

# 30:41-4

## LEGISLATIVE HISTORY CHECKLIST

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**LAWS OF:** 1999                    **CHAPTER:** 169

**NJSA:** 30:41-4                    (NJ Kid Care)

**BILL NO:** S1659                    (Substituted for A2950)

**SPONSOR(S):** Codey and Vitale

**DATE INTRODUCED:** January 21, 1999

**COMMITTEE:**                    **ASSEMBLY:** Health

**SENATE:** Health, Budget & Appropriations

**AMENDED DURING PASSAGE:** Yes

**DATE OF PASSAGE:**                    **ASSEMBLY:** June 24, 1999

**SENATE:** May 24, 1999

**DATE OF APPROVAL:** July 26, 1999

**FOLLOWING ARE ATTACHED IF AVAILABLE:**

**FINAL TEXT OF BILL:** 3<sup>rd</sup> Reprint (Corrected Copy)  
(Amendments during passage denoted by superscript numbers)

### S1659

**SPONSORS STATEMENT:** (Begins on page 3 of original bill)                    [Yes](#)

**COMMITTEE STATEMENT:**                    **ASSEMBLY:**                    [Yes](#)

**SENATE:**                    [Yes](#)    [3-15-99 \(Health\)](#)  
[Yes](#)    [5-20-99 \(Budget\)](#)

**FLOOR AMENDMENT STATEMENTS:**                    [Yes](#)

**LEGISLATIVE FISCAL ESTIMATE:**                    [Yes](#)

### A2950

**SPONSORS STATEMENT:** (Begins on page 3 of original bill)                    [Yes](#)

Bill and Sponsors Statement identical to S1659

**COMMITTEE STATEMENT:**                    **ASSEMBLY:**                    [Yes](#)

**SENATE:**                    No

**FLOOR AMENDMENT STATEMENTS:**                    No

**LEGISLATIVE FISCAL ESTIMATE:**                    [Yes](#)

Identical to Fiscal Estimate for S1659

### A2628

**SPONSORS STATEMENT:** (Begins on pages 3 of original bill)                    [Yes](#)

**COMMITTEE STATEMENTS:**

**ASSEMBLY:**

No

**SENATE:**

No

**FLOOR AMENDMENT STATEMENTS:**

No

**LEGISLATIVE FISCAL ESTIMATE:**

No

**VETO MESSAGE:**

No

**GOVERNOR'S PRESS RELEASE ON SIGNING:**

Yes

**FOLLOWING WERE PRINTED:**

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**REPORTS:**

No

**HEARINGS:**

No

**NEWSPAPER ARTICLES:**

"Health safety net catches more kids," 7-27-99, Star Ledger, p. 16

Yes

P.L. 1999, CHAPTER 169, *approved July 26, 1999*  
Senate, No. 1659 (*Third Reprint*)  
(CORRECTED COPY)

1 AN ACT concerning the Children's Health Care Coverage Program and  
2 amending <sup>3</sup>**[<sup>2</sup>and supplementing<sup>2</sup>]**<sup>3</sup> P.L.1997, c.272.

3  
4 **BE IT ENACTED** by the Senate and General Assembly of the State  
5 of New Jersey:

6  
7 1. Section 4 of P.L.1997, c.272 (C.30:4I-4) is amended to read as  
8 follows:

9 4. a. The Children's Health Care Coverage Program is established  
10 in the Department of Human Services. The purpose of the program  
11 shall be to provide subsidized private health insurance coverage, and  
12 other health care benefits as determined by the commissioner, to  
13 children from birth through 18 years of age within the limits of funds  
14 appropriated or otherwise made available for the program. The  
15 program shall require copayments and a premium contribution from  
16 families with incomes which exceed 150% of the official poverty level,  
17 which shall be based upon a sliding income scale. The program shall  
18 include the provision of well-child and other preventive services,  
19 hospitalization, physician care, laboratory and x-ray services,  
20 prescription drugs, mental health services, and other services as  
21 determined by the commissioner.

22 b. The commissioner, in consultation with the Commissioner of  
23 Health and Senior Services, shall take such actions as are necessary to  
24 implement and operate the program in accordance with the provisions  
25 governing the State Children's Health Insurance Program in Title XXI  
26 of the federal Social Security Act, as provided in Subtitle J of Title IV  
27 of the federal "Balanced Budget Act of 1997," Pub.L.105-33.

