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LEGISLATIVE FISCAL ESTIMATE: Yes

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RWH/JA.

P.L.2017, CHAPTER 153, *approved July 21, 2017*
Assembly, No. 1458 (*Second Reprint*)

1 AN ACT concerning patient notification of insurance coverage of
2 newborns and supplementing Title 26 of the Revised Statutes.

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

6
7 1. a. The Commissioner of Health, in consultation with the
8 Commissioner of Banking and Insurance, shall prepare and make
9 available to each ¹**["hospital and birthing facility"]** health care
10 professional¹ in the State informational literature on health
11 insurance coverage for newborn children, which is to be provided to
12 new ²**["mothers"]** parents² in accordance with subsection b. of this
13 section. At a minimum, the information shall inform new parents
14 of: (1) the period of time during which applicable State and federal
15 laws require a parent's health insurance policy to provide coverage
16 for a newborn child; and (2) how to obtain coverage for the child
17 after that period under the parent's policy, a separate private health
18 insurance policy, or a public health coverage plan. The
19 commissioner may make the informational literature available to
20 ¹**["hospitals and birthing facilities"]** health care professionals¹ by
21 posting it on the Department of Health's Internet website or by
22 other electronic means.

23 b. The Department of Health shall require each ¹**["hospital and**
24 **birthing facility"]** health care professional¹ in the State to provide
25 new ²**["mothers"]** parents², including adoptive ²**["mothers"]** parents²,
26 with the informational literature specified in section a. of this
27 section. The informational literature shall be distributed to the
28 mother and any other adult family member, including adult adoptive
29 family members ¹**["**, present at the infant's birth, by the staff
30 designated by the hospital or birthing facility, prior to the mother's
31 discharge, as part of the hospital or birthing facility's discharge
32 procedures¹ ²where possible, during the mother's prenatal care
33 appointments in the last trimester of pregnancy².

34 c. As used in this section ¹**["birthing facility"]** "health care
35 professional"¹ means an ¹**["inpatient or ambulatory health care**
36 **facility licensed by the Department of Health to provide birthing**

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 SHH committee amendments adopted May 1, 2017.

²Senate SBA committee amendments adopted June 15, 2017.

1 and newborn care services] individual who is licensed or certified
2 pursuant to Title 45 of the Revised Statutes, and who provides
3 prenatal health care services as a part of the individual's authorized
4 scope of professional practice¹.

5

6 2. The Commissioner of Health, pursuant to the
7 "Administrative Procedure Act," P.L.1968, c.410 (C.52:14B-1 et
8 seq.), shall adopt rules and regulations to effectuate the purposes of
9 this act.

10

11 3. This act shall take effect on the first day of the fourth month
12 next following the date of enactment, except that the Commissioner
13 of Health, in consultation with the Commissioner of Banking and
14 Insurance, may take such anticipatory administrative action in
15 advance thereof as shall be necessary for the implementation of this
16 act.

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21 _____
22 Requires health care professionals engaged in prenatal care to
23 provide parents of newborns with information on health insurance
coverage for newborn children.

ASSEMBLY, No. 1458

STATE OF NEW JERSEY 217th LEGISLATURE

PRE-FILED FOR INTRODUCTION IN THE 2016 SESSION

Sponsored by:

Assemblywoman PAMELA R. LAMPITT

District 6 (Burlington and Camden)

Assemblywoman GABRIELA M. MOSQUERA

District 4 (Camden and Gloucester)

Assemblywoman JOANN DOWNEY

District 11 (Monmouth)

SYNOPSIS

Requires hospitals and birthing centers to provide parents of newborns with information on health insurance coverage for newborn children.

CURRENT VERSION OF TEXT

Introduced Pending Technical Review by Legislative Counsel.



(Sponsorship Updated As Of: 2/9/2016)

1 AN ACT concerning patient notification of insurance coverage of
2 newborns and supplementing Title 26 of the Revised Statutes.

3

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

6

7 1. a. The Commissioner of Health, in consultation with the
8 Commissioner of Banking and Insurance, shall prepare and make
9 available to each hospital and birthing facility in the State
10 informational literature on health insurance coverage for newborn
11 children, which is to be provided to new mothers in accordance with
12 subsection b. of this section. At a minimum, the information shall
13 inform new parents of: (1) the period of time during which
14 applicable State and federal laws require a parent's health insurance
15 policy to provide coverage for a newborn child; and (2) how to
16 obtain coverage for the child after that period under the parent's
17 policy, a separate private health insurance policy, or a public health
18 coverage plan. The commissioner may make the informational
19 literature available to hospitals and birthing facilities by posting it
20 on the Department of Health's Internet website or by other
21 electronic means.

22 b. The Department of Health shall require each hospital and
23 birthing facility in the State to provide new mothers, including
24 adoptive mothers, with the informational literature specified in
25 section a. of this section. The informational literature shall be
26 distributed to the mother and any other adult family member,
27 including adult adoptive family members, present at the infant's
28 birth, by the staff designated by the hospital or birthing facility,
29 prior to the mother's discharge, as part of the hospital or birthing
30 facility's discharge procedures.

31 c. As used in this section "birthing facility" means an inpatient
32 or ambulatory health care facility licensed by the Department of
33 Health to provide birthing and newborn care services.

34

35 2. The Commissioner of Health, pursuant to the
36 "Administrative Procedure Act," P.L.1968, c.410 (C.52:14B-1 et
37 seq.), shall adopt rules and regulations to effectuate the purposes of
38 this act.

39

40 3. This act shall take effect on the first day of the fourth month
41 next following the date of enactment, except that the Commissioner
42 of Health, in consultation with the Commissioner of Banking and
43 Insurance, may take such anticipatory administrative action in
44 advance thereof as shall be necessary for the implementation of this
45 act.

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STATEMENT

This bill mandates that the Department of Health, in consultation with the Department of Banking and Insurance, prepare and make available to hospitals and birthing centers informational literature on health insurance coverage for newborn children.

