-18).

35 b. On and after the effective date of ¹**[this act]** P.L.2007, c.345
36 (C.17:48-6ff et al.)¹, a hospital service corporation contract shall
37 reimburse for orthotic and prosthetic appliances at the same rate as
38 reimbursement for such appliances under the federal Medicare
39 reimbursement schedule.

40 c. The benefits shall be provided to the same extent as for any
41 other medical condition under the contract.

42 d. The provisions of this section shall apply to all hospital
43 service corporation contracts in which the hospital service
44 corporation has reserved the right to change the premium.

45 (cf: P.L.2007, c.345, s.1)

EXPLANATION – Matter enclosed in bold-faced brackets **[thus]** in the above bill is
not enacted and is intended to be omitted in the law.

Matter underlined thus is new matter.

Matter enclosed in superscript numerals has been adopted as follows:

¹Assembly AFI committee amendments adopted December 9, 2024.

²Assembly AAP committee amendments adopted March 20, 2025.

1 2. Section 2 of P.L.2007, c.345 (C.17:48A-7cc) is amended to
2 read as follows:

3 2. a. Every medical service corporation contract that provides
4 hospital or medical expense benefits and is delivered, issued,
5 executed or renewed in this State pursuant to P.L.1940, c.74
6 (C.17:48A-1 et seq.), or approved for issuance or renewal in this
7 State by the Commissioner of Banking and Insurance on or after the
8 effective date of ¹**["this act"]** P.L.2007, c.345 (C.17:48-6ff et al.)¹,
9 shall provide benefits to any person covered thereunder for
10 expenses incurred in obtaining:

11 (1) an orthotic or prosthetic appliance from any licensed
12 orthotist or prosthetist, ¹licensed podiatrist,¹ or any certified
13 pedorthist, as determined medically necessary by the covered
14 person's physician; and

15 (2) an additional orthotic or prosthetic appliance from any
16 licensed orthotist or prosthetist, ¹licensed podiatrist,¹ or any
17 certified pedorthist, if the covered person's physician determines
18 that the additional appliance is necessary to enable the covered
19 person to engage in physical and recreational activities, including
20 running, bicycling, swimming, climbing, skiing, snowboarding, and
21 team and individual sports.

22 As used in this section, "orthotic appliance," "prosthetic
23 appliance," "licensed orthotist" and "licensed prosthetist" have the
24 meaning assigned to them in section 3 of P.L.1991, c.512
25 (C.45:12B-3) ¹, "licensed podiatrist" has the meaning assigned to it
26 in R.S.45:5-1 et seq.,¹ and "certified pedorthist" has the meaning
27 assigned to it in subsection j. of section 18 of P.L.1991, c.512
28 (C.45:12B-18).

29 b. On and after the effective date of ¹**["this act"]** P.L.2007, c.345
30 (C.17:48-6ff et al.)¹, a medical service corporation contract shall
31 reimburse for orthotic and prosthetic appliances at the same rate as
32 reimbursement for such appliances under the federal Medicare
33 reimbursement schedule.

34 c. The benefits shall be provided to the same extent as for any
35 other medical condition under the contract.

36 d. The provisions of this section shall apply to all medical
37 service corporation contracts in which the medical service
38 corporation has reserved the right to change the premium.
39 (cf: P.L.2007, c.345, s.2)

40

41 3. Section 3 of P.L.2007, c.345 (C.17:48E-35.30) is amended
42 to read as follows:

43 3. a. Every health service corporation contract that provides
44 hospital or medical expense benefits and is delivered, issued,
45 executed or renewed in this State pursuant to P.L.1985, c.236
46 (C.17:48E-1 et seq.), or approved for issuance or renewal in this
47 State by the Commissioner of Banking and Insurance on or after the

1 effective date of ¹**["this act"] P.L.2007, c.345 (C.17:48-6ff et al.)**¹,
2 shall provide benefits to any person covered thereunder for
3 expenses incurred in obtaining:

4 (1) an orthotic or prosthetic appliance from any licensed
5 orthotist or prosthetist, ¹licensed podiatrist,¹ or any certified
6 pedorthist, as determined medically necessary by the covered
7 person's physician; and

8 (2) an additional orthotic or prosthetic appliance from any
9 licensed orthotist or prosthetist, ¹licensed podiatrist,¹ or any
10 certified pedorthist, if the covered person's physician determines
11 that the additional appliance is necessary to enable the covered
12 person to engage in physical and recreational activities, including
13 running, bicycling, swimming, climbing, skiing, snowboarding, and
14 team and individual sports.

15 As used in this section, "orthotic appliance," "prosthetic
16 appliance," "licensed orthotist" and "licensed prosthetist" have the
17 meaning assigned to them in section 3 of P.L.1991, c.512
18 (C.45:12B-3) ², "licensed podiatrist" has the meaning assigned to it
19 in R.S.45:5-1 et seq.,² and "certified pedorthist" has the meaning
20 assigned to it in subsection j. of section 18 of P.L.1991, c.512
21 (C.45:12B-18).

