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LAW/RWH

P.L.2013, CHAPTER 78, *approved July 5, 2013*
Senate, No. 2291 (*Second Reprint*)

1 AN ACT concerning health insurance coverage for students at
2 institutions of higher education and amending ²1and
3 supplementing¹² P.L.1991, c.187.

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

7
8 1. Section 77 of P.L.1991, c.187 (C.18A:62-15) is amended to
9 read as follows:

10 77. a. **1** Every student enrolled as a full-time student at a public
11 or private institution of higher education in this State shall maintain
12 health insurance coverage which provides basic hospital benefits.
13 The coverage shall be maintained throughout the period of the
14 student's enrollment.

15 b. Every student enrolled as a full-time student shall present
16 evidence of the health insurance coverage required by subsection a.
17 of this section to the institution at least annually, in a manner
18 prescribed by the institution.

19 c. ²**1** Every student enrolled as a full-time student at a public
20 or private institution of higher education in this State, other than a
21 county college, shall maintain health insurance coverage that meets
22 the essential health benefits requirements of the federal "Patient
23 Protection and Affordable Care Act," Pub.L.111-148, as amended
24 by the federal "Health Care and Education Reconciliation Act of
25 2010," Pub.L.111-152. The coverage shall be maintained
26 throughout the period of the student's enrollment.

27 b. Every student enrolled as a full-time student at a public or
28 private institution of higher education in this State, other than a
29 county college, shall present evidence of the health insurance
30 coverage required by subsection a. of this section to the institution
31 at least annually, in a manner prescribed by the institution.

32 c. ¹ ²**1** The ¹**1** State Department of Health shall require all
33 public and private institutions of higher education in this State to
34 offer health insurance coverage on a group or individual basis for
35 purchase by students who are **1** required to maintain the coverage
36 pursuant to this section **1** enrolled full-time at the institution.

37 **1** **1** ²**1** ¹**1** The Commissioner of Health shall adopt
38 rules and regulations pursuant to the "Administrative Procedure
39 Act," P.L.1968, c.410 (C.52:14B-1 et seq.)^{1,1} to carry out the

EXPLANATION – Matter enclosed in bold-faced brackets **1** 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 floor amendments adopted February 21, 2013.

²Senate amendments adopted in accordance with Governor's recommendations June 27, 2013.

1 purposes of ~~subsections a., b. and c.~~ ¹subsection a.
2 ²subsections a., b., and c. ¹ subsection a. ² of this section.

3 ~~e.~~ The Student Assistance Board in but not of the Department
4 of the Treasury shall adopt rules and regulations to require that a
5 public or private institution of higher education in this State
6 consider the coverage required pursuant to this section as an
7 educational cost for purposes of determining a student's eligibility
8 for financial aid.

9 f. Nothing in this section shall be construed to permit a
10 hospital in this State to deny access to hospital care to a full-time
11 student whose health insurance coverage required by this section
12 lapses for any reason.

13 g. The provisions of this section shall not apply to a person
14 who is a participant in the REACH program established pursuant to
15 P.L.1987, c.282 (C.44:10-9 et seq.).~~]~~

16 ²¹e. The Higher Education Student Assistance Authority shall
17 adopt rules and regulations to require that a public or private
18 institution of higher education in this State consider the coverage
19 required pursuant to this section as an educational cost for purposes
20 of determining a student's eligibility for financial aid.

21 f. Nothing in this section shall be construed to permit a
22 hospital in this State to deny access to hospital care to a full-time
23 student whose health insurance coverage required by this section
24 lapses for any reason.

25 g. The provisions of this section shall not apply to a person
26 who is a participant in the Work First New Jersey program
27 established pursuant to P.L.1997, c.38 (C.44:10-55 et seq.).¹²
28 (cf: P.L.1994, c.48, s.87)

30 ²¹2. (New section) Nothing in section 77 of P.L.1991, c.187
31 (C.18A:62-15) shall be construed to preclude a county college from
32 requiring a full-time student to present evidence of health insurance
33 coverage to the institution at least annually, in a manner prescribed
34 by the institution.¹²

35
36 ²¹3. (New section) Each public and private institution of higher
37 education shall collect data on the percentage of full-time students
38 enrolled in the institution who have health insurance coverage and
39 on the source of the coverage, and shall annually forward the data
40 to the Secretary of Higher Education.¹²

41

42 ¹[2.] ²[4.] ¹ 2.² This act shall take effect immediately.