At a minimum, the information shall inform new parents of: (1) the period of time during which applicable State and federal laws require a parent's health insurance policy to provide coverage for a newborn child; and (2) how to obtain coverage for the child after that period under the parent's policy, a separate private health insurance policy, or a public health coverage plan. Under current State law, State-regulated health insurance plans must cover services to newborns for 30 days after the date of birth. An associated bill currently pending before the Legislature, Assembly Bill No, 2682, would increase this time period to 60 days.

In addition, the Department of Health would require each hospital and birthing facility in the State to provide new mothers, including adoptive mothers, with the informational literature, which would be distributed to the mother and any other family members, including adoptive family members, present at the infant's birth, by staff designated by the hospital or birthing facility, prior to the mother's discharge, as part of the hospital or birthing facility's discharge procedures.

ASSEMBLY WOMEN AND CHILDREN COMMITTEE

STATEMENT TO

ASSEMBLY, No. 1458

STATE OF NEW JERSEY

DATED: JUNE 6, 2016

The Assembly Woman and Children Committee reports favorably Assembly Bill No.1458.

This bill mandates that the Department of Health, in consultation with the Department of Banking and Insurance, prepare and make available to hospitals and birthing centers informational literature on health insurance coverage for newborn children.

At a minimum, the information shall inform new parents of: (1) the period of time during which applicable State and federal laws require a parent's health insurance policy to provide coverage for a newborn child; and (2) how to obtain coverage for the child after that period under the parent's policy, a separate private health insurance policy, or a public health coverage plan. Under current State law, State-regulated health insurance plans must cover services to newborns for 30 days after the date of birth. An associated bill currently pending before the Legislature, Assembly Bill No, 2682, would increase this time period to 60 days.

In addition, the Department of Health would require each hospital and birthing facility in the State to provide new mothers, including adoptive mothers, with the informational literature, which would be distributed to the mother and any other family members, including adoptive family members, present at the infant's birth, by staff designated by the hospital or birthing facility, prior to the mother's discharge, as part of the hospital or birthing facility's discharge procedures.

This bill was pre-filed for introduction in the 2016-2017 session pending technical review. As reported, the bill includes the changes required by technical review, which has been performed.

SENATE HEALTH, HUMAN SERVICES AND SENIOR
CITIZENS COMMITTEE

STATEMENT TO
ASSEMBLY, No. 1458

with committee amendments

STATE OF NEW JERSEY

DATED: MAY 1, 2017

The Senate Health, Human Services and Senior Citizens Committee reports favorably and with committee amendments Assembly Bill No. 1458.

As amended by the committee, this bill would require the Department of Health, in consultation with the Department of Banking and Insurance, to prepare informational literature on health insurance coverage for newborn children and make that information available to health care professionals who provide prenatal care in the State. Each such health care professional will then be required to provide the information to new mothers, including adoptive mothers.

At a minimum, the information is to inform new parents of: (1) the period of time during which applicable State and federal laws require a parent's health insurance policy to provide coverage for a newborn child; and (2) how to obtain coverage for the child after that period under the parent's policy, a separate private health insurance policy, or a public health coverage plan. Under current State law, State-regulated health insurance plans must cover services to newborns for 30 days after the date of birth.

The committee amended the bill to require the Commissioner of Health to make information on newborn health insurance coverage available to each health care professional who provides prenatal care in the State, as opposed to making such information available to hospitals and birthing facilities in the State; and to further provide that the Department of Health is to require each such health care professional to provide the information to new mothers, including adoptive mothers. The amendments would also remove the related provision that would have required the information to be provided as part of a hospital's or a birthing facility's discharge procedures.

As reported, this bill is identical to Senate Bill No. 2449 (1R) (Vitale/Ruiz), which the committee also reported favorably on this date.

SENATE BUDGET AND APPROPRIATIONS COMMITTEE

STATEMENT TO

[First Reprint]

ASSEMBLY, No. 1458

with committee amendments

STATE OF NEW JERSEY

DATED: JUNE 15, 2017

The Senate Budget and Appropriations Committee reports favorably Assembly Bill No. 1458 (1R), with committee amendments.

As amended, this bill requires the Department of Health, in consultation with the Department of Banking and Insurance, to prepare informational literature on health insurance coverage for newborn children and to make that information available to health care professionals who provide prenatal care in the State. Each such health care professional will then be required to provide the information to new parents, including adoptive parents. Specifically, the bill requires the health care professional to distribute informational literature to each mother undergoing prenatal care, and to any other adult family member, including adult adoptive family members where possible, during the mother's prenatal care appointments in the last trimester of pregnancy.

At a minimum, the information is to inform new parents of: (1) the period of time during which applicable State and federal laws require a parent's health insurance policy to provide coverage for a newborn child; and (2) how to obtain coverage for the child after that period under the parent's policy, a separate private health insurance policy, or a public health coverage plan. Under current State law, State-regulated health insurance plans must cover services to newborns for 30 days after the date of birth.

The bill permits the Commissioner of Health to make the informational literature available to health care professionals by posting it on the Department of Health's Internet website or by other electronic means.

The bill requires the Commissioner of Health to adopt rules and regulations to effectuate the purposes of the bill.

The bill takes effect on the first day of the fourth month next following the date of enactment, but permits the Commissioner of Health, in Consultation with the Commissioner of Banking and Insurance, to take anticipatory administrative actions in advance of that date as are necessary to implement the bill.

As amended and reported, this bill is identical to Senate Bill No. 2449 (1R), as also amended and reported by the committee.

COMMITTEE AMENDMENTS:

The amendments clarify that the informational literature on health insurance coverage for newborn children required to be distributed by the bill is to be distributed to all new parents, including adoptive parents (as opposed to being distributed to mothers only), and to further specify that the informational literature is to be distributed to the mother and any adult family member, including adult adoptive family members where possible, during the mother's prenatal care appointments in the last trimester of pregnancy.

FISCAL IMPACT:

The Office of Legislative Services (OLS) expects this bill will result in certain additional State expenditures by the Department of Health to prepare the required informational literature on health insurance coverage for newborn children, to make that information available to health care professionals, and to monitor any subsequent changes to health insurance coverage that would necessitate an update or revision to the literature. However, the OLS cannot quantify the additional expenditures that may be required by the department due to insufficient information on the time it will take to compile and produce the information required by the bill, and the extent and frequency with which an update or revision to the literature will need to be made in the future.