22 b. On and after the effective date of ¹**["this act"] P.L.2007, c.345**
23 **(C.17:48-6ff et al.)**¹, a health service corporation contract shall
24 reimburse for orthotic and prosthetic appliances at the same rate as
25 reimbursement for such appliances under the federal Medicare
26 reimbursement schedule.

27 c. The benefits shall be provided to the same extent as for any
28 other medical condition under the contract.

29 d. The provisions of this section shall apply to all health
30 service corporation contracts in which the health service
31 corporation has reserved the right to change the premium.
32 (cf: P.L.2007, c.345, s.3)

33
34 4. Section 4 of P.L.2007, c.345 (C.17B:26-2.1z) is amended to
35 read as follows:

36 4. a. Every individual health insurance policy that provides
37 hospital or medical expense benefits and is delivered, issued,
38 executed or renewed in this State pursuant to N.J.S.17B:26-1 et
39 seq., or approved for issuance or renewal in this State by the
40 Commissioner of Banking and Insurance on or after the effective
41 date of ¹**["this act"] P.L.2007, c.345 (C.17:48-6ff et al.)**¹, shall
42 provide benefits to any person covered thereunder for expenses
43 incurred in obtaining:

44 (1) an orthotic or prosthetic appliance from any licensed
45 orthotist or prosthetist, ¹licensed podiatrist,¹ or any certified
46 pedorthist, as determined medically necessary by the covered
47 person's physician; and

1 (2) an additional orthotic or prosthetic appliance from any
2 licensed orthotist or prosthetist, ¹licensed podiatrist,¹ or any
3 certified pedorthist, if the covered person's physician determines
4 that the additional appliance is necessary to enable the covered
5 person to engage in physical and recreational activities, including
6 running, bicycling, swimming, climbing, skiing, snowboarding, and
7 team and individual sports.

8 As used in this section, "orthotic appliance," "prosthetic
9 appliance," "licensed orthotist" and "licensed prosthetist" have the
10 meaning assigned to them in section 3 of P.L.1991, c.512
11 (C.45:12B-3) ¹, "licensed podiatrist" has the meaning assigned to it
12 in R.S.45:5-1 et seq.,¹ and "certified pedorthist" has the meaning
13 assigned to it in subsection j. of section 18 of P.L.1991, c.512
14 (C.45:12B-18).

15 b. On and after the effective date of ¹**[this act]** P.L.2007, c.345
16 (C.17:48-6ff et al.)¹, an individual health insurance policy shall
17 reimburse for orthotic and prosthetic appliances at the same rate as
18 reimbursement for such appliances under the federal Medicare
19 reimbursement schedule.

20 c. The benefits shall be provided to the same extent as for any
21 other medical condition under the policy.

22 d. The provisions of this section shall apply to all individual
23 health insurance policies in which the insurer has reserved the right
24 to change the premium.

25 (cf: P.L.2007, c.345, s.4)

26
27 5. Section 5 of P.L.2007, c.345 (C.17B:27-46.1ff) is amended
28 to read as follows:

29 5. a. Every group health insurance policy that provides
30 hospital or medical expense benefits and is delivered, issued,
31 executed or renewed in this State pursuant to N.J.S.17B:27-26 et
32 seq., or approved for issuance or renewal in this State by the
33 Commissioner of Banking and Insurance on or after the effective
34 date of ¹**[this act]** P.L.2007, c.345 (C.17:48-6ff et al.)¹, shall
35 provide benefits to any person covered thereunder for expenses
36 incurred in obtaining:

37 (1) an orthotic or prosthetic appliance from any licensed
38 orthotist or prosthetist, ¹licensed podiatrist,¹ or any certified
39 pedorthist, as determined medically necessary by the covered
40 person's physician; and

41 (2) an additional orthotic or prosthetic appliance from any
42 licensed orthotist or prosthetist, ¹licensed podiatrist,¹ or any
43 certified pedorthist, if the covered person's physician determines
44 that the additional appliance is necessary to enable the covered
45 person to engage in physical and recreational activities, including
46 running, bicycling, swimming, climbing, skiing, snowboarding, and
47 team and individual sports.

1 As used in this section, "orthotic appliance," "prosthetic
2 appliance," "licensed orthotist" and "licensed prosthetist" have the
3 meaning assigned to them in section 3 of P.L.1991, c.512
4 (C.45:12B-3) ¹, "licensed podiatrist" has the meaning assigned to it
5 in R.S.45:5-1 et seq.,¹ and "certified pedorthist" has the meaning
6 assigned to it in subsection j. of section 18 of P.L.1991, c.512
7 (C.45:12B-18).