28 c. The commissioner shall by regulation establish standards for  
29 determining eligibility and other requirements for the program,  
30 including, but not limited to, premium payments and copayments, and  
31 may contract with one or more appropriate entities to assist in  
32 administering the program. The commissioner shall take, or cause to  
33 be taken, any action necessary to secure for the State the maximum  
34 amount of federal financial participation available with respect to the  
35 program, subject to the constraints of fiscal responsibility and within  
36 the limits of available funding in any fiscal year.

37 d. <sup>2</sup>**[A child shall not be determined ineligible for the program**

**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:**

<sup>1</sup> Senate SHH committee amendments adopted March 15, 1999.

<sup>2</sup> Senate SBA committee amendments adopted May 20, 1999.

<sup>3</sup> Senate floor amendments adopted May 24, 1999.

1 solely because the child was previously covered under an individual  
2 health benefits plan <sup>1</sup> or a non-governmental contributory group health  
3 plan in which the covered employee is required to pay any of the  
4 premium for dependent coverage<sup>1</sup> during <sup>1</sup> [all or part of the 12-  
5 month] any<sup>1</sup> period preceding the application to the program on behalf  
6 of that child.] Subject to federal approval, a child with a family gross  
7 income that does not exceed 200% of the official poverty level shall  
8 not be determined ineligible for the program solely because the child  
9 was previously covered under an individual health benefits plan during  
10 any period preceding application to the program if the child was not  
11 voluntarily disenrolled from employer-sponsored group insurance  
12 coverage during the six-month period prior to application to the  
13 program.<sup>2</sup>

14 (cf: P.L.1997, c.272, s.4)

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16 <sup>3</sup>[<sup>2</sup>. (New section) a. Subject to federal approval, the  
17 commissioner shall establish a program to provide financial assistance  
18 on behalf of employees of businesses that have no more than 50  
19 employees in order to obtain employer-sponsored health insurance  
20 benefits for employees' uninsured dependents under the age of 19  
21 years.

22 The following conditions shall be met in order to qualify for the  
23 assistance:

24 (1) the employer shall contribute at least 50% of the premium cost  
25 and the employee shall contribute to the premium in an amount  
26 specified by the commissioner that is based on the employee's family  
27 gross income;

28 (2) the employee's dependent child is uninsured; and

29 (3) the employee's family gross income is between 150% and 350%  
30 of the official poverty level.

31 b. Subject to the availability of State appropriations, the  
32 commissioner shall establish a program to provide a financial subsidy  
33 on behalf of eligible employees who purchase dependent health  
34 insurance coverage for their children under the age of 19 years through  
35 an employer-sponsored insurance plan.

36 The following conditions shall be met in order to qualify for the  
37 subsidy:

38 (1) the employer shall contribute at least 50% of the premium cost  
39 and the employee shall contribute to the premium in an amount  
40 specified by the commissioner that is based on the employee's family  
41 gross income;

42 (2) the employee's child is not eligible for the Medicaid program;  
43 and

44 (3) the employee's family gross income is less than 200% of the  
45 official poverty level.

46 c. The commissioner shall adopt regulations establishing the

1 financial assistance and financial subsidy programs, including the  
2 amounts of the assistance and subsidy that shall be available and the  
3 employee contribution that shall be required, pursuant to the  
4 "Administrative Procedure Act," P.L.1968, c.410 (C.52:14B-1 et  
5 seq.).<sup>2</sup> ]<sup>3</sup>

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7 <sup>1</sup>[<sup>2</sup>.] <sup>3</sup>[<sup>3</sup>.<sup>1</sup>] <sup>2</sup>.<sup>3</sup> This act shall take effect immediately.

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12 Permits certain children who had individual health benefits coverage  
13 to qualify for NJ KidCare.

# SENATE, No. 1659

## STATE OF NEW JERSEY 208th LEGISLATURE

INTRODUCED JANUARY 21, 1999

**Sponsored by:**

**Senator RICHARD J. CODEY**

**District 27 (Essex)**

**Senator JOSEPH F. VITALE**

**District 19 (Middlesex)**

**Co-Sponsored by:**

**Senator Bucco**

**SYNOPSIS**

Permits child previously covered by individual health benefits plan to qualify for NJ KidCare.