S2291 [2R]

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1

2

3

4

5

Eliminates requirement that a full-time student at an institution of higher education in New Jersey maintain health insurance coverage.

SENATE, No. 2291

STATE OF NEW JERSEY 215th LEGISLATURE

INTRODUCED OCTOBER 25, 2012

Sponsored by:

Senator RONALD L. RICE

District 28 (Essex)

Senator ROBERT W. SINGER

District 30 (Monmouth and Ocean)

Co-Sponsored by:

Senator Turner

SYNOPSIS

Eliminates requirement that every full-time student at an institution of higher education in New Jersey maintain health insurance coverage.

CURRENT VERSION OF TEXT

As introduced.



(Sponsorship Updated As Of: 12/21/2012)

1 AN ACT concerning health insurance coverage for students at
2 institutions of higher education and amending P.L.1991, c.187.

3

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

6

7 1. Section 77 of P.L.1991, c.187 (C.18A:62-15) is amended to
8 read as follows:

9 77. a. **Every student enrolled as a full-time student at a public**
10 **or private institution of higher education in this State shall maintain**
11 **health insurance coverage which provides basic hospital benefits.**
12 **The coverage shall be maintained throughout the period of the**
13 **student's enrollment.**

14 b. Every student enrolled as a full-time student shall present
15 evidence of the health insurance coverage required by subsection a.
16 of this section to the institution at least annually, in a manner
17 prescribed by the institution.

18 c. **The State Department of Health shall require all public and**
19 **private institutions of higher education in this State to offer health**
20 **insurance coverage on a group or individual basis for purchase by**
21 **students who are [required to maintain the coverage pursuant to this**
22 **section] enrolled full-time at the institution.**

23 **[d.] b.** The Commissioner of Health shall adopt rules and
24 regulations pursuant to the "Administrative Procedure Act,"
25 P.L.1968, c.410 (C.52:14B-1 et seq.) to carry out the purposes of
26 **[subsections a., b. and c.] subsection a.** of this section.

27 **[e.** The Student Assistance Board in but not of the Department
28 of the Treasury shall adopt rules and regulations to require that a
29 public or private institution of higher education in this State
30 consider the coverage required pursuant to this section as an
31 educational cost for purposes of determining a student's eligibility
32 for financial aid.

33 f. Nothing in this section shall be construed to permit a hospital
34 in this State to deny access to hospital care to a full-time student
35 whose health insurance coverage required by this section lapses for
36 any reason.

37 g. The provisions of this section shall not apply to a person who
38 is a participant in the REACH program established pursuant to
39 P.L.1987, c.282 (C.44:10-9 et seq.).

40 (cf: P.L.1994, c.48, s.87)

41

42 2. This act shall take effect immediately.

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 STATEMENT

2

3 This bill amends current law to eliminate the requirement that
4 every student who is enrolled full-time at a public or private
5 institution of higher education in New Jersey maintain health
6 insurance coverage which provides basic hospital benefits. The bill
7 also eliminates the requirement that every full-time student annually
8 present evidence of health insurance coverage and other provisions
9 related to the health insurance coverage requirement. Any
10 requirements for health insurance coverage imposed at the federal
11 level by the Patient Protection and Affordable Care Act (PPACA)
12 would still be applicable.

13 The bill maintains the present requirement that all institutions of
14 higher education in New Jersey offer health insurance coverage for
15 purchase by students who are enrolled full-time at the institution.

SENATE HIGHER EDUCATION COMMITTEE

STATEMENT TO

SENATE, No. 2291

STATE OF NEW JERSEY

DATED: DECEMBER 6, 2012

The Senate Higher Education committee reports favorably Senate Bill No. 2291.

This bill amends current law to eliminate the requirement that every student who is enrolled full-time at a public or private institution of higher education in New Jersey maintain health insurance coverage which provides basic hospital benefits. The bill also eliminates the requirement that every full-time student annually present evidence of health insurance coverage and other provisions related to the health insurance coverage requirement. Any requirements for health insurance coverage imposed at the federal level by the Patient Protection and Affordable Care Act (PPACA) would still be applicable.

The bill maintains the present requirement that all institutions of higher education in New Jersey offer health insurance coverage for purchase by students who are enrolled full-time at the institution.

ASSEMBLY HIGHER EDUCATION COMMITTEE

STATEMENT TO

SENATE, No. 2291

STATE OF NEW JERSEY

DATED: JANUARY 14, 2013

The Assembly Higher Education Committee reports favorably Senate Bill No. 2291.