LEGISLATIVE FISCAL ESTIMATE
ASSEMBLY, No. 1458
STATE OF NEW JERSEY
217th LEGISLATURE

DATED: MARCH 21, 2017

SUMMARY

Synopsis: Requires hospitals and birthing centers to provide parents of newborns with information on health insurance coverage for newborn children.

Type of Impact: Expenditure increase, General Fund

Agencies Affected: Department of Health

Office of Legislative Services Estimate

Fiscal Impact	<u>Year 1</u>	<u>Year 2</u>	<u>Year 3</u>
State Cost	\$6,000	Indeterminate	Indeterminate

- The Office of Legislative Services (OLS) estimates that this bill will result in State expenditures for staff at the Department of Health to create the informational literature on health insurance coverage for newborn children and the subsequent publication of that informational literature on the Department of Health's Internet website or any other electronic means.
- The OLS estimates that the tasks required pursuant to the bill will require approximately 5 percent of a professional staff person's time, and equal approximately \$6,000 in the first year after enactment. Ongoing costs will be highly dependent on any updates to mandated newborn coverage and cannot be quantified.

BILL DESCRIPTION

Assembly Bill No. 1458 of 2016 would mandate that the Department of Health, in consultation with the Department of Banking and Insurance, prepare and make available to hospitals and birthing centers informational literature on health insurance coverage for newborn children.

At a minimum, the information shall inform new parents of: (1) the period of time during which applicable State and federal laws require a parent's health insurance policy to provide coverage for a newborn child; and (2) how to obtain coverage for the child after that period under the parent's policy, a separate private health insurance policy, or a public health coverage plan. Under current State law, State-regulated health insurance plans must cover

services to newborns for 30 days after the date of birth. An associated bill currently pending before the Legislature, Assembly Bill No, 2682, would increase this time period to 60 days. In addition, the Department of Health would require each hospital and birthing facility in the State to provide new mothers, including adoptive mothers, with the informational literature, which would be distributed to the mother and any other family members, including adoptive family members, present at the infant's birth, by staff designated by the hospital or birthing facility, prior to the mother's discharge, as part of the hospital or birthing facility's discharge procedures.

FISCAL ANALYSIS

EXECUTIVE BRANCH

None received.

OFFICE OF LEGISLATIVE SERVICES

The OLS estimates that this bill will result in State expenditures to support staff at the Department of Health to carry out the requirements of the bill.

The bill requires the Department of Health to consult with the Department of Banking and Insurance to create informational literature on health insurance coverage for newborn children. Furthermore, the staff should update this information if the laws or regulations are modified. OLS estimates that the cost to complete these tasks will equal approximately \$6,000, equal to 5 percent of one person's annual salary for one year in the first year after enactment. Ongoing costs will be highly dependent on any updates to mandated newborn coverage and cannot be quantified.

A professional staff member will need to work in conjunction with the Department of Banking and Insurance to collect information on all health insurance carriers' policies, compile this information into user friendly informational literature, and coordinate the publication of this literature with information technology professionals on the department's Internet website and through other electronic means. The staff person would also have to remain aware of current insurance law changes to ensure any updates are included in the informational literature. The average State salary for a Department of Health employee is \$80,000, plus fringe benefits costs of \$35,200,¹ for a total salary cost of \$115,200; therefore dedicating approximately 5 percent of a staff person's time would equal approximately \$6,000.

The OLS notes that hospitals and birthing centers may also incur costs to distribute the informational literature. The cost to distribute the information is not included in this fiscal estimate as it is not a public cost, but would rely on the method the hospital uses to distribute the information.

¹ Average salary is from the State Government 2016 Workforce Profile with select local data, and fringe benefit rate is from the Office of Management and Budget Circular No.17-09

Section: Human Services

*Analyst: Robin Ford
Lead Fiscal Analyst*

*Approved: Frank W. Haines III
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. 1458

**STATE OF NEW JERSEY
217th LEGISLATURE**

DATED: JULY 18, 2017

SUMMARY

- Synopsis:** Requires health care professionals engaged in prenatal care to provide parents of newborns with information on health insurance coverage for newborn children.
- Type of Impact:** Recurring expenditure increase to State General Fund.
- Agencies Affected:** Department of Health and Department of Banking and Insurance.

Office of Legislative Services Estimate

Fiscal Impact	<u>Annual</u>
State Expenditure Increase	Minimal

- The Office of Legislative Services (OLS) estimates that this bill will result in minimal recurring State expenditures by the Department of Health to create, periodically update, and publish on its Internet website or through any other electronic means, the required informational literature on health insurance coverage for newborn children.
- The OLS estimates that the tasks required pursuant to the bill will prompt the department to allocate the additional responsibilities among its existing personnel, hire additional staff, or contract with an outside entity. Any cost to hire additional staff or contract with an outside entity cannot be quantified by the OLS due to uncertainty on the actual time it will require to produce the informational literature.
- The department may also incur costs to monitor any subsequent changes to health insurance coverage, but ongoing costs will be highly dependent on any updates to mandated newborn coverage and cannot be quantified by the OLS.

BILL DESCRIPTION

Assembly Bill No. 1458 (2R) of 2016 would require the Department of Health, in consultation with the Department of Banking and Insurance, to prepare informational literature

on health insurance coverage for newborn children and make that information available to health care professionals who provide prenatal care in the State. Each such health care professional would then be required to provide the information to new parents, including adoptive parents.

At a minimum, the literature is to inform new parents of: (1) the period of time during which applicable State and federal laws require a parent's health insurance policy to provide coverage for a newborn child; and (2) how to obtain coverage for the child after that period under the parent's policy, a separate private health insurance policy, or a public health coverage plan.

FISCAL ANALYSIS

EXECUTIVE BRANCH

None received.

OFFICE OF LEGISLATIVE SERVICES

The OLS estimates that this bill will result in minimal recurring State expenditures by the Department of Health.

The bill requires the Department of Health to consult with the Department of Banking and Insurance to create informational literature on health insurance coverage for newborn children. Furthermore, this information should be updated if the laws or regulations are modified. These tasks will require the department to allocate the additional responsibilities among its existing personnel, hire additional professional staff, or contract with an outside entity.