**CURRENT VERSION OF TEXT**

As introduced.



**(Sponsorship Updated As Of: 3/16/1999)**

1 AN ACT concerning the Children's Health Care Coverage Program and  
2 amending P.L.1997, c.272.

3

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

6

7 1. Section 4 of P.L.1997, c.272 (C.30:4I-4) is amended to read as  
8 follows:

9 4. a. The Children's Health Care Coverage Program is established  
10 in the Department of Human Services. The purpose of the program  
11 shall be to provide subsidized private health insurance coverage, and  
12 other health care benefits as determined by the commissioner, to  
13 children from birth through 18 years of age within the limits of funds  
14 appropriated or otherwise made available for the program. The  
15 program shall require copayments and a premium contribution from  
16 families with incomes which exceed 150% of the official poverty level,  
17 which shall be based upon a sliding income scale. The program shall  
18 include the provision of well-child and other preventive services,  
19 hospitalization, physician care, laboratory and x-ray services,  
20 prescription drugs, mental health services, and other services as  
21 determined by the commissioner.

22 b. The commissioner, in consultation with the Commissioner of  
23 Health and Senior Services, shall take such actions as are necessary to  
24 implement and operate the program in accordance with the provisions  
25 governing the State Children's Health Insurance Program in Title XXI  
26 of the federal Social Security Act, as provided in Subtitle J of Title IV  
27 of the federal "Balanced Budget Act of 1997," Pub.L.105-33.

28 c. The commissioner shall by regulation establish standards for  
29 determining eligibility and other requirements for the program,  
30 including, but not limited to, premium payments and copayments, and  
31 may contract with one or more appropriate entities to assist in  
32 administering the program. The commissioner shall take, or cause to  
33 be taken, any action necessary to secure for the State the maximum  
34 amount of federal financial participation available with respect to the  
35 program, subject to the constraints of fiscal responsibility and within  
36 the limits of available funding in any fiscal year.

37 d. A child shall not be determined ineligible for the program solely  
38 because the child was previously covered under an individual health  
39 benefits plan during all or part of the 12-month period preceding the  
40 application to the program on behalf of that child.

41 (cf: P.L.1997, c.272, s.4)

42

43 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.**

STATEMENT

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This bill provides that a child who would otherwise be eligible for the Children's Health Care Coverage Program (NJ KidCare) established pursuant to P.L.1997, c.272 (N.J.S.A.30:4I-1 et seq.), except for the fact that the child was previously covered under an individual health benefits plan during all or part of the 12-month period preceding the application to the program on behalf of that child, shall be eligible for health care coverage under NJ KidCare. The effect of this bill would be to supersede the current administrative regulations of the Department of Human Services at N.J.A.C.10:79-3.8 as they apply to applicants for NJ KidCare - Plans B and C. NJ KidCare - Plans B and C provide subsidized private health insurance coverage to children in eligible families with incomes above 133% but not exceeding 200% of the federal poverty level (as distinct from NJ KidCare - Plan A which provides Medicaid coverage to children in families up to 133% of the federal poverty level).



# ASSEMBLY HEALTH COMMITTEE

## STATEMENT TO

[Third Reprint]

**SENATE, No. 1659**

# STATE OF NEW JERSEY

DATED: JUNE 21, 1999

The Assembly Health Committee reports favorably Senate Bill No. 1659(3R).

This bill provides that a child with a family gross income that does not exceed 200% of the official poverty level and who would otherwise be eligible for the Children's Health Care Coverage Program (NJ KidCare) established pursuant to N.J.S.A.30:4I-1 et seq., except for the fact that the child was previously covered under an individual health benefits plan for any period preceding the date of application to NJ KidCare, shall be eligible for health care coverage under NJ KidCare, if the child was not voluntarily disenrolled from employer-sponsored group insurance coverage during the six-month period prior to application to NJ KidCare.

The effect of this bill would be to supersede the current administrative regulations of the Department of Human Services at N.J.A.C.10:79-3.8 as they apply to applicants for NJ KidCare - Plans B and C. These plans provide subsidized private health insurance coverage to children in eligible families with incomes above 133% but not exceeding 200% of the official poverty level (as distinct from NJ KidCare - Plan A which provides Medicaid coverage to children in families up to 133% of the official poverty level). Current regulations require that any child who was covered under his parent's individual health benefits policy or a contributory employer-sponsored group health plan under which the parent purchases dependent coverage, regardless of the cost to the parent, shall not be eligible for NJ KidCare for the six-month period preceding the date of application for NJ KidCare.