8 b. On and after the effective date of ¹**[this act]** P.L.2007, c.345
9 (C.17:48-6ff et al.)¹, a group health insurance policy shall
10 reimburse for orthotic and prosthetic appliances at the same rate as
11 reimbursement for such appliances under the federal Medicare
12 reimbursement schedule.

13 c. The benefits shall be provided to the same extent as for any
14 other medical condition under the policy.

15 d. The provisions of this section shall apply to all group health
16 insurance policies in which the insurer has reserved the right to
17 change the premium.

18 (cf: P.L.2007, c.345, s.5)

19
20 6. Section 6 of P.L.2007, c.345 (C.17B:27A-7.13) is amended
21 to read as follows:

22 6. a. Every individual health benefits plan that provides
23 hospital or medical expense benefits and is delivered, issued,
24 executed or renewed in this State pursuant to P.L.1992, c.161
25 (C.17B:27A-2 et seq.), or approved for issuance or renewal in this
26 State by the Commissioner of Banking and Insurance on or after the
27 effective date of ¹**[this act]** P.L.2007, c.345 (C.17:48-6ff et al.)¹,
28 shall provide benefits to any person covered thereunder for
29 expenses incurred in obtaining:

30 (1) an orthotic or prosthetic appliance from any licensed
31 orthotist or prosthetist, ¹licensed podiatrist,¹ or any certified
32 pedorthist, as determined medically necessary by the covered
33 person's physician; and

34 (2) an additional orthotic or prosthetic appliance from any
35 licensed orthotist or prosthetist, ¹licensed podiatrist,¹ or any
36 certified pedorthist, if the covered person's physician determines
37 that the additional appliance is necessary to enable the covered
38 person to engage in physical and recreational activities, including
39 running, bicycling, swimming, climbing, skiing, snowboarding, and
40 team and individual sports.

41 As used in this section, "orthotic appliance," "prosthetic
42 appliance," "licensed orthotist" and "licensed prosthetist" have the
43 meaning assigned to them in section 3 of P.L.1991, c.512
44 (C.45:12B-3) ¹, "licensed podiatrist" has the meaning assigned to it
45 in R.S.45:5-1 et seq.,¹ and "certified pedorthist" has the meaning
46 assigned to it in subsection j. of section 18 of P.L.1991, c.512
47 (C.45:12B-18).

b. On and after the effective date of ¹["this act"] P.L.2007, c.345 (C.17:48-6ff et al.)¹, an individual health benefits plan shall reimburse for orthotic and prosthetic appliances at the same rate as reimbursement for such appliances under the federal Medicare reimbursement schedule.

c. The benefits shall be provided to the same extent as for any other medical condition under the health benefits plan.

d. The provisions of this section shall apply to all individual health benefits plans in which the carrier has reserved the right to change the premium.

(cf: P.L.2007, c.345, s.6)

7. Section 7 of P.L.2007, c.345 (C.17B:27A-19.17) is amended to read as follows:

7. a. Every small employer health benefits plan that provides hospital or medical expense benefits and is delivered, issued, executed or renewed in this State pursuant to P.L.1992, c.162 (C.17B:27A-17 et seq.), or approved for issuance or renewal in this State by the Commissioner of Banking and Insurance on or after the effective date of ¹["this act"] P.L.2007, c.345 (C.17:48-6ff et al.)¹, shall provide benefits to any person covered thereunder for expenses incurred in obtaining:

(1) an orthotic or prosthetic appliance from any licensed orthotist or prosthetist, ¹"licensed podiatrist,"¹ or any certified pedorthist, as determined medically necessary by the covered person's physician; and

(2) an additional orthotic or prosthetic appliance from any licensed orthotist or prosthetist, ¹"licensed podiatrist,"¹ or any certified pedorthist, if the covered person's physician determines that the additional appliance is necessary to enable the covered person to engage in physical and recreational activities, including running, bicycling, swimming, climbing, skiing, snowboarding, and team and individual sports.

As used in this section, "orthotic appliance," "prosthetic appliance," "licensed orthotist" and "licensed prosthetist" have the meaning assigned to them in section 3 of P.L.1991, c.512 (C.45:12B-3) ¹, "licensed podiatrist" has the meaning assigned to it in R.S.45:5-1 et seq.,¹ and "certified pedorthist" has the meaning assigned to it in subsection j. of section 18 of P.L.1991, c.512 (C.45:12B-18).

b. On and after the effective date of ¹["this act"] P.L.2007, c.345 (C.17:48-6ff et al.)¹, a small employer health benefits plan shall reimburse for orthotic and prosthetic appliances at the same rate as reimbursement for such appliances under the federal Medicare reimbursement schedule.

c. The benefits shall be provided to the same extent as for any other medical condition under the health benefits plan.

d. The provisions of this section shall apply to all small employer health benefits plans in which the carrier has reserved the right to change the premium.