Professional staff members will need to work in conjunction with the Department of Banking and Insurance to collect information on all health insurance carriers' policies, compile this information into user-friendly informational literature, and coordinate the publication of this literature with information technology professionals on the department's Internet website and through other electronic means. The staff persons will also have to remain aware of current insurance law changes to ensure any updates are included in the informational literature. These duties would likely not necessitate hiring a new full-time employee; rather the department could hire temporary staff, enter into a contract with an independent entity, or allocate the additional responsibilities among its existing staff. The personnel cost to the department or the cost to enter into a contract cannot be quantified by the OLS, but the average State salary for a Department of Health employee is \$80,000, plus fringe benefits costs of \$35,200,¹ for a total employment cost of \$115,200.

The department may also incur costs to monitor any subsequent changes to health insurance coverage, but ongoing costs will be highly dependent on any updates to mandated newborn coverage and cannot be quantified by the OLS.

Section: Human Services
Analyst: Robin C. Ford
Lead Fiscal Analyst
Approved: Frank W. Haines III
Legislative Budget and Finance Officer

¹ Average salary is from the State Government 2016 Workforce Profile with select local data, and the fringe benefit rate is from the Office of Management and Budget Circular No.17-09-OMB.

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.).

SENATE, No. 2449

STATE OF NEW JERSEY
217th LEGISLATURE

INTRODUCED JUNE 30, 2016

Sponsored by:

Senator JOSEPH F. VITALE

District 19 (Middlesex)

Senator M. TERESA RUIZ

District 29 (Essex)

SYNOPSIS

Requires hospitals and birthing centers to provide parents of newborns with information on health insurance coverage for newborn children.

CURRENT VERSION OF TEXT

As introduced.



1 AN ACT concerning patient notification of insurance coverage of
2 newborns and supplementing Title 26 of the Revised Statutes.

3

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

6

7 1. a. The Commissioner of Health, in consultation with the
8 Commissioner of Banking and Insurance, shall prepare and make
9 available to each hospital and birthing facility in the State
10 informational literature on health insurance coverage for newborn
11 children, which is to be provided to new mothers in accordance with
12 subsection b. of this section. At a minimum, the information shall
13 inform new parents of: (1) the period of time during which
14 applicable State and federal laws require a parent's health insurance
15 policy to provide coverage for a newborn child; and (2) how to
16 obtain coverage for the child after that period under the parent's
17 policy, a separate private health insurance policy, or a public health
18 coverage plan. The commissioner may make the informational
19 literature available to hospitals and birthing facilities by posting it
20 on the Department of Health's Internet website or by other
21 electronic means.

22 b. The Department of Health shall require each hospital and
23 birthing facility in the State to provide new mothers, including
24 adoptive mothers, with the informational literature specified in
25 section a. of this section. The informational literature shall be
26 distributed to the mother and any other adult family member,
27 including adult adoptive family members, present at the infant's
28 birth, by the staff designated by the hospital or birthing facility,
29 prior to the mother's discharge, as part of the hospital or birthing
30 facility's discharge procedures.

31 c. As used in this section "birthing facility" means an inpatient
32 or ambulatory health care facility licensed by the Department of
33 Health to provide birthing and newborn care services.

34

35 2. The Commissioner of Health, pursuant to the
36 "Administrative Procedure Act," P.L.1968, c.410 (C.52:14B-1 et
37 seq.), shall adopt rules and regulations to effectuate the purposes of
38 this act.

39

40 3. This act shall take effect on the first day of the fourth month
41 next following the date of enactment, except that the Commissioner
42 of Health, in consultation with the Commissioner of Banking and
43 Insurance, may take such anticipatory administrative action in
44 advance thereof as shall be necessary for the implementation of this
45 act.

STATEMENT

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This bill mandates that the Department of Health, in consultation with the Department of Banking and Insurance, prepare and make available to hospitals and birthing centers informational literature on health insurance coverage for newborn children.

At a minimum, the information shall inform new parents of: (1) the period of time during which applicable State and federal laws require a parent’s health insurance policy to provide coverage for a newborn child; and (2) how to obtain coverage for the child after that period under the parent’s policy, a separate private health insurance policy, or a public health coverage plan. Under current State law, State-regulated health insurance plans must cover services to newborns for 30 days after the date of birth.

In addition, the Department of Health would require each hospital and birthing facility in the State to provide new mothers, including adoptive mothers, with the informational literature, which would be distributed to the mother and any other family members, including adoptive family members, present at the infant's birth, by staff designated by the hospital or birthing facility, prior to the mother's discharge, as part of the hospital or birthing facility's discharge procedures.

SENATE HEALTH, HUMAN SERVICES AND SENIOR
CITIZENS COMMITTEE

STATEMENT TO

SENATE, No. 2449

with committee amendments

STATE OF NEW JERSEY

DATED: MAY 1, 2017

The Senate Health, Human Services and Senior Citizens Committee reports favorably and with committee amendments Senate Bill No. 2449.

As amended by the committee, this bill would require the Department of Health, in consultation with the Department of Banking and Insurance, to prepare informational literature on health insurance coverage for newborn children and make that information available to health care professionals who provide prenatal care in the State. Each such health care professional will then be required to provide the information to new mothers, including adoptive mothers.

At a minimum, the information is to inform new parents of: (1) the period of time during which applicable State and federal laws require a parent's health insurance policy to provide coverage for a newborn child; and (2) how to obtain coverage for the child after that period under the parent's policy, a separate private health insurance policy, or a public health coverage plan. Under current State law, State-regulated health insurance plans must cover services to newborns for 30 days after the date of birth.

The committee amended the bill to require the Commissioner of Health to make information on newborn health insurance coverage available to each health care professional who provides prenatal care in the State, as opposed to making such information available to hospitals and birthing facilities in the State; and to further provide that the Department of Health is to require each such health care professional to provide the information to new mothers, including adoptive mothers. The amendments would also remove the related provision that would have required the information to be provided as part of a hospital's or a birthing facility's discharge procedures.