This bill is identical to Assembly Bill No. 2950 (1R) (Conaway/Vandervalk), which the committee also reported on this date.

# SENATE HEALTH COMMITTEE

## STATEMENT TO

### **SENATE, No. 1659**

with committee amendments

# **STATE OF NEW JERSEY**

DATED: MARCH 15, 1999

The Senate Health Committee reports favorably and with committee amendments Senate Bill No. 1659.

As amended by committee, this bill provides that a child who would otherwise be eligible for the Children's Health Care Coverage Program (NJ KidCare) established pursuant to N.J.S.A.30:4I-1et seq., except for the fact that the child was previously covered under (1) an individual health benefits plan or (2) a non-governmental contributory group health plan in which the covered employee is required to pay any of the premium for dependent coverage, for any period preceding the date of application to NJ KidCare, shall be eligible for health care coverage under NJ KidCare.

The effect of this bill would be to supersede the current administrative regulations of the Department of Human Services at N.J.A.C.10:79-3.8 as they apply to applicants for NJ KidCare - Plans B and C. These plans provide subsidized private health insurance coverage to children in eligible families with incomes above 133% but not exceeding 200% of the federal poverty level (as distinct from NJ KidCare - Plan A which provides Medicaid coverage to children in families up to 133% of the federal poverty level). Current regulations require that any child who was covered under his parent's individual health benefits policy or a contributory employer-sponsored group health plan under which the parent purchases dependent coverage, regardless of the cost to the parent, shall not be eligible for NJ KidCare for the six-month period preceding the date of application for NJ KidCare.

The committee amended the bill to exempt from the six-month waiting period coverage under a non-governmental contributory group health plan in which the covered employee is required to pay any of the premium for dependent coverage, as well as coverage under an individual health benefits plan as the bill originally provided. Other amendments delete reference to a 12-month waiting period, which was recently changed, by regulation of the Department of Human Services, to six months. The amendments provide, instead, that a child who had individual or group health plan coverage prior to the date of application for NJ KidCare would not be subject to any waiting period.

# SENATE BUDGET AND APPROPRIATIONS COMMITTEE

## STATEMENT TO

[First Reprint]

## **SENATE, No. 1659**

with committee amendments

# **STATE OF NEW JERSEY**

DATED: MAY 20, 1999

The Senate Budget and Appropriations Committee reports favorably and with committee amendments Senate Bill No. 1659 (1R).

This bill revises the statute governing the Children's Health Care Coverage Program ("NJ KidCare") to extend eligibility for the program to certain children currently ineligible due to recent prior coverage under a private health benefits plan.

NJ KidCare is a program that provides children from low-income families who are under 19 years of age with subsidized private health insurance coverage, well-child and other preventive services, hospitalization, physician care, laboratory and x-ray services, prescription drugs, mental health services, and other benefits as determined by the Commissioner of Human Services. The program is designed in accordance with the provisions of the "State Children's Health Insurance Program" under Title XXI of the federal Social Security Act and is funded in substantial part with federal funds authorized under that title.

This bill, as amended, provides that a child in a family whose annual gross income does not exceed the maximum level (200% of the federal official poverty level) to qualify the child as eligible for NJ KidCare coverage shall not be considered ineligible for participation in the program solely by virtue of having been previously covered under an individual health benefits plan during any period preceding application to the program if the child was not voluntarily disenrolled from employer-sponsored group insurance coverage during the six-month period prior to application to the program. The effect of this provision would be to supersede the current administrative regulations of the Department of Human Services at N.J.A.C.10:79-3.8 as they apply to applicants for NJ KidCare - Plans B and C. These plans provide subsidized private health insurance coverage to children in eligible families with incomes above 133% but not exceeding 200% of the federal poverty level. The regulations in question require that any child who was covered under his parent's individual health benefits policy or a contributory employer-sponsored group health plan under

which the parent purchases dependent coverage, regardless of the cost to the parent, shall not be eligible for NJ KidCare for the six-month period preceding the date of application for NJ KidCare.

