

26: 2H-18.12

LEGISLATIVE HISTORY CHECKLIST  
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(Hospitals--  
indigent patients--  
-outpatient  
interviews)

LAWS OF: 1990

CHAPTER: 88

Bill No: A3403

Sponsor(s): Otlowski & Deverin

Date Introduced: April 23, 1990

Committee: Assembly: Health & Human Services

Senate: -----

Amended during passage: Yes      Amendments during passage  
denoted by asterisks.

Date of Passage: Assembly: June 7, 1990

Senate: June 28, 1990

Date of Approval: August 15, 1990

Following statements are attached if available:

Sponsor statement: Yes

Committee Statement: Assembly: Yes

Senate: No

Fiscal Note: No

Veto Message: No

Message on signing: No

Following were printed:

Reports: No

Hearings: No

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[FIRST REPRINT]  
ASSEMBLY, No. 3403

STATE OF NEW JERSEY

INTRODUCED APRIL 23, 1990

By Assemblymen OTLOWSKI and Deverin

1 AN ACT concerning uncompensated care in hospitals and  
2 amending P.L.1989, c.1.

3

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

6 1. Section 9 of P.L.1989, c.1 (C.26:2H-18.12) is amended to  
7 read as follows:

8 9. a. A hospital shall not be reimbursed for the cost of  
9 uncompensated care unless the commissioner certifies to the  
10 commission that the hospital has followed the procedures  
11 pursuant to this section and section 10 of this act. For the  
12 purposes of this section and section 10 of this act, "designated  
13 hospital employee" means an employee of the hospital who has  
14 received training in the collection of patient financial data and  
15 identification of third party coverage and in assessing a patient's  
16 eligibility for public assistance; and "responsible party" means  
17 any person who is responsible for paying a patient's hospital bill.

18 b. A designated hospital employee shall interview a patient  
19 upon the patient's initial request for care. If the emergent  
20 nature of the patient's required health care makes the immediate  
21 patient interview impractical, the designated hospital employee  
22 shall interview the patient's family member, responsible party or  
23 guardian, as appropriate, but if there is no family member,  
24 responsible party or guardian, the designated hospital employee  
25 shall interview the patient within five working days of the  
26 patient's admission into the hospital or prior to discharge,  
27 whichever date is sooner.

28 c. A patient interview shall, at a minimum, include the  
29 following inquiries, except as provided in paragraph (5) of this  
30 subsection:

31 (1) The designated hospital employee shall obtain  
32 documentation of proper identification of the patient.  
33 Documentation of proper identification may include, but shall not  
34 be limited to, a driver's license, a voter registration card, an  
35 alien registry card, a birth certificate, an employee identification  
36 card, a union membership card, an insurance or welfare plan  
37 identification card or a Social Security card. Proper  
38 identification of the patient may also be provided by personal

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:  
1 Assembly AHH committee amendments adopted May 14, 1990.

1 recognition by a person not associated with the patient. For the  
2 purposes of this paragraph, "proper identification" means the  
3 patient's name; mailing address; residence telephone number;  
4 date of birth; Social Security number; and place and type of  
5 employment, employment address and employment telephone  
6 number, as applicable.

7 (2) The designated hospital employee shall inquire of the  
8 patient, family member, responsible party or guardian, as  
9 appropriate, whether the patient is covered by health insurance,  
10 and if so, shall request documentation of the evidence of health  
11 insurance coverage. Documentation may include, but shall not be  
12 limited to, a government sponsored health plan card or number, a  
13 group sponsored or direct subscription health plan card or  
14 number, a commercial insurance identification card or claim  
15 form or a union welfare plan identification card or claim form.

16 (3) If evidence of health insurance coverage for the patient is  
17 not documented or if evidence of health insurance coverage is  
18 documented but the patient's health insurance coverage is  
19 unlikely to provide payment in full for the patient's account at  
20 the hospital, the designated hospital employee shall make an  
21 initial determination of whether the patient is eligible for  
22 participation in a public assistance program. If the employee  
23 concludes that the patient may be eligible for a public assistance  
24 program, the employee shall so advise the patient, family  
25 member, responsible party or guardian, as appropriate. The  
26 employee, either directly or through the hospital's social services  
27 office, shall give the patient, family member, responsible party  
28 or guardian, as appropriate, the name, address and phone number  
29 of the public assistance office that can assist in enrolling the  
30 patient in the program. The employee, or the social services  
31 office of the hospital, shall also advise the public assistance  
32 office of the patient's possible eligibility, including possible  
33 retroactive or presumptive eligibility, for the program.

34 (4) If evidence of health insurance coverage for the patient is  
35 not documented or if evidence of health insurance coverage is  
36 documented but the patient's health insurance coverage is  
37 unlikely to provide payment in full for the patient's account at  
38 the hospital, and the patient does not appear to be eligible for  
39 public assistance, the designated hospital employee shall  
40 determine if the patient is eligible for charity care pursuant to  
41 regulations adopted by the commissioner. If the patient does not  
42 qualify for charity care, the designated hospital employee shall  
43 request from the patient, family member, responsible party or  
44 guardian, as appropriate, the patient's or responsible party's  
45 place of employment, income, real property and durable personal  
46 property owned by the patient or responsible party and bank  
47 accounts possessed by the patient or responsible party, along with  
48 account numbers and the name and location of the bank.

1       (5) In the case of a patient seeking outpatient services, the  
2 designated hospital employee shall make the inquiries and obtain  
3 the documentation required pursuant to paragraphs (1) and (2) of  
4 this subsection. If the patient provides the required  
5 documentation, the designated hospital employee is not required  
6 to make further inquiries, but if the patient cannot provide the  
7 required documentation, the designated hospital employee shall  
8 follow the procedures required pursuant to paragraphs (3) and (4)  
9 of this subsection.

10       (cf: P.L.1989, c.1, s.9)

11       2. This bill shall take effect immediately <sup>1</sup>and be retroactive  
12 to January 1, 1990<sup>1</sup>.

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#### HEALTH

16

17       Clarifies requirements for patient interviews for outpatient  
18       hospital services.



ASSEMBLY HEALTH AND HUMAN SERVICES COMMITTEE

STATEMENT TO

**ASSEMBLY, No. 3403**

with committee amendments

**STATE OF NEW JERSEY**

DATED: MAY 14, 1990

The Assembly Health and Human Services Committee favorably reports Assembly No. 3403 with committee amendments.

As amended by the committee, this bill amends section 9 of P.L.1989, c.1 (C.26:2H-18.12), which established the Uncompensated Care Trust Fund, to distinguish the outpatient interview process from the inpatient interview process, when a person is first admitted for services at a hospital.

The amended bill provides that in the case of a person seeking outpatient services, the designated hospital employee shall be required to obtain documentation of proper identification of the person and documentation of evidence of health insurance coverage. If the hospital employee obtains the proper documentation, the hospital employee is not required to proceed further in the interview to assess whether the person is eligible for public assistance or charity care or to determine certain information about the person's income and personal assets (as may be required in the case of a person seeking inpatient services). If the employee cannot obtain the necessary identification and insurance documentation, however, the employee is required to proceed with the additional inquiries.

The committee amended the bill to make the effective date retroactive to January 1, 1990.