This bill amends current law to eliminate the requirement that every student who is enrolled full-time at a public or private institution of higher education in New Jersey maintain health insurance coverage which provides basic hospital benefits. The bill also eliminates the requirement that every full-time student annually present evidence of health insurance coverage and other provisions related to the health insurance coverage requirement. Any requirements for health insurance coverage imposed at the federal level by the Patient Protection and Affordable Care Act (PPACA) would still be applicable.

The bill maintains the present requirement that all institutions of higher education in New Jersey offer health insurance coverage for purchase by students who are enrolled full-time at the institution.

As reported by the committee, this bill is identical to Assembly Bill No. 3546, which was also reported by the committee on this same day.

STATEMENT TO
SENATE, No. 2291

with Assembly Floor Amendments
(Proposed by Assemblywoman RILEY)

ADOPTED: FEBRUARY 21, 2013

These floor amendments: (1) require every full-time student at a public or private institution of higher education, other than a county college, to maintain health insurance coverage; (2) provide that the student must present evidence of the health insurance coverage to the institution at least annually; (3) reinstate statutory language concerning rulemaking and access to hospital care; (4) require each public and private institution of higher education to collect data on the percentage of full-time students who have health insurance coverage and on the source of the coverage, and require the institutions to annually forward that data to the Secretary of Higher Education; and (5) clarify that the bill's provisions do not preclude a county college from requiring a full-time student to present evidence of health insurance coverage to the institution at least annually, in a manner prescribed by the institution.

ASSEMBLY, No. 3546

STATE OF NEW JERSEY 215th LEGISLATURE

INTRODUCED DECEMBER 6, 2012

Sponsored by:

Assemblywoman CELESTE M. RILEY
District 3 (Cumberland, Gloucester and Salem)
Assemblyman JOHN J. BURZICHELLI
District 3 (Cumberland, Gloucester and Salem)
Assemblywoman PAMELA R. LAMPITT
District 6 (Burlington and Camden)
Assemblyman JOHN DIMAIO
District 23 (Hunterdon, Somerset and Warren)

Co-Sponsored by:

Assemblywomen Angelini, Mosquera, Assemblymen Rumana and Caputo

SYNOPSIS

Eliminates requirement that every full-time student at an institution of higher education in New Jersey maintain health insurance coverage.

CURRENT VERSION OF TEXT

As introduced.



(Sponsorship Updated As Of: 2/22/2013)

1 AN ACT concerning health insurance coverage for students at
2 institutions of higher education and amending P.L.1991, c.187.

3

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

6

7 1. Section 77 of P.L.1991, c.187 (C.18A:62-15) is amended to
8 read as follows:

9 77. a. **[**Every student enrolled as a full-time student at a public
10 or private institution of higher education in this State shall maintain
11 health insurance coverage which provides basic hospital benefits.
12 The coverage shall be maintained throughout the period of the
13 student's enrollment.

14 b. Every student enrolled as a full-time student shall present
15 evidence of the health insurance coverage required by subsection a.
16 of this section to the institution at least annually, in a manner
17 prescribed by the institution.

18 c. **]** The State Department of Health shall require all public and
19 private institutions of higher education in this State to offer health
20 insurance coverage on a group or individual basis for purchase by
21 students who are **[**required to maintain the coverage pursuant to this
22 section **]** enrolled full-time at the institution.

23 **[d.] b.** The Commissioner of Health shall adopt rules and
24 regulations pursuant to the "Administrative Procedure Act,"
25 P.L.1968, c.410 (C.52:14B-1 et seq.) to carry out the purposes of
26 **[**subsections a., b. and c. **]** subsection a. of this section.

27 **[**e. The Student Assistance Board in but not of the Department
28 of the Treasury shall adopt rules and regulations to require that a
29 public or private institution of higher education in this State
30 consider the coverage required pursuant to this section as an
31 educational cost for purposes of determining a student's eligibility
32 for financial aid.

33 f. Nothing in this section shall be construed to permit a
34 hospital in this State to deny access to hospital care to a full-time
35 student whose health insurance coverage required by this section
36 lapses for any reason.

37 g. The provisions of this section shall not apply to a person
38 who is a participant in the REACH program established pursuant to
39 P.L.1987, c.282 (C.44:10-9 et seq.). **]**

40 (cf: P.L.1994, c.48, s.87)

41

42 2. This act shall take effect immediately.