In addition, the bill as amended provides that, subject to federal approval, the Commissioner shall establish a program to provide financial assistance on behalf of employees of businesses that have no more than 50 employees in order to obtain employer-sponsored health insurance benefits for employees' uninsured dependents under the age of 19 years. To qualify for the assistance, the following conditions would have to be met: (1) the employer would have to contribute at least 50% of the premium cost and the employee would have to contribute to the premium in an amount specified by the commissioner that is based on the employee's gross family income; (2) the employee's dependent child would have to be uninsured; and (3) the employee's gross family income would have to be between 150% and 350% of the official poverty level.

Also under the bill as amended, the commissioner, subject to the availability of State appropriations, shall establish a program to provide a financial subsidy on behalf of eligible employees who purchase dependent health insurance coverage for their children under the age of 19 years through an employer-sponsored insurance plan. The following conditions would have to be met in order to qualify for the subsidy: (1) the employer would have to contribute at least 50% of the premium cost and the employee would have to contribute to the premium in an amount specified by the commissioner that is based on the employee's gross family income; (2) the employee's child could not be eligible for the Medicaid program; and (3) the employee's gross family income would have to be less than 200% of the official poverty level.

#### COMMITTEE AMENDMENTS

Committee amendments to this bill (1) revise the provision superseding the regulation that limits NJ KidCare participation for children with prior health coverage, and (2) incorporate the provisions establishing the financial assistance and financial subsidy programs.

#### FISCAL IMPACT

OLS is not able to estimate the fiscal impact of the legislation as the number of additional children that may qualify for the NJ KidCare as a result of the eliminating the six-month uninsured requirement cannot be determined with any degree of confidence.

Though OLS is not able to estimate the cost of the legislation, \$136 million would be available annually for NJ KidCare including State matching funds of approximately \$47.6 million. These State and federal funds should be sufficient to cover any costs associated with the elimination of the six-month uninsured requirement.

STATEMENT TO  
[Second Reprint]  
**SENATE, No. 1659**

with Senate Floor Amendments  
(Proposed By Senator CODEY)

ADOPTED: MAY 24, 1999

These amendments delete the provisions of the bill which would establish financial assistance and subsidy programs to encourage employer-sponsored health benefits coverage for dependent children.

# **LEGISLATIVE FISCAL ESTIMATE**

[CORRECTED COPY]

[Third Reprint]

**SENATE, No. 1659**

**STATE OF NEW JERSEY**

**208th LEGISLATURE**

DATED: JULY 22, 1999

## **BILL SUMMARY**

Senate Bill No. 1659 (3R) of 1999 provides that a child whose gross family income does not exceed 200% of the official federal poverty level shall not be determined ineligible for the NJ KidCare program because the child was previously covered under an individual health benefit plan during any period preceding application to the NJ KidCare program, if the child was not voluntarily disenrolled from employer sponsored group insurance coverage during the six-month period prior to application to the program.

## **AGENCY COMMENTS**

DHS and the Office of Management and Budget have not provided any fiscal information on the legislation.

## **OFFICE OF LEGISLATIVE SERVICES COMMENTS**

OLS is not able to estimate the fiscal impact of the legislation as the number of additional children that may qualify for NJ KidCare as a result of eliminating the six-month uninsured requirement in certain circumstances, cannot be determined with any degree of confidence.

Though OLS is not able to estimate the cost of the legislation, \$136 million would be available annually for NJ KidCare including State matching funds of approximately \$47.6 million. These State and federal funds should be sufficient to cover any costs associated with the elimination of the six-month uninsured requirement.

This legislative fiscal estimate has been produced by the Office of Legislative Services due to the failure of the Executive Branch to respond to our request for a fiscal note.

This fiscal estimate has been prepared pursuant to P.L.1980, c.67.

# ASSEMBLY, No. 2950

## STATE OF NEW JERSEY 208th LEGISLATURE

INTRODUCED MARCH 11, 1999

**Sponsored by:**

**Assemblyman HERBERT CONAWAY, JR.**

**District 7 (Burlington and Camden)**

**Assemblywoman CHARLOTTE VANDERVALK**

**District 39 (Bergen)**

**Co-Sponsored by:**

**Assemblywomen Weinberg, Quigley, Assemblymen Connors, Greenwald,  
Corodemus, LeFevre and Assemblywoman Previte**

**SYNOPSIS**

Permits child previously covered by individual health benefits plan to qualify for NJ KidCare.