(cf: P.L.2007, c.345, s.7)

8. Section 8 of P.L.2007, c.345 (C.26:2J-4.31) is amended to read as follows:

8. a. A certificate of authority to establish and operate a health maintenance organization in this State pursuant to P.L.1973, c.337 (C.26:2J-1 et seq.) shall not be issued or continued by the Commissioner of Health and Senior Services on or after the effective date of ¹["this act"] P.L.2007, c.345 (C.17:48-6ff et al.)¹ unless the health maintenance organization provides health care services for any person covered thereunder for expenses incurred in obtaining:

(1) an orthotic or prosthetic appliance from any licensed orthotist or prosthetist, ¹licensed podiatrist,¹ or any certified pedorthist, as determined medically necessary by the covered person's physician; and

(2) an additional orthotic or prosthetic appliance from any licensed orthotist or prosthetist, ¹licensed podiatrist,¹ or any certified pedorthist, if the covered person's physician determines that the additional appliance is necessary to enable the covered person to engage in physical and recreational activities, including running, bicycling, swimming, climbing, skiing, snowboarding, and team and individual sports.

As used in this section, "orthotic appliance," "prosthetic appliance," "licensed orthotist" and "licensed prosthetist" have the meaning assigned to them in section 3 of P.L.1991, c.512 (C.45:12B-3) ², "licensed podiatrist" has the meaning assigned to it in R.S.45:5-1 et seq.,² and "certified pedorthist" has the meaning assigned to it in subsection j. of section 18 of P.L.1991, c.512 (C.45:12B-18).

b. On and after the effective date of ¹["this act"] P.L.2007, c.345 (C.17:48-6ff et al.)¹, a health maintenance organization shall reimburse for orthotic and prosthetic appliances at the same rate as reimbursement for such appliances under the federal Medicare reimbursement schedule.

c. The benefits shall be provided to the same extent as for any other medical condition under the enrollee agreement.

d. The provisions of this section shall apply to all enrollee agreements in which the health maintenance organization has reserved the right to change the schedule of charges.

(cf: P.L.2012, c.17, s.276)

9. Section 9 of P.L.2007, c.345 (C.52:14-17.29m) is amended to read as follows:

1 9. a. The State Health Benefits Commission shall ensure that
2 every contract purchased by the commission on or after the
3 effective date of ¹["this act"] P.L.2007, c.345 (C.17:48-6ff et al.)¹
4 that provides hospital or medical expense benefits, shall provide
5 benefits to any person covered thereunder for expenses incurred in
6 obtaining;

7 (1) an orthotic or prosthetic appliance from any licensed
8 orthotist or prosthetist, ¹licensed podiatrist,¹ or any certified
9 pedorthist, as determined medically necessary by the covered
10 person's physician; and

11 (2) an additional orthotic or prosthetic appliance from any
12 licensed orthotist or prosthetist, ¹licensed podiatrist,¹ or any
13 certified pedorthist, if the covered person's physician determines
14 that the additional appliance is necessary to enable the covered
15 person to engage in physical and recreational activities, including
16 running, bicycling, swimming, climbing, skiing, snowboarding, and
17 team and individual sports.

18 As used in this section, "orthotic appliance," "prosthetic
19 appliance," "licensed orthotist" and "licensed prosthetist" have the
20 meaning assigned to them in section 3 of P.L.1991, c.512
21 (C.45:12B-3) ², "licensed podiatrist" has the meaning assigned to it
22 in R.S.45:5-1 et seq.,² and "certified pedorthist" has the meaning
23 assigned to it in subsection j. of section 18 of P.L.1991, c.512
24 (C.45:12B-18).

25 b. On and after the effective date of ¹["this act"] P.L.2007, c.345
26 (C.17:48-6ff et al.)¹, a contract purchased by the commission shall
27 reimburse for orthotic and prosthetic appliances at the same rate as
28 reimbursement for such appliances under the federal Medicare
29 reimbursement schedule.

30 c. The benefits shall be provided to the same extent as for any
31 other medical condition under the contract.
32 (cf: P.L.2007, c.345, s.9)

33
34 10. This act shall take effect on the 90th day after enactment,
35 and shall apply to policies or contracts issued or renewed on or after
36 the effective date.

ASSEMBLY FINANCIAL INSTITUTIONS AND INSURANCE COMMITTEE

STATEMENT TO

ASSEMBLY, No. 3856

with committee amendments

STATE OF NEW JERSEY

DATED: DECEMBER 9, 2024

The Assembly Financial Institutions and Insurance Committee reports favorably and with committee amendments Assembly Bill No. 3856.

As amended, this bill requires health benefits coverage for an additional orthotic and prosthetic appliance under certain circumstances and requires coverage for orthotic and prosthetic appliances obtained through a podiatrist.