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 STATEMENT

2

3 This bill amends current law to eliminate the requirement that
4 every student who is enrolled full-time at a public or private
5 institution of higher education in New Jersey maintain health
6 insurance coverage which provides basic hospital benefits. The bill
7 also eliminates the requirement that every full-time student annually
8 present evidence of health insurance coverage and other provisions
9 related to the health insurance coverage requirement. Any
10 requirements for health insurance coverage imposed at the federal
11 level by the Patient Protection and Affordable Care Act (PPACA)
12 would still be applicable.

13 The bill maintains the present requirement that all institutions of
14 higher education in New Jersey offer health insurance coverage for
15 purchase by students who are enrolled full-time at the institution.

ASSEMBLY HIGHER EDUCATION COMMITTEE

STATEMENT TO

ASSEMBLY, No. 3546

STATE OF NEW JERSEY

DATED: JANUARY 14, 2013

The Assembly Higher Education Committee reports favorably Assembly Bill No. 3546.

This bill amends current law to eliminate the requirement that every student who is enrolled full-time at a public or private institution of higher education in New Jersey maintain health insurance coverage which provides basic hospital benefits. The bill also eliminates the requirement that every full-time student annually present evidence of health insurance coverage and other provisions related to the health insurance coverage requirement. Any requirements for health insurance coverage imposed at the federal level by the Patient Protection and Affordable Care Act (PPACA) would still be applicable.

The bill maintains the present requirement that all institutions of higher education in New Jersey offer health insurance coverage for purchase by students who are enrolled full-time at the institution.

As reported by the committee, this bill is identical to Senate Bill No. 2291, which was also reported by the committee on this same date.

STATEMENT TO

ASSEMBLY, No. 3546

with Assembly Floor Amendments
(Proposed by Assemblywoman RILEY)

ADOPTED: FEBRUARY 21, 2013

These floor amendments: (1) require every full-time student at a public or private institution of higher education, other than a county college, to maintain health insurance coverage; (2) provide that the student must present evidence of the health insurance coverage to the institution at least annually; (3) reinstate statutory language concerning rulemaking and access to hospital care; (4) require each public and private institution of higher education to collect data on the percentage of full-time students who have health insurance coverage and on the source of the coverage, and require the institutions to annually forward that data to the Secretary of Higher Education; and (5) clarify that the bill's provisions do not preclude a county college from requiring a full-time student to present evidence of health insurance coverage to the institution at least annually, in a manner prescribed by the institution.

SENATE BILL NO. 2291
(First Reprint)

To the Senate:

Pursuant to Article V, Section I, Paragraph 14 of the New Jersey Constitution, I am returning Senate Bill No. 2291 (First Reprint) with my recommendations for reconsideration.

This bill would eliminate the mandate that full-time students enrolled at a community college maintain health insurance coverage. While I applaud the sponsors' intent to alleviate the financial burden placed on New Jersey's college students, I believe it does not go far enough, I recommend expanding this bill to repeal the health insurance requirement for all full-time students enrolled at any institution of higher education. Under existing law, full-time students must maintain insurance coverage as a prerequisite of attending school. While health care insurance is a sensible precaution for many students, the decision to purchase insurance should be a choice, not a requirement. Eliminating the directive that students obtain and maintain health care coverage as a prerequisite to attending a college or university in our State will ease the financial impact of obtaining a higher education. I agree with the reasoning and intent of this legislation, and thus recommend that this bill be expanded to all institutions in the State, not merely community colleges.

Accordingly, I herewith return Senate Bill No. 2291 (First Reprint) and recommend that it be amended as follows:

<u>Page 2, Title, Lines 2-3:</u>	Delete "and supplementing"
<u>Page 2, Section 1, Lines 19-31:</u>	Delete in their entirety
<u>Page 2, Section 1, Line 32:</u>	Delete "c."
<u>Page 2, Section 1, Line 37:</u>	Delete "d." and insert "b."
<u>Page 2, Section 1, Lines 40-41:</u>	Delete "subsections a., b., and c." and insert "subsection a."
<u>Page 3, Section 1, Lines 12-23:</u>	Delete in their entirety

Page 3, Section 2, Lines 26-30:

Delete in their entirety

Page 3, Section 3, Lines 32-36:

Delete in their entirety

Page 3, Section 4, Line 38:

Delete "4." and insert "2."

[seal]

Respectfully,

/s/ Chris Christie

Governor

Attest:

/s/ Charles B. McKenna

Chief Counsel to the Governor