**CURRENT VERSION OF TEXT**

As introduced.



**(Sponsorship Updated As Of: 5/4/1999)**

1 AN ACT concerning the Children's Health Care Coverage Program and  
2 amending P.L.1997, c.272.

3

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

6

7 1. Section 4 of P.L.1997, c.272 (C.30:4I-4) is amended to read as  
8 follows:

9 4. a. The Children's Health Care Coverage Program is established  
10 in the Department of Human Services. The purpose of the program  
11 shall be to provide subsidized private health insurance coverage, and  
12 other health care benefits as determined by the commissioner, to  
13 children from birth through 18 years of age within the limits of funds  
14 appropriated or otherwise made available for the program. The  
15 program shall require copayments and a premium contribution from  
16 families with incomes which exceed 150% of the official poverty level,  
17 which shall be based upon a sliding income scale. The program shall  
18 include the provision of well-child and other preventive services,  
19 hospitalization, physician care, laboratory and x-ray services,  
20 prescription drugs, mental health services, and other services as  
21 determined by the commissioner.

22 b. The commissioner, in consultation with the Commissioner of  
23 Health and Senior Services, shall take such actions as are necessary to  
24 implement and operate the program in accordance with the provisions  
25 governing the State Children's Health Insurance Program in Title XXI  
26 of the federal Social Security Act, as provided in Subtitle J of Title IV  
27 of the federal "Balanced Budget Act of 1997," Pub.L.105-33.

28 c. The commissioner shall by regulation establish standards for  
29 determining eligibility and other requirements for the program,  
30 including, but not limited to, premium payments and copayments, and  
31 may contract with one or more appropriate entities to assist in  
32 administering the program. The commissioner shall take, or cause to  
33 be taken, any action necessary to secure for the State the maximum  
34 amount of federal financial participation available with respect to the  
35 program, subject to the constraints of fiscal responsibility and within  
36 the limits of available funding in any fiscal year.

37 d. A child shall not be determined ineligible for the program solely  
38 because the child was previously covered under an individual health  
39 benefits plan during all or part of the six-month period preceding the  
40 application to the program on behalf of that child.

41 (cf: P.L.1997, c.272, s.4)

42

43 2. This act shall take effect immediately.

**EXPLANATION - Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and intended to be omitted in the law.**

**Matter underlined thus is new matter.**



STATEMENT

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This bill provides that a child who would otherwise be eligible for the Children's Health Care Coverage Program (NJ KidCare) established pursuant to P.L.1997, c.272 (N.J.S.A.30:4I-1 et seq.), except for the fact that the child was previously covered under an individual health benefits plan during all or part of the six-month period preceding the application to the program on behalf of that child, shall be eligible for health care coverage under NJ KidCare. The effect of this bill would be to supersede the current administrative regulations of the Department of Human Services at N.J.A.C.10:79-3.8 as they apply to applicants for NJ KidCare - Plans B and C. NJ KidCare - Plans B and C provide subsidized private health insurance coverage to children in eligible families with incomes above 133% but not exceeding 200% of the federal poverty level (as distinct from NJ KidCare - Plan A which provides Medicaid coverage to children in families up to 133% of the federal poverty level).

# ASSEMBLY HEALTH COMMITTEE

## STATEMENT TO

### **ASSEMBLY, No. 2950**

with committee amendments

# **STATE OF NEW JERSEY**

DATED: JUNE 21, 1999

The Assembly Health Committee reports favorably and with committee amendments Assembly Bill No. 2950.

As amended by the committee, this bill provides that a child with a family gross income that does not exceed 200% of the official poverty level and who would otherwise be eligible for the Children's Health Care Coverage Program (NJ KidCare) established pursuant to N.J.S.A.30:4I-1 et seq., except for the fact that the child was previously covered under an individual health benefits plan for any period preceding the date of application to NJ KidCare, shall be eligible for health care coverage under NJ KidCare, if the child was not voluntarily disenrolled from employer-sponsored group insurance coverage during the six-month period prior to application to NJ KidCare.

