

LEGISLATIVE HISTORY CHECKLIST

NJSA: 17:48A-6.5, 17:48A-7C

(Medical service polices
--require maternity care
coverage)

LAWS OF: 1985

CHAPTER: 274

Bill No: S560

Sponsor(s): Lipman and DiFrancesco

Date Introduced: Pre filed

Committee: Assembly: Banking and Insurance

Senate: Institutions, Health and Welfare

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

Date of Passage: Assembly: June 20, 1985

Senate: January 24, 1985

Date of Approval: August 8, 1985

Following statements are attached if available:

Sponsor statement: Yes

Committee statement: Assembly Yes

Senate Yes

Fiscal Note: No

Veto Message: No

Message on Signing: No

Following were printed:

Reports: Yes

Hearings: No

974.90 New Jersey. Commission on Sex Discrimination in the Statutes.
W872 Toward economic equity: recommendations for the elimination of
1985 discrimination . . . January, 1985. Trenton, 1985.
(see pp. 6-8, 101-204, 199-200)

274
88-85 85

[SECOND OFFICIAL COPY REPRINT]

SENATE, No. 560

STATE OF NEW JERSEY

PRE-FILED FOR INTRODUCTION IN THE 1984 SESSION

By Senators LIPMAN and DiFRANCESCO

AN ACT providing for the inclusion in certain **health insurance** *medical service* contracts of benefits for expenses incurred in connection with pregnancy and childbirth, amending P. L. 1979, c. 327 and supplementing P. L. 1940, c. 74 (C. 17:48A-1 et seq.).

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

1 1. Section 5 of P. L. 1979, c. 327 (C. 17:48A-6.5) is amended to
2 read as follows:

3 5. **The** *A* second surgical opinion **benefit provisions**
4 of a policy *program* may exclude benefits while the patient
5 is confined in a hospital as an inpatient, any surgical procedures
6 not covered by the **policy** *group or individual contract,*
7 and surgical procedures in the following categories: cosmetic
8 surgery, pregnancy-related surgery, dental surgery, and podi-
9 atric surgery, and sterilization.

1 2. (New section) Every **subscription certificate and** group
2 and individual **health insurance** contract providing medical
3 service benefits delivered, issued, executed or renewed in this State,
4 or approved for issuance or renewal in this State by the Commis-
5 sioner of Insurance on or after the effective date of this amendatory
6 and supplementary act, shall offer coverage for maternity care
7 without regard to marital status to subscribers or other persons
8 covered thereunder for expenses incurred in pregnancy and child-
9 birth. The maternity benefits shall be provided to the same extent
10 as the benefits are provided in the contract for any other covered

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 printed in italics *thus* is new matter.

Matter enclosed in asterisks or stars has been adopted as follows:

*—Senate committee amendment adopted November 19, 1984.

**—Assembly amendments adopted February 25, 1985.

11 illness. If a fixed amount is specified in the contract for surgery,
12 the fixed amount for a pregnancy-related surgical procedure shall
13 be commensurate with the fixed amount payable for a surgical pro-
14 cedure of comparable difficulty and severity. **~~¶~~If the contract
15 provides for a waiting period before an insured is eligible for
16 maternity benefits, the~~¶~~** ~~¶~~contract shall provide that the ma-
17 ternity benefits shall be payable to the same extent and for the
18 same period of time following the discontinuation of the maternity
19 coverage. However, this~~¶~~* **~~¶~~waiting period shall not exceed 10
20 months.~~¶~~**

1 3. (New section) The Commissioner of Insurance shall promul-
2 gate the rules and regulations necessary to effectuate the purpose
3 of this amendatory and supplementary act.

1 4. This act shall take effect 90 days following enactment.

SENATE, No. 560

STATE OF NEW JERSEY

PRE-FILED FOR INTRODUCTION IN THE 1984 SESSION

By Senators LIPMAN and DiFRANCESCO

AN ACT providing for the inclusion in certain health insurance contracts of benefits for expenses incurred in connection with pregnancy and childbirth, amending P. L. 1979, c. 327 and supplementing P. L. 1940, c. 74 (C. 17:48A-1 et seq.).