The bill requires health benefits coverage for an additional orthotic or prosthetic appliance from any licensed orthotist or prosthetist, licensed podiatrist, or any certified pedorthist, if the covered person's physician determines that the additional appliance is necessary to enable the covered person to engage in physical and recreational activities, including running, bicycling, swimming, climbing, skiing, snowboarding, and team and individual sports. The reimbursement for the additional orthotic or prosthetic appliance is at the same rate as reimbursement for the appliances under the federal Medicare reimbursement schedule.

Current law requires health benefits coverage for expenses incurred in obtaining an orthotic or prosthetic appliance from any licensed orthotist or prosthetist, or any certified pedorthist, as determined medically necessary by the covered person's physician, but does not require coverage of an additional appliance for physical or recreational activities, nor does current law require coverage for orthotic and prosthetic appliances obtained through a podiatrist.

The bill would apply to hospital, medical, and health service corporations; commercial individual, small employer, and larger group insurers; health maintenance organizations; and the State Health Benefits Program and the School Employees' Health Benefits Program.

As amended and reported by the committee, Assembly Bill No. 3856 is identical to Senate Bill No. 1439 (1R), which was also reported by the committee on this date.

COMMITTEE AMENDMENTS:

The committee amended the bill to require health benefits coverage for orthotic or prosthetic appliances obtained from a licensed podiatrist.

ASSEMBLY APPROPRIATIONS COMMITTEE

STATEMENT TO

[First Reprint]

ASSEMBLY, No. 3856

with committee amendments

STATE OF NEW JERSEY

DATED: MARCH 20, 2025

The Assembly Appropriations Committee reports favorably and with committee amendments Assembly Bill No. 3856 (1R).

As amended and reported, this bill requires health benefits coverage for orthotic or prosthetic appliance from any licensed orthotist or prosthetist, any certified pedorthist, or licensed podiatrist, if the covered person's physician determines that the additional appliance is necessary to enable the covered person to engage in physical and recreational activities, including running, bicycling, swimming, climbing, skiing, snowboarding, and team and individual sports. The reimbursement for the additional orthotic or prosthetic appliance is at the same rate as reimbursement for the appliances under the federal Medicare reimbursement schedule.

The bill also requires health benefits coverage for orthotic or prosthetic appliances, as well as additional orthotics or prosthetic appliances for engaging in physical and recreational activities, obtained from a licensed podiatrist.

Current law requires health benefits coverage for expenses incurred in obtaining an orthotic or prosthetic appliance from any licensed orthotist or prosthetist, or any certified pedorthist, as determined medically necessary by the covered person's physician, but does not require coverage of an additional appliance for physical or recreational activities.

The bill would apply to hospital, medical, and health service corporations; commercial individual, small employer, and larger group insurers; health maintenance organizations; and the State Health Benefits Program and the School Employees' Health Benefits Program.

As amended and reported by the committee, Assembly Bill No. 3856 (1R) is identical to Senate Bill No. 1439 (1R), which was also reported by the committee on this date.

COMMITTEE AMENDMENTS:

The committee amended the bill to be identical to Senate Bill No. 1439 (1R) by including the definition of a “licensed podiatrist” in sections 3, 8, and 9 of the bill.

FISCAL IMPACT:

The Office of Legislative Services (OLS) estimates that requiring health benefits coverage for an additional orthotic or prosthetic applicant under certain circumstances will result in a total annual increase of \$461,000 to \$577,000 in State and local government unit expenditures for the State Health Benefits Program and the School Employees’ Health Benefits Program.

A report by the New Jersey Mandated Health Benefits Advisory Commission prior to the passage of the State’s initial mandate for health benefits coverage for orthotic and prosthetic appliances found that health care premiums for the fully insured group insurance and individual insurance markets were likely to increase by 0.025 percent due to the mandate. A subsequent analysis for a related, but limited mandate in Maine suggested that expanding coverage for prosthetics for devices necessary for recreational activities would increase premiums by up to 0.02 percent.

The OLS does not know the actual number of covered individuals whose physicians will determine that an additional prosthetic appliance is medically necessary to engage in physical recreational activities, but assumes for the purpose of the analysis that half of all covered individuals granted prosthetic devices for medical necessity under current law could be approved for an additional prosthetic device for recreational use.

LEGISLATIVE FISCAL ESTIMATE

[First Reprint]

ASSEMBLY, No. 3856

STATE OF NEW JERSEY
221st LEGISLATURE

DATED: DECEMBER 19, 2024

SUMMARY

- Synopsis:** Requires health benefits coverage for additional orthotic and prosthetic appliances under certain circumstances; requires coverage for orthotic and prosthetic appliances obtained through podiatrists.
- Type of Impact:** Annual expenditure increase to the State General Fund and certain local government units.
- Agencies Affected:** Division of Pensions and Benefits in the Department of the Treasury; certain local government units.