The effect of this bill would be to supersede the current administrative regulations of the Department of Human Services at N.J.A.C.10:79-3.8 as they apply to applicants for NJ KidCare - Plans B and C. These plans provide subsidized private health insurance coverage to children in eligible families with incomes above 133% but not exceeding 200% of the official poverty level (as distinct from NJ KidCare - Plan A which provides Medicaid coverage to children in families up to 133% of the official poverty level). Current regulations require that any child who was covered under his parent's individual health benefits policy or a contributory employer-sponsored group health plan under which the parent purchases dependent coverage, regardless of the cost to the parent, shall not be eligible for NJ KidCare for the six-month period preceding the date of application for NJ KidCare.

The committee amendments delete reference to a 12-month waiting period preceding application to NJ KidCare for a child who was previously covered under an individual health benefits plan, which was recently changed, by regulation of the Department of Human Services, to six months; and provide, instead, that, subject to federal approval, a child with a family gross income that does not exceed 200% of the official poverty level who had individual health benefits plan coverage

prior to the date of application for NJ KidCare would not be subject to any waiting period if the child was not voluntarily disenrolled from employer-sponsored group insurance coverage during the six-month period prior to application to NJ KidCare.

As reported by the committee, this bill is identical to Senate Bill No. 1659 (3R) (Codey/Vitale), which the committee also reported on this date.

# LEGISLATIVE FISCAL ESTIMATE

[First Reprint]

## **ASSEMBLY, No. 2950**

# **STATE OF NEW JERSEY**

## **208th LEGISLATURE**

DATED: JULY 6, 1999

### **BILL SUMMARY**

Assembly Bill No. 2950 (1R) of 1999 provides that a child whose gross family income does not exceed 200% of the official federal poverty level shall not be determined ineligible for the NJ KidCare program because the child was previously covered under an individual health benefits plan during any period preceding application to the NJ KidCare program, if the child was not voluntarily disenrolled from employer sponsored group insurance coverage during the six-month period prior to application to the program.

### **AGENCY COMMENTS**

DHS and the Office of Management and Budget have not provided any fiscal information on the legislation.

### **OFFICE OF LEGISLATIVE SERVICES COMMENTS**

OLS is not able to estimate the fiscal impact of the legislation as the number of additional children that may qualify for NJ KidCare as a result of eliminating the six-month uninsured requirement in certain circumstances, cannot be determined with any degree of confidence.

Though OLS is not able to estimate the cost of the legislation, \$136 million would be available annually for NJ KidCare including State matching funds of approximately \$47.6 million. These State and federal funds should be sufficient to cover any costs associated with the elimination of the six-month uninsured requirement.

This legislative fiscal estimate has been produced by the Office of Legislative Services due to the failure of the Executive Branch to respond to our request for a fiscal note.

This fiscal estimate has been prepared pursuant to P.L.1980, c.67.

# ASSEMBLY, No. 2628

## STATE OF NEW JERSEY 208th LEGISLATURE

INTRODUCED NOVEMBER 9, 1998

**Sponsored by:**

**Assemblyman HERBERT CONAWAY, JR.**

**District 7 (Burlington and Camden)**

**Co-Sponsored by:**

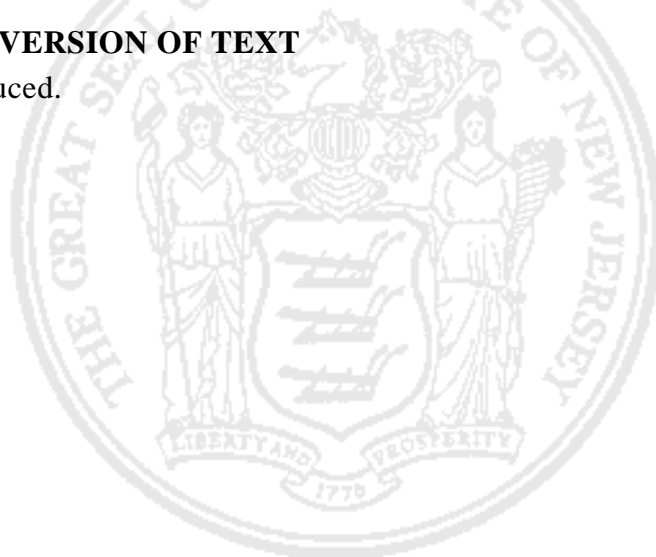
**Assemblywomen Watson Coleman, Gill, Assemblymen Stanley, Gusciora, Assemblywoman Buono, Assemblymen Barnes, Greenwald, Wisniewski, Assemblywomen Friscia, Cruz-Perez, Quigley, Previte, Assemblyman Impreveduto, Assemblywoman Pou, Assemblymen Felice, LeFevre, Blee, T. Smith, Jones, Garcia, Assemblywoman Murphy, Assemblymen Asselta, Malone, Kelly and Connors**