As reported, this bill is identical to Assembly Bill No. 1458 (1R) (Lampitt/Mosquera/Downey/Singleton/Vainieri Huttler), which the committee also reported favorably on this date.

LEGISLATIVE FISCAL ESTIMATE

[Second Reprint]

SENATE, No. 2449

STATE OF NEW JERSEY 217th LEGISLATURE

DATED: JULY 13, 2017

SUMMARY

- Synopsis:** Requires health care professionals engaged in prenatal care to provide parents of newborns with information on health insurance coverage for newborn children.
- Type of Impact:** Recurring expenditure increase to State General Fund.
- Agencies Affected:** Department of Health and Department of Banking and Insurance.

Office of Legislative Services Estimate

Fiscal Impact	<u>Annual</u>
State Expenditure Increase	Minimal

- The Office of Legislative Services (OLS) estimates that this bill will result in minimal recurring State expenditures by the Department of Health to create, periodically update, and publish on its Internet website or through any other electronic means, the required informational literature on health insurance coverage for newborn children.
- The OLS estimates that the tasks required pursuant to the bill will prompt the department to allocate the additional responsibilities among its existing personnel, hire additional staff, or contract with an outside entity. Any cost to hire additional staff or contract with an outside entity cannot be quantified by the OLS due to uncertainty on the actual time it will require to produce the informational literature.
- The department may also incur costs to monitor any subsequent changes to health insurance coverage, but ongoing costs will be highly dependent on any updates to mandated newborn coverage and cannot be quantified by the OLS.

BILL DESCRIPTION

Senate Bill No. 2449 (2R) of 2016 would require the Department of Health, in consultation with the Department of Banking and Insurance, to prepare informational literature on health insurance coverage for newborn children and make that information available to health care professionals who provide prenatal care in the State. Each such health care professional would then be required to provide the information to new parents, including adoptive parents.

At a minimum, the literature is to inform new parents of: (1) the period of time during which applicable State and federal laws require a parent's health insurance policy to provide coverage for a newborn child; and (2) how to obtain coverage for the child after that period under the parent's policy, a separate private health insurance policy, or a public health coverage plan.

FISCAL ANALYSIS

EXECUTIVE BRANCH

None received.

OFFICE OF LEGISLATIVE SERVICES

The OLS estimates that this bill will result in minimal recurring State expenditures by the Department of Health.

The bill requires the Department of Health to consult with the Department of Banking and Insurance to create informational literature on health insurance coverage for newborn children. Furthermore, this information should be updated if the laws or regulations are modified. These tasks will require the department to allocate the additional responsibilities among its existing personnel, hire additional professional staff, or contract with an outside entity.

Professional staff members will need to work in conjunction with the Department of Banking and Insurance to collect information on all health insurance carriers' policies, compile this information into user-friendly informational literature, and coordinate the publication of this literature with information technology professionals on the department's Internet website and through other electronic means. The staff persons will also have to remain aware of current insurance law changes to ensure any updates are included in the informational literature. These duties would likely not necessitate hiring a new full-time employee; rather the department could hire temporary staff, enter into a contract with an independent entity, or allocate the additional responsibilities among its existing staff. The personnel cost to the department or the cost to enter into a contract cannot be quantified by the OLS, but the average State salary for a Department of Health employee is \$80,000, plus fringe benefits costs of \$35,200,¹ for a total employment cost of \$115,200.

The department may also incur costs to monitor any subsequent changes to health insurance coverage, but ongoing costs will be highly dependent on any updates to mandated newborn coverage and cannot be quantified by the OLS.

¹ Average salary is from the State Government 2016 Workforce Profile with select local data, and the fringe benefit rate is from the Office of Management and Budget Circular No.17-09-OMB.

Section: Human Services

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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 Christie Takes Action on Pending Legislation

Friday, July 21, 2017

Tags: [Bill Action](#)



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Trenton, NJ – Governor Chris Christie today took action on dozens of bills, including S-359/A-2320 (Codey, Vitale/Vainieri Huttle, Conaway, Jimenez, Lampitt, Jasey, Sumter), which raises the minimum age from 19 to 21 of a person to whom a vendor may sell, offer for sale, distribute, give or furnish tobacco products in New Jersey. This new law also amends various related statues concerning penalties, fines, signage requirements, non-face-to-face transactions, and enforcement provisions to reflect the increased minimum age.

“By raising the minimum age to purchase tobacco products to 21, we are giving young people more time to develop a maturity and better understanding of how dangerous smoking can be and that it is better to not start smoking in the first place,” Governor Christie said. “My mother died from the effects of smoking, and no one should lose their life due to any addictive substance. Additionally, the less people who develop costly tobacco habits that can cause health problems, such as lung cancer, heart disease and developmental issues, the less strain there will be on our healthcare system.”

Governor Christie also took action on pending legislation related to:

Further Addressing the Opioid Epidemic

Governor Christie signed four bills that continue New Jersey's leadership role in fighting the national opioid epidemic. The legislation that requires the Department of Human Services develop, maintain, and post on their website daily information about the number of open beds available in facilities in the state for people in need of mental health or substance use disorder treatment; help inform parents of student athletes and cheerleaders about the use and misuse of prescription opioids; allows hospice programs to accept the unused prescription medicines of their hospice patients for safe disposal and implements the use of current-day, sensitive terminology when referring to persons with substance use disorders or certain disabilities.

- **A-1662/S-2466 (Schaer, Vainieri Huttle, Coughlin, McKnight, Mukherji/Vitale, Allen)** - Requires development and maintenance of data dashboard report to advise of open bed availability in residential facilities providing behavioral health services
- **A-3944/S-2402 (Mazzeo, Lagana, Vainieri Huttle, Benson, Caride, Wimberly/Diegnan, Vitale)** - Requires DOE to develop educational fact sheet for distribution to parents of student-athletes and cheerleaders concerning use and misuse of prescription opioids
- **S-2970/A-4522 (Vitale, Diegnan/Lampitt, Vainieri Huttle, Jimenez)** - Allows hospice care programs to accept unused prescription medications for disposal under certain circumstances
- **S-2721/ACS for A-926 (Vitale, Whelan/Vainieri Huttle, Benson, Tucker, Eustace, McKnight, Mosquera)** - Implements person-first language and changes pejorative terminology referring to persons with certain disabilities or substance use disorders

Protecting and Preserving the Environment

The Governor also signed several bills to protect people and improve the quality of life by strengthening New Jersey's environment.

