

45:9-22.1

LEGISLATIVE HISTORY CHECKLIST

NJSA 45:9-22.1

COPY NO. 2

Laws of 1975 Chapter 297

Bill No. A95

Sponsor(s) Pellecchia

Date Introduced Pre-filed

Committee: Assembly Commerce, Industry & Professions

Senate Labor, Industry & Professions

Amended during passage Yes  Amendments during passage denoted by asterisks

Date of passage: Assembly April 22, 1974; re-enacted Jan. 8, 1976

Senate Nov. 21, 1974; re-enacted Jan. 8, 1976

Date of approval Jan. 30, 1976

Following statements are attached if available:

Sponsor statement  No

Committee Statement: Assembly  No

Senate Yes

Fiscal Note  No

Veto message Yes

Message on signing  No

Following were printed:

Reports  No

Hearings  No

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10/4/76

MAY 1977

[THIRD OFFICIAL COPY REPRINT]

ASSEMBLY, No. 95

STATE OF NEW JERSEY

PRE-FILED FOR INTRODUCTION IN THE 1974 SESSION

By Assemblyman PELLECCIA

AN ACT prohibiting certain charges to patients by physicians for completing certain claim forms in connection with certain health insurance claims *\*\*\*and supplementing chapter 9 of Title 45\*\*\*.*

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

1 1. No physician and no professional service corporation engaged  
2 in the practice of medicine and surgery in this State shall charge  
3 a patient **\*\*[an extra]\*\*** **\*\*[\*\*a\*\*]** *\*\*an extra\*\** fee for services  
4 rendered in completing a medical claim form in connection with a  
5 health insurance policy **\*\*[\*\*whenever a payment has been made**  
6 **for these services by the insurance company\*\*]\*\***. Any person  
7 violating this act **\*[shall be a disorderly person and]\*** shall be  
8 subject to a fine of **\*\*[\$25.00]\*\*** *\*\*\$100.00\*\** for each offense.

9 *\*\*Such penalty shall be collected and enforced by summary pro-*  
10 *ceedings pursuant to the Penalty Enforcement Law (N. J. S.*  
11 *2A:58-1 et seq.). Every county district court and municipal court*  
12 *shall have jurisdiction within its territory of such proceedings.*  
13 *Process shall be either in the nature of a summons or warrant and*  
14 *shall issue in the name of the State, upon the complaint of the*  
15 **\*\*\*[Attorney General or any other person.\*\*\*]** *\*\*\*State Board*  
16 *of Medical Examiners.\*\*\**

1 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.**

SENATE LABOR, INDUSTRY AND PROFESSIONS  
COMMITTEE

STATEMENT TO  
**ASSEMBLY, No. 95**

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**STATE OF NEW JERSEY**

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DATED: JUNE 17, 1974

This bill provides that no physician or professional service corporation engaging in the practice of medicine and surgery shall charge a person an extra fee for services rendered in completing a medical claim form in connection with a health insurance policy.

The bill was amended in the General Assembly to eliminate from the penalty that a violator shall be a disorderly person.

The bill was amended in the Senate committee to increase the fine from \$25.00 to \$100.00 and to provide for collection of the fine by summary proceedings.

STATE OF NEW JERSEY  
EXECUTIVE DEPARTMENT

January 5, 1976

ASSEMBLY BILL NO. 95 (2nd OCR)

To the General Assembly:

Pursuant to Article V, Section 1, Paragraph 14(b) of the Constitution, I hereby return Assembly Bill No. 95 (2nd OCR), with my objections, for reconsideration.

Assembly Bill No. 95 (2nd OCR) prohibits a physician or professional service corporation engaged in the practice of medicine and surgery from charging an extra fee for completing a medical claim form pursuant to health insurance policy. Violators would be subject to a fine of \$100.00 per offense. Fines would be collected pursuant to the Penalty Enforcement Act upon complaint by the Attorney General or any other person.

I am in accord with the purpose and intent of this bill. However, the State Board of Medical Examiners is the governmental entity charged with overseeing and maintaining professional discipline for physicians and surgeons engaged in the practice of medicine and surgery. It is, therefore, most appropriate that this body have jurisdiction to investigate claims, issue complaints and collect fines for violations of this billing prohibition.

Accordingly, I herewith return Assembly Bill No. 95 (2nd OCR) for reconsideration and recommend that it be amended as follows:

Page 1, Title: After "insurance claims" insert "and supplementing Chapter 9 of Title 45"

Page 1, Section 1, Line 15: Delete "Attorney General or any other person" and insert "State Board of Medical Examiners"

Respectfully,

/s/ Brendan Byrne

GOVERNOR

[seal]

Attest:

/s/ Charles C. Carella

Executive Secretary to the Governor