Office of Legislative Services Estimate

Fiscal Impact	<u>Annual</u>
State Expenditure Increase	\$171,000 to \$215,000
Local Expenditure Increase	<u>\$290,000 to \$363,000</u>
Total Expenditure Increase	\$461,000 to \$577,000

- The Office of Legislative Services (OLS) estimates that requiring health benefits coverage for an additional orthotic or prosthetic appliance under certain circumstances will result in a total annual increase of \$461,000 to \$577,000 in State and local government unit expenditures for the State Health Benefits Program and the School Employees’ Health Benefits Program.
- A report by the New Jersey Mandated Health Benefits Advisory Commission prior to the passage of the State’s initial mandate for health benefits coverage for orthotic and prosthetic appliances found that health care premiums for the fully insured group insurance and individual insurance markets were likely to increase by 0.025 percent due to the mandate. A subsequent analysis for a related, but limited mandate in Maine suggested that expanding coverage for prosthetics for devices necessary for recreational activities would increase premiums by up to 0.02 percent.
- The OLS does not know the actual number of covered individuals whose physicians will determine that an additional prosthetic appliance is medically necessary to engage in physical recreational activities, but assumes for the purpose of the analysis that half of all covered



individuals granted prosthetic devices for medical necessity under current law could be approved for an additional prosthetic device for recreational use.

BILL DESCRIPTION

This bill requires health benefits coverage for an additional orthotic or prosthetic device from a licensed specialist if the covered person's physician determines that an additional appliance is necessary for physical and recreational activities. This bill also requires health benefits coverage for an orthotic or prosthetic device from a licensed podiatrist if the covered person's physician determines that an appliance is medically necessary.

Current law requires health benefits coverage for one orthotic or prosthetic device from a licensed specialist per covered person if the covered person's physician determines that the appliance is medically necessary.

By law, the reimbursement rate for orthotic and prosthetic appliances is the same as the reimbursement rate for such appliances under the federal Medicare reimbursement schedule.

FISCAL ANALYSIS

EXECUTIVE BRANCH

None received.

OFFICE OF LEGISLATIVE SERVICES

The OLS estimates that requiring health benefits coverage for an additional orthotic or prosthetic appliance under certain circumstances will result in a total annual increase of \$461,000 to \$577,000 in State and local government unit expenditures for the State Health Benefits Program and the School Employees' Health Benefits Program.

The OLS does not know the actual number of covered individuals whose physicians will determine that an additional prosthetic appliance is medically necessary to engage in physical recreational activities, but assumes for the purpose of this analysis that half of all covered individuals granted prosthetic devices for medical necessity under current law could be approved for an additional prosthetic device for recreational use.

A report by the New Jersey Mandated Health Benefits Advisory Commission prior to the passage of the State's initial mandate for health benefits coverage for orthotic and prosthetic appliances found that health care premiums for the fully insured group insurance and individual insurance markets were likely to increase by 0.025 percent. Under current law, the State Health Benefits Program and the School Employees' Health Benefits program are included in the State mandate.

Based on data from the Plan Year 2024 Rate Setting Analyses, a 0.01 percent increase in projected costs for incurred medical claims would result in expenditure increases of approximately \$215,000 for the State portion of the State Health Benefits Program, \$156,000 for the local portion of the State Health Benefits Program, and \$208,000 for the School Employees' Health Benefits Program for Plan Year 2024 before cost-sharing.

Section: State Government

*Analyst: Camryn Mathews
Assistant Fiscal Analyst*

*Approved: Thomas Koenig
Legislative Budget and Finance Officer*

This legislative fiscal estimate has been produced by the Office of Legislative Services due to the failure of the Executive Branch to respond to our request for a fiscal note.

This fiscal estimate has been prepared pursuant to P.L.1980, c.67 (C.52:13B-6 et seq.).

LEGISLATIVE FISCAL ESTIMATE

[Second Reprint]

ASSEMBLY, No. 3856

STATE OF NEW JERSEY

221st LEGISLATURE

DATED: MARCH 28, 2025

SUMMARY

- Synopsis:** Requires health benefits coverage for additional orthotic and prosthetic appliances under certain circumstances; requires coverage for orthotic and prosthetic appliances obtained through podiatrists.
- Type of Impact:** Annual expenditure increase to the State General Fund and certain local government units.
- Agencies Affected:** Division of Pensions and Benefits in the Department of the Treasury; certain local government units.

