

17B:27-46.7 et al

LEGISLATIVE HISTORY CHECKLIST

NJSA: 17B:27-46.7 et al

(Group health insurance--
policies--require maternity
care coverage)

LAWS OF: 1985

CHAPTER: 277

Bill No: S563

Sponsor(s): Lipman and Di Francesco

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 sex discrimination in the credit, housing, insurance, . . . January, 1985.
Trenton, 1985.

(Vol. 2--pp. 6-8, 101-129, 205-206)

(OVER)

Attached: "Senate approves bill on maternity insurance," 1-25-85 Trenton Times.

Hearing, referred to in newspaper clipping:

974.90 New Jersey. Commission on Sex Discrimination in the Statutes.
W872 Public hearing...held 2-23-82.
1982 Trenton, 1982.

8-8-85

[SECOND OFFICIAL COPY REPRINT]

SENATE, No. 563

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]**** ***policies*** of benefits for expenses incurred in connection with pregnancy and childbirth, amending P. L. 1979, c. 329 and supplementing Chapter 27, of Title 17B of the New Jersey Statutes.

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

1 1. Section 6 of P. L. 1979, c. 329 (C. 17B:27-46.7) is amended
2 to read as follows:

3 6. A second surgical opinion program may exclude benefits while
4 the patient is confined in a hospital as an inpatient, any surgical
5 procedure not covered by the group insurance policy, and surgical
6 procedures in the following categories: cosmetic surgery, **[preg-**
7 **nancy-related surgery,]** dental surgery, *and* podiatric surgery**[,**
8 **and sterilizations]**.

1 2. (New section) Every group health insurance ****[contract]****
2 ***policy*** providing hospital or medical expense benefits delivered,
3 issued, executed or renewed in this State, or approved for issuance
4 or renewal in this State by the Commissioner of Insurance on or
5 after the effective date of this amendatory and supplementary act,
6 shall offer coverage for maternity care without regard to marital
7 status to subscribers or other persons covered thereunder for ex-
8 penses incurred in pregnancy and childbirth. The benefits for the
9 expenses of pregnancy and childbirth shall be provided to the same
10 extent as the hospitalization benefit is provided in the ****[con-**

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 tract] ** *policy* ** for any other covered illness. If a fixed amount
12 is specified in the ** [contract] ** *policy* ** for surgery, the fixed
13 amount for a pregnancy-related surgical procedure shall be com-
14 mensurate with the fixed amount payable for a surgical procedure
15 of comparable difficulty and severity. ** [If the contract provides
16 for a waiting period before an insured is eligible for maternity
17 benefits, the] ** * [contract shall provide that the maternity benefits
18 shall be payable to the same extent and for the same period of time
19 following the discontinuation of the childbirth coverage. However,
20 this] * ** [waiting period shall not exceed a period of 10 months.] **

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

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

SENATE, No. 563

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. 329 and supplementing Chapter 27, of Title 17B of the New Jersey Statutes.

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

1 1. Section 6 of P. L. 1979, c. 329 (C. 17B:27-46.7) is amended
2 to read as follows:

3 6. A second surgical opinion program may exclude benefits while
4 the patient is confined in a hospital as an inpatient, any surgical
5 procedure not covered by the group insurance policy, and surgical
6 procedures in the following categories: cosmetic surgery, [preg-
7 nancy-related surgery,] dental surgery, *and* podiatric surgery[,
8 and sterilizations].

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

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

1 3. (New section) The Commissioner of Insurance shall promul-
2 gate the rules and regulations necessary to effectuate the purposes
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.

5563(1985)

ASSEMBLY BANKING AND INSURANCE COMMITTEE

STATEMENT TO

SENATE, No. 563

[OFFICIAL COPY REPRINT]

with Senate committee amendments

STATE OF NEW JERSEY

DATED: FEBRUARY 25, 1985

Senate Bill No. 563 (1984):

(1) Eliminates the exclusion of pregnancy related surgery from second surgical opinion coverage; and

(2) Requires group health insurance policies to offer benefits coverage for maternity care during pregnancy, without regard to the marital status of an otherwise eligible person.

The bill's provisions apply to group health insurance policies for hospital or medical expense benefits issued by commercial insurers pursuant to chapter 27 of Title 17B of the New Jersey Statutes.

Maternity benefits shall be provided to the same extent as hospitalization benefits for other covered illnesses. If the policy 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 health insurance policy 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 individual health insurance policies delivered, issued, executed or renewed, or approved for issuance or renewal in this State on or after the effective date of this amendatory and supplementary act.

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. 563

with Senate committee amendments

STATE OF NEW JERSEY

DATED: NOVEMBER 19, 1984

As amended by committee, this bill requires commercial group insurers 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. 560, 561 and 562.