“These new laws will create more open space preservation opportunities, green energy solutions and safeguards to ensure quality drinking water for all New Jerseyans,” Governor Christie said. “They provide greater flexibility for counties and municipalities to use the roughly \$270 million open space tax dollars they collect each year for the intended mission of protecting New Jersey's environment, improving communities with more recreation and

conservation, and preventing overcrowding of our towns and schools. They also ensure reliable, sustainable and safe environmental infrastructure across the state, by investing nearly \$100 million in critical projects this year."

- **A-1645/S-195 (Schaer, Webber, Dancer, Pintor Marin/Kyrillos, Smith)** - Expands definition of "acquisition," for purposes of county and municipal open space trust funds, to include demolition, removal of debris, and restoration of lands being acquired
- **S-3352/A-5045 (Ruiz, Bateman/Oliver, Chaparro, Singleton, Lagana, Bramnick, Vainieri Huttie, Zwicker)** - Appropriates \$71,700,224 from constitutionally dedicated CBT revenues and various Green Acres funds to DEP for local government open space acquisition and park development projects
- **S-3353/A-5046 (Greenstein, Thompson/Eustace, Land, Mukherji, Schaer, Bramnick, Vainieri Huttie, Wimberly)** - Appropriates \$12.3 million from constitutionally dedicated CBT revenues for recreation and conservation purposes to DEP for State capital and park development projects
- **S-3354/A-5044 (Gordon, Allen/McKeon, Mazzeo, Muoio, Moriarty, Bramnick, Zwicker, Vainieri Huttie)** - Appropriates \$8,992,898 to DEP from constitutionally dedicated CBT revenues and various Green Acres funds for grants to certain nonprofit entities to acquire or develop lands for recreation and conservation purposes
- **S-3240/A-4996 (Greenstein, Codey/Mukherji, Mazzeo, Schaer, Holley, Land)** - Authorizes NJ Environmental Infrastructure Trust to expend certain sums to make loans for environmental infrastructure projects for FY2018
- **CC for S-3241/A-4998 (Smith, Codey/Eustace, Muoio, Moriarty, Conaway, Andrzejczak)** - Appropriates funds to DEP for environmental infrastructure projects for FY2018
- **S-3242/A-4997 (Gordon, Oroho/McKeon, Prieto)** - Clarifies procedures for approval of environmental and transportation infrastructure projects
- **S-3181/A-4756 (Smith, Diegnan/DeAngelo, Eustace, Gusciora)** - Permits solar electric power generation facility projects not having commenced commercial operation to retain designation through May 31, 2018 as connected to distribution system
- **S-2834/A-4569 (Sweeney, Greenstein, Bateman/Eustace, Karabinchak, McKeon, Vainieri Huttie, Benson, Muoio)** - The "Water Quality Accountability Act"; imposes certain testing, reporting, management, and infrastructure investment requirements on water purveyors

Governor Christie also took action on the following bills:

BILL SIGNINGS:

S-5/A-4925 (Vitale, Sweeney/Conaway, O'Scanlon, Houghtaling, Quijano, Giblin, DeAngelo, Munoz, Mukherji, A.M. Bucco) - Establishes data reporting requirements for emergency medical services providers and dispatch centers

SS SCS SCS for S-291, 652, 1954/ACS for A-1464 (Vitale, Whelan, Allen, Turner/Lampitt, Coughlin, Conaway, Vainieri Huttie, Lagana, Mukherji, Moriarty) - Authorizes health care providers to engage in telemedicine and telehealth

S-742/A-1205 (Beach/Mosquera, Holley, Wimberly, Jones) - Requires board of education to enter into agreement with law enforcement authorities regarding access to live video streams of public school buildings

S-1295/A-3701 (Vitale/Eustace, Munoz) - Amends and repeals sections of "Respiratory Care Practitioner Licensing Act"

S-1315/A-1839 (Vitale/Giblin, Wimberly, McKeon, Mukherji, Sumter) - Revises statutes regarding practice of physical therapy

S-1840/A-2085 (Ruiz, Gill/Mukherji, Oliver, McKnight) - Prohibits charging fee to stop publishing personal identifying information obtained through the criminal justice system

S-1913/A-2794 (Addiego, Greenstein/Lagana, Moriarty, Mukherji, Downey) - "Personal Information and Privacy Protection Act"; restricts collection and use of personal information by retail establishments for certain purposes

S-2058/A-671 (T. Kean, Pou/Munoz, Giblin, Mukherji, Moriarty) - Adds two nurse educators to the New Jersey Board of Nursing

S-2331/A-3962 (Codey, Vitale/Jasey, McKeon, Vainieri Huttie, Munoz, Mukherji, Mosquera, Lampitt) - Establishes tuition reimbursement program for certain psychiatrists who work in underserved areas or psychiatric hospitals in New Jersey

CC S-2403/A-3717 (Rice, Turner/Sumter, Vainieri Huttie, Lampitt, Downey) - Establishes Women's Vocational Training Pilot Program to promote economic self-sufficiency of low-income women through increased participation in high-wage, high-demand occupations; authorizes allocation of certain funds therefor

S-2452/A-4007 (Diegnan, Stack/Houghtaling, Downey, Mosquera, Mazzeo) - Requires Director of Division of Taxation to promulgate Property Taxpayer Bill of Rights

S-2577/A-4238 (Cunningham, Ruiz, Gordon/Sumter, Jasey, Muoio, Lagana, Downey, Benson) - Requires Higher Education Student Assistance Authority to provide annual New Jersey College Loans to Assist State Students Loan Program report to Governor and Legislature and develop student loan comparison information document to increase program transparency

S-2618/A-4691 (Cunningham, Pou/Caride, McKeon, Jasey, Giblin) - Requires institutions of higher education to enter into collective Statewide reverse transfer agreement