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

1 1. Section 5 of P. L. 1979, c. 327 (C. 17:48A-6.5) is amended to
2 read as follows:

3 5. The second surgical opinion benefit provisions of a policy may
4 exclude benefits while the patient is confined in a hospital as an
5 inpatient, any surgical procedures not covered by the policy and
6 surgical procedures in the following categories: cosmetic surgery**],**
7 pregnancy-related surgery**],** dental surgery, *and* podiatric surgery
8 **[, and sterilization].**

1 2. (New section) Every subscription certificate and group and
2 individual health insurance contract providing medical service
3 benefits delivered, issued, executed or renewed in this State, or
4 approved for issuance or renewal in this State by the Commissioner
5 of Insurance on or after the effective date of this amendatory and
6 supplementary act, shall offer coverage for maternity care without
7 regard to marital status to subscribers or other persons covered
8 thereunder for expenses incurred in pregnancy and childbirth. The
9 maternity benefits shall be provided to the same extent as the bene-
10 fits are provided in the contract for any other covered illness. If
11 a fixed amount is specified in the contract for surgery, the fixed
12 amount for a pregnancy-related surgical procedure shall be com-

**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 printed in italics thus is new matter.**

13 mensurate with the fixed amount payable for a surgical procedure
14 of comparable difficulty and severity. If the contract provides for a
15 waiting period before an insured is eligible for maternity benefits,
16 the contract shall provide that the maternity benefits shall be
17 payable to the same extent and for the same period of time following
18 the discontinuation of the maternity coverage. However, this
19 waiting period shall not exceed 10 months.

1 3. (New section) The Commissioner of Insurance shall promul-
2 gate the rules and regulations necessary to effectuate the purpose
3 of this amendatory and supplementary act.

1 4. This act shall take effect 90 days following enactment.

STATEMENT

This bill eliminates the exclusion from health insurance of second surgical opinion program benefits for pregnancy-related surgery and sterilizations and provides that all health insurance policies shall offer maternity coverage benefits to the same extent as the hospitalization benefit provided in the contract for any other covered illness.

ASSEMBLY BANKING AND INSURANCE COMMITTEE

STATEMENT TO

SENATE, No. 560

[OFFICIAL COPY REPRINT]

with Senate committee amendments

STATE OF NEW JERSEY

DATED: FEBRUARY 25, 1985

Senate Bill No. 560 (1984):

(1) Eliminates the exclusion of pregnancy related surgery from second surgical opinion coverage under a medical service contract; and

(2) Requires medical service corporations to offer benefits coverage for maternity care during pregnancy and childbirth, without regard to the marital status of an otherwise eligible person.

Maternity benefits shall be provided to the same extent as for other covered illnesses. If the contract prescribes a fixed amount of benefits for surgery, benefit coverage for pregnancy related surgical procedures shall be commensurate to that for surgery of comparable difficulty and severity. A medical service contract may provide for a waiting period for maternity benefit eligibility, not to exceed 10 months.

The Commissioner of Insurance shall promulgate rules and regulations therefor.

The provisions of this bill shall apply to any medical benefits contract delivered, issued, executed, renewed, or approved for issuance or renewal in this State on or after the effective date of this bill upon enactment.

The Assembly committee amendments:

(1) Delete the waiting period provisions of the bill; and

(2) Clarify certain other provisions of the bill.

SENATE INSTITUTIONS, HEALTH AND WELFARE
COMMITTEE

STATEMENT TO

SENATE, No. 560

with Senate committee amendments

STATE OF NEW JERSEY

DATED: NOVEMBER 19, 1984

As amended by committee, this bill requires Blue Shield to offer coverage for maternity care (i.e., expenses incurred in pregnancy and childbirth) without regard to marital status of the subscriber or the persons covered under the insurance policy. The bill does not require that coverage for maternity care be provided; it only requires that such coverage be offered. Also the bill provides that if the policy contains a waiting period for the maternity benefits, the waiting period shall not exceed 10 months.

The bill also eliminates the exclusion of pregnancy-related surgery and sterilization from the second surgical opinion benefit program. This provision will enable a person to obtain a second surgical opinion for these procedures, if the person elects to do so.

The committee amended this bill at the request of the sponsor. The amendment deletes the provision requiring that if there is a waiting period for maternity benefits, the maternity benefits shall be continued after the policy is discontinued for the same period of time as the waiting period.

This bill is one of a package of four bills concerning the offering of maternity benefits in health insurance policies. The other bills in the package are: Senate Bills Nos. 561, 562 and 563.