Office of Legislative Services Estimate

Fiscal Impact	<u>Annual</u>
State Expenditure Increase	\$185,000 to \$232,000
Local Expenditure Increase	<u>\$311,000 to \$389,000</u>
Total Expenditure Increase	\$496,000 to \$621,000

- The Office of Legislative Services (OLS) estimates that requiring health benefits coverage for an additional orthotic or prosthetic appliance under certain circumstances will result in a total annual increase of \$496,000 to \$621,000 in State and local government unit expenditures for the State Health Benefits Program and the School Employees’ Health Benefits Program.
- A report by the New Jersey Mandated Health Benefits Advisory Commission prior to the passage of the State’s initial mandate for health benefits coverage for orthotic and prosthetic appliances found that health care premiums for the fully insured group insurance and individual insurance markets were likely to increase by 0.025 percent due to the mandate. A subsequent analysis for a related, but limited mandate in Maine suggested that expanding coverage for prosthetics for devices necessary for recreational activities would increase premiums by up to 0.02 percent.
- The OLS does not know the actual number of covered individuals whose physicians will determine that an additional prosthetic appliance is medically necessary to engage in physical recreational activities, but assumes for the purpose of the analysis that half of all covered

individuals granted prosthetic devices for medical necessity under current law could be approved for an additional prosthetic device for recreational use.

BILL DESCRIPTION

This bill requires health benefits coverage for an additional orthotic or prosthetic device from a licensed specialist if the covered person's physician determines that an additional appliance is necessary for physical and recreational activities. This bill also requires health benefits coverage for an orthotic or prosthetic device from a licensed podiatrist if the covered person's physician determines that an appliance is medically necessary.

Current law requires health benefits coverage for one orthotic or prosthetic device from a licensed specialist per covered person if the covered person's physician determines that the appliance is medically necessary.

By law, the reimbursement rate for orthotic and prosthetic appliances is the same as the reimbursement rate for such appliances under the federal Medicare reimbursement schedule.

FISCAL ANALYSIS

EXECUTIVE BRANCH

None received.

OFFICE OF LEGISLATIVE SERVICES

The OLS estimates that requiring health benefits coverage for an additional orthotic or prosthetic appliance under certain circumstances will result in a total annual increase of \$496,000 to \$621,000 in State and local government unit expenditures for the State Health Benefits Program and the School Employees' Health Benefits Program.

The OLS does not know the actual number of covered individuals whose physicians will determine that an additional prosthetic appliance is medically necessary to engage in physical recreational activities, but assumes for the purpose of this analysis that half of all covered individuals granted prosthetic devices for medical necessity under current law could be approved for an additional prosthetic device for recreational use.

A report by the New Jersey Mandated Health Benefits Advisory Commission prior to the passage of the State's initial mandate for health benefits coverage for orthotic and prosthetic appliances found that health care premiums for the fully insured group insurance and individual insurance markets were likely to increase by 0.025 percent. Under current law, the State Health Benefits Program and the School Employees' Health Benefits program are included in the State mandate.

Based on data from the Plan Year 2025 Rate Setting Analyses, a 0.01 percent increase in projected costs for incurred medical claims would result in expenditure increases of approximately \$232,000 for the State portion of the State Health Benefits Program, \$164,000 for the local portion of the State Health Benefits Program, and \$225,000 for the School Employees' Health Benefits Program for Plan Year 2025 before cost-sharing.

Section: State Government

*Analyst: Camryn Mathews
Assistant Fiscal Analyst*

*Approved: Thomas Koenig
Legislative Budget and Finance Officer*

This legislative fiscal estimate has been produced by the Office of Legislative Services due to the failure of the Executive Branch to respond to our request for a fiscal note.

This fiscal estimate has been prepared pursuant to P.L.1980, c.67 (C.52:13B-6 et seq.).

Governor Murphy Takes Action on Legislation

Posted on - 07/8/2025

TRENTON – Today, Governor Murphy signed the following bills into law:

S-1400/A-5448 (Singleton, Zwicker/Park, Freiman) - “Uniform Partition of Heirs Property Act”; provides alternative process for handling partition actions filed in court concerning real property with multiple owners, at least one of whom had acquired title from relative

S-1439/A-3856 (Singleton, A.M. Bucco/Sampson, McClellan, Miller) - Requires health benefits coverage for additional orthotic and prosthetic appliances under certain circumstances; requires coverage for orthotic and prosthetic appliances obtained through podiatrists

S-2886/A-4015 (Greenstein, Turner/McCoy) - Requires pharmacies to provide certain information regarding insulin manufacturer assistance programs

S-3787/A-5613 (Scutari, Ruiz/Pintor Marin, Morales) - Requires municipal tax collectors who obtain payments in lieu of taxes under “Long Term Tax Exemption Law” to transmit county portion directly to county

S-3850/A-5356 (Smith, Scutari/Karabinchak, Reynolds-Jackson) - Permits county boards of elections to extend distance within which electioneering is prohibited

S-3928/A-5322 (Ruiz, Scutari/Greenwald, Sampson) - Limits general application of certain consumer contracts

S-3961/A-5263 (Ruiz, Scutari/Haider, Morales, Karabinchak) - Requires public and certain nonpublic schools to offer no-fee option to parents for making school lunch and other payments; requires payment processing platforms used by certain schools to provide users with information on user fees