S-2819/A-4363 (Sweeney, Ruiz, Lesniak/Taliaferro, Andrzejczak, Lampitt, Mosquera, Holley, Quijano) - Creates "Nourishing Young Minds Initiative Fund" in Dept. of Agriculture to help pay for child food and nutrition programs

S-3027/A-4631 (Smith, Greenstein/Lampitt, Quijano, Eustace, Kennedy, Benson, Muoio, Zwicker, Mukherji) - Establishes State food waste reduction goal of 50 percent by 2030

S-3067/A-4652 (Ruiz, Vitale/Vainieri Huttie, Caride, Eustace, Jasey, Wimberly, Gusciora) - Requires Commissioner of Education to develop guidelines for school districts regarding transgender students

S-3176/A-4898 (Madden/Mukherji, Singleton) - Changes year used to calculate TDI and FLI employee taxes from most recent calendar year to most recent fiscal year

S-3191/A-3370 (Sweeney, Bateman/Burzichelli, Jones) - Extends voting rights of representatives of sending districts on receiving district board of education

S-3219/A-4859 (Sweeney, T. Kean, Greenstein, Holzapfel/Vainieri Huttie, Prieto, Downey) - Establishes additional penalties related to child pornography and expands crime to include portrayal of child in sexual manner; establishes crime of leader of child pornography network

S-3331/A-5039 (Cruz-Perez/Jones) - Authorizes State Treasurer to sell surplus real property in City of Camden, County of Camden to Camden County Improvement Authority

SJR-105/AJR-157 (Diegnan, Cruz-Perez, Sweeney/Pinkin, Karabinchak, Coughlin) - Designates August 29, 2017 as Governor James Florio Day in New Jersey

SJR-113/AJR-165 (Gordon/Vainieri Huttie, Chiaravalloti) - Clarifies intent of law subjecting PANYNJ to open public records and freedom of information laws in New Jersey and New York

A-222/S-2171 (DeAngelo, Giblin, Singleton, Holley, Benson/Bateman, Greenstein, Stack) - "New Jersey Library Construction Bond Act"; authorizes issuance of \$125,000,000 in general obligation bonds to finance capital projects at public libraries; appropriates \$5,000

A-373/S-607 (Auth, Vainieri Huttie, McGuckin, Schepisi, Peterson, Jimenez/Addiego, A.R. Bucco) - Requires life imprisonment without parole for persons convicted of the murder of a minor under the age of 18 in the course of the commission of a sex crime

A-555/S-1847 (Pinkin, Eustace/Diegnan) - Revises statutes concerning incorporation and governance of the Protestant Episcopal Church to remove gender-specific references

A-621/S-2328 (Lagana, Greenwald, Moriarty, Mosquera, Mukherji/Cruz-Perez, Turner) - Permits bowling alleys, including alleys licensed to sell alcoholic beverages, to conduct amusement games

A-1458/S-2449 (Lampitt, Mosquera, Downey, Singleton, Vainieri Huttie/Vitale, Ruiz) - Requires health care professionals engaged in prenatal care to provide parents of newborns with information on health insurance coverage for newborn children

A-1761/S-332 (Eustace, Mukherji, Gusciora/Scutari, Bateman) - Creates fencing crime involving stolen domestic companion animals

A-2060/S-2333 (Gusciora, Sumter, Oliver, Jasey, McKnight/Cruz-Perez, Turner) - Establishes process for consideration of offers from short sale buyers during residential mortgage foreclosures

A-2221/S-2453 (Benson, Russo, DeAngelo, A.M. Bucco/Diegnan, Greenstein) - Allows gross income taxpayers to use returns to make voluntary contributions to the Boy Scouts of America Councils in New Jersey

A-2441/S-2910 (Eustace, Gusciora, Kennedy, Mazzeo, Mukherji/Gordon, Turner) - Authorizes the Unclaimed Property Administrator to verify certain governmental debts before delivering abandoned property

A-2926/S-3197 (Greenwald, Vainieri Huttie, Schaer, Mukherji, Holley, Mosquera, Muoio, Sumter, Mazzeo/Cruz-Perez, Cunningham) - Repeals law suspending certain licenses, registrations and certifications for failure to repay student loans

A-2993/S-1305 (Conaway, Pinkin, Sumter, Wimberly, McKnight, Mukherji/Vitale, Madden) - Requires Medicaid coverage for diabetes self-management education, training, services, and equipment for patients diagnosed with diabetes, gestational diabetes, and pre-diabetes

A-3347/S-2242 (Wolfe, Holley, Jasey, McKnight, Wimberly/Diegnan) - Establishes New Jersey School Safety Specialist Academy in Department of Education and requires school districts to designate school safety specialist

A-3438/S-1564 (DeAngelo, Danielsens, Holley, Houghtaling, Downey, Wimberly, Quijano/Turner, Beach) - Requires initial determination of unemployment benefits to be made within three weeks of filing of claim

A-3463/S-2038 (Coughlin/Vitale, Codey) - Updates references to DOC and DHS and refers to persons receiving services from DHS

A-3686/S-2423 (McKeon, Jasey, Munoz, Vainieri Huttie, A.M. Bucco/Codey, Oroho) - Establishes new crime of strict liability vehicular homicide; renames existing vehicular homicide as reckless vehicular homicide; designated as Ralph and David's Law

A-4011/S-2887 (Jones, Barclay, Moriarty, Mosquera, Greenwald, Lampitt, Mazzeo, Chiaravalloti/Cruz-Perez, Beach) - Designates USS New Jersey as New Jersey State Ship

A-4081/S-2662 (Lampitt, Vainieri Huttle, Benson, Wimberly, Greenwald/Allen, Sweeney) - "Charlie's Law"; Establishes civil penalties for persons who interfere with or deny persons with disabilities accompanied by service or guide dogs access to places of public accommodation

A-4088/S-2567 (Schaer, Jasey, Benson, Wimberly/Cruz-Perez, Singer) - Establishes "High School to College Readiness Commission" to examine issues and develop recommendations to enhance student preparation for postsecondary education

A-4175/S-2808 (Caride, McKnight, Holley, Pintor Marin, Wimberly/Ruiz, Turner) -Requires Commissioner of Education to develop guidance on identifying English language learners for gifted and talented programs

A-4246/S-3194 (Dancer/Lesniak, Beck) - Decreases annual thoroughbred race dates to 50 minimum upon written consent from New Jersey Thoroughbred Horsemen's Association

A-4317/S-3206 (Prieto, Giblin/Diegnan) - Concerns violations of certain occupational licensing laws

A-4568/S-3017 (Vainieri Huttle, Eustace, Pinkin, Jasey, Johnson/Vitale, Ruiz) - Prohibits health insurers, SHBP, SEHBP, certain health care providers, and Medicaid from discriminating in providing coverage and services based on gender identity

A-4875/S-1996 (Muoio, Gusciora/Beach, Van Drew) - Requires gubernatorial candidates' statements be posted online

A-4969/S-3281 (Oliver, Giblin, Jasey, McKnight, Schaer, Wimberly/Gill, Cunningham) - Establishes Montclair State University as public research university

ACS for A-4994/S-3314 (McKeon, Burzichelli, Singleton, Caride/Sarlo, Oroho) - Requires certain State and local government agency employees with access to federal tax information to undergo criminal history background checks

AJR-37/SJR-67 (Mosquera, Chaparro/Weinberg) - Designates June 21 of each year as "ASK Day" to promote children's health and gun safety

ACS for AJR-54/SJR-104 (Benson, Mosquera, Chiaravalloti, Holley, McKnight, Wimberly/Sweeney, Beach) - Designates April 2nd of each year as "World Autism Awareness Day"

AJR-72/SJR-31 (Gove, Rumpf, A.M. Bucco, Holley/A.R. Bucco) - Designates September 17 through September 23 of each year as "Constitution Week"

AJR-115/SJR-81 (Vainieri Huttle, Lampitt, Giblin, Benson/Diegnan, A.R. Bucco) - Designates third Friday in September of every year as Concussion Awareness Day

AJR-126/SJR-85 (Dancer, DeAngelo, Munoz, A.M. Bucco, Mukherji, Houghtaling, Downey/Allen, Madden) - Commemorates establishment and service of the New Jersey State Police and celebrates 95th anniversary of first graduating class

AJR-137/SJR-102 (Mazzeo/Whelan) - Urges United States President Trump, members of his administration, and Congress to oppose measures and actions to prohibit states from authorizing and conducting Internet gaming

BILLS VETOED:

SCS for S-1297, 1990/A-3751 (Vitale, Sweeney/Jasey, Coughlin) - **CONDITIONAL** - Permits candidates for school board to circulate petitions jointly and be bracketed together on ballot; permits short nonpolitical designation of principles on petitions and ballots

A-31/S-3315 (Prieto, Muoio, Oliver, Schaer, Holley, Mukherji, Quijano, Wimberly, Pintor Marin/Vitale, Cruz-Perez) - **ABSOLUTE** - Increases amount of benefits under Work First New Jersey program by 30 percent over three years and according to Social Security cost of living increases thereafter

A-33/S-3316 (Muoio, Vainieri Huttle, Mukherji, Oliver, Gusciora, Pintor Marin/Vitale, Cruz-Perez) - **ABSOLUTE** - Repeals family cap in Work First New Jersey program

A-320/S-1018 (Singleton, Vainieri Huttle, Munoz, Moriarty, Lampitt, Sumter, Mukherji/Weinberg, Cruz-Perez) - **CONDITIONAL** - Establishes minimum Medicaid reimbursement rate for personal care services

A-1139/S-2616 (Holley, McKnight, Munoz, Kennedy, Mukherji, Pintor Marin, Wimberly/Ruiz, Vitale) - **CONDITIONAL** - Prohibits sale of unsafe supplemental mattresses designed for children's products

A-2297/S-659 (Vainieri Huttle, Sumter, Mukherji, Caride, Downey, Zwicker, Wimberly/Turner, Allen) - **CONDITIONAL** - Requires health insurance coverage for contraceptives to include prescriptions for 12 months

A-3338/S-862 (Eustace, Lagana, Vainieri Huttle, Muoio, Mukherji, Benson, Jimenez, Giblin, Moriarty, Lampitt/Stack, Weinberg) - **CONDITIONAL** - Dedicates one percent of cigarette and other tobacco products tax revenues to anti-smoking initiatives

ACS for A-3480, 4119/S-2536 (Downey, Lampitt, Schaer, Houghtaling, Benson, Singleton, Muoio, DeAngelo/Gill, Weinberg) - **ABSOLUTE** - Concerns employer inquiries about worker's wage and salary experience

A-4253/S-2634 (Quijano, Mukherji, Vainieri Huttle, Eustace, Jones, McKeon/Weinberg, Diegnan) - CONDITIONAL - Establishes "New Jersey Nonprofit Security Grant Pilot Program"; appropriates \$3,000,000 over next three fiscal years

A-4453/S-2881 (Downey, Houghtaling/Ruiz) – CONDITIONAL - Requires pupils who reside on certain federal property to enroll in resident school district in accordance with schedule determined by executive county superintendent of schools

A-4496/S-2977 (Wimberly, Sumter, Lampitt/Lesniak) – CONDITIONAL - "Healthy Small Food Retailer Act"; provides funding to small food retailers to sell fresh and nutritious food; appropriates \$1 million

A-4587/SCS for S-2574 (Quijano, Vainieri Huttle, Mukherji, Giblin/Diegnan, Sarlo) – ABSOLUTE - Imposes State sales and use tax and hotel and motel occupancy fee on transient accommodations; authorizes various municipal taxes and fees on transient accommodations

A-4870/S-3226 (Prieto, Oliver, Quijano, Pintor Marin, Schaer, Vainieri Huttle, Eustace/Ruiz, Sweeney, Greenstein) – ABSOLUTE - "Safe Transportation Jobs and Fair Employment Rules Act"

ACS for A-4927/SCS for S-3085 (Prieto, Oliver, Gusciora, Jasey/Sweeney, Diegnan, Ruiz) – CONDITIONAL - Revises law concerning family leave, temporary disability and family temporary disability leave, and domestic or sexual violence safety leave

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