S-4162/A-5469 (Turner, Ruiz/Reynolds-Jackson, Carter, Morales) - Limits use or disclosure of certain education records

A-4113/S-2155 (Carter, Atkins/Cryan, McKeon) - Prohibits sports wagering partnerships at public institutions of higher education

A-5141/S-3813 (Peterpaul, Calabrese, Donlon/Gopal, O’Scanlon) - Establishes historic distillery license; allows consumption of licensee’s products on and off licensed premises under certain circumstances

A-5466/S-4318 (Bailey, Freiman, Reynolds-Jackson/Burzichelli, Greenstein) - Requires BPU to study effects of data centers on electricity costs

A-5736/S-4532 (Bailey, Simmons, Miller/Burzichelli, McKnight) - Updates certain notification requirements in "Energy Bill Watch" program

Posted on: July 8, 2025

Bill Offering Additional Prosthetics Coverage for Amputees Now Law

TRENTON, N.J. – The governor on Tuesday signed a bill that would require health benefits plans to cover additional prosthetic devices.



The bill (S1439/A3856), sponsored by Assemblyman Antwan McClellan, specifies that devices prescribed by a patient's physician and provided by licensed orthotists, prosthetists or pedorthists for physical or recreational activities must be covered. Current law does not mandate that coverage.

"Additional prosthetic devices for physical activity promote mental and physical well-being and enhance quality of life," McClellan (R-Cape May) said. "[Studies show](#) physical activity reduces risks of depression and chronic diseases, which are issues that can disproportionately affect amputees without access to such tools."

Basic prosthetics for upper or lower body can cost up to \$10,000, while more advanced options—above-the-knee prosthetics with features such as microprocessor-controlled knees or multi-axial movement, or myoelectric arms that respond to muscle signals—can cost upwards of \$100,000. Those prices exclude fittings and any maintenance. Devices must be replaced every five years or less, due to wear and tear.

Additional devices, which are covered under McClellan's bill, would include a running blade, which can cost between \$10,000 and \$30,000.

Healthcare providers would be reimbursed at the same rate as the Medicare reimbursement schedule.

"It's not about running marathons, although if that's their goal, I say go for it!" McClellan added. "It's about giving amputees the opportunity to live a full life without financial ruin."

Posted on: July 8, 2025

Bucco Bill to Expand Prosthetic Coverage Signed into Law

Today, Senate Republican Leader Anthony M. Bucco’s (R-25) bill to expand health benefits coverage for an additional prosthetic appliance was signed into law.



“As a cancer survivor myself, I’ve seen the struggles patients must endure when dealing with health-insurance companies,” said Sen. Bucco. “Now, with the Governor’s signature, we can lift that weight off of families’ shoulders so children and adults alike can live life to the fullest and make this process as seamless as possible while giving amputees the peace of mind they deserve when going through these tough times.”

S-1439 requires health benefits coverage for an additional orthotic or prosthetic appliance from any licensed orthotist, podiatrist, or prosthetist, or any certified pedorthist, if the covered person’s physician determines that the additional appliance is necessary to enable the covered person to engage in physical and recreational activities, including running, bicycling, swimming, climbing, skiing, snowboarding, and team and individual sports.

You can read the full bill [here](#).

Posted on: July 10, 2025

Bill to Expand Insurance Coverage for Prosthetics and Orthotics Signed into Law

Sampson, Miller legislation will help to ensure active lifestyle support for people with limb loss and limb differences

(TRENTON) – Assemblyman **William Sampson's** bill requiring insurance coverage for orthotic and prosthetic appliances prescribed for physical and recreational activity has been signed into law. Bill **A3856**, also sponsored by Assemblyman **Cody Miller**, helps ensure individuals with limb loss and limb differences are fully supported in their ability to live active, healthy lives including participation in many different sports.



“This bill is about dignity and fair access,” **said Assemblyman Sampson (D-Hudson)**. “No one should be sidelined from sports, movement, or recreation simply because their insurance won’t cover an additional prosthetic or orthotic. With this bill, we’re helping people live fully.”

The legislation requires health benefits coverage for orthotic or prosthetic appliances from any licensed orthotist or prosthetist, any certified pedorthist, or licensed podiatrist if the covered person’s physician determines that the additional appliance is necessary for engagement in physical and recreational activities, including running, bicycling, swimming, climbing, skiing, snowboarding, and team and individual sports.

“This legislation levels the playing field for people who rely on orthotics and prosthetic appliances,” **said Assemblyman Miller (D-Atlantic, Camden, Gloucester)**. “For many, being active isn’t just about physical health, but it’s about connection, confidence, and mental well-being as well. No one should be left out of the activities that bring joy or social connection just because of insurance barriers.”