**SYNOPSIS**

Permits child previously covered by individual health benefits plan to qualify for NJ KidCare prior to January 1, 1999.

**CURRENT VERSION OF TEXT**

As introduced.



**(Sponsorship Updated As Of: 6/29/1999)**

1 AN ACT concerning the Children's Health Care Coverage Program and  
2 amending P.L.1997, c.272.

3

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

6

7 1. Section 4 of P.L.1997, c.272 (C.30:4I-4) is amended to read as  
8 follows:

9 4. a. The Children's Health Care Coverage Program is established  
10 in the Department of Human Services. The purpose of the program  
11 shall be to provide subsidized private health insurance coverage, and  
12 other health care benefits as determined by the commissioner, to  
13 children from birth through 18 years of age within the limits of funds  
14 appropriated or otherwise made available for the program. The  
15 program shall require copayments and a premium contribution from  
16 families with incomes which exceed 150% of the official poverty level,  
17 which shall be based upon a sliding income scale. The program shall  
18 include the provision of well-child and other preventive services,  
19 hospitalization, physician care, laboratory and x-ray services,  
20 prescription drugs, mental health services, and other services as  
21 determined by the commissioner.

22 b. The commissioner, in consultation with the Commissioner of  
23 Health and Senior Services, shall take such actions as are necessary to  
24 implement and operate the program in accordance with the provisions  
25 governing the State Children's Health Insurance Program in Title XXI  
26 of the federal Social Security Act, as provided in Subtitle J of Title IV  
27 of the federal "Balanced Budget Act of 1997," Pub.L.105-33.

28 c. The commissioner shall by regulation establish standards for  
29 determining eligibility and other requirements for the program,  
30 including, but not limited to, premium payments and copayments, and  
31 may contract with one or more appropriate entities to assist in  
32 administering the program. The commissioner shall take, or cause to  
33 be taken, any action necessary to secure for the State the maximum  
34 amount of federal financial participation available with respect to the  
35 program, subject to the constraints of fiscal responsibility and within  
36 the limits of available funding in any fiscal year.

37 d. A child who would otherwise be eligible for the program except  
38 for the fact that the child was previously covered under an individual  
39 health benefits plan during all or part of the 12-month period  
40 preceding the application to the program on behalf of that child, shall  
41 be eligible for the program if the application was submitted prior to  
42 January 1, 1999.

43 (cf: P.L.1997, c.272, s.4)

**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       2. This act shall take effect immediately.

2

3

4

STATEMENT

5

6       This bill provides that a child who would otherwise be eligible for  
7 the Children's Health Care Coverage Program (NJ KidCare)  
8 established pursuant to P.L.1997, c.272 (N.J.S.A.30:4I-1 et seq.),  
9 except for the fact that the child was previously covered under an  
10 individual health benefits plan during all or part of the 12-month  
11 period preceding the application to the program on behalf of that child,  
12 shall be eligible for health care coverage under NJ KidCare if the  
13 application was submitted prior to January 1, 1999. The effect of this  
14 bill would be to supersede the current administrative regulations of the  
15 Department of Human Services at N.J.A.C.10:79-3.8 as they apply to  
16 applicants for NJ KidCare - Plans B and C, for the one-year period  
17 following enactment of P.L.1997, c.272 (i.e., from December 23, 1997  
18 through December 31, 1998). NJ KidCare - Plans B and C provide  
19 subsidized private health insurance coverage to children in eligible  
20 families with incomes above 133% but not exceeding 200% of the  
21 federal poverty level (as distinct from NJ KidCare - Plan A which  
22 provides Medicaid coverage to children in families up to 133% of the  
23 federal poverty level).

PO BOX 004  
TRENTON, NJ 08625

*Office of the Governor*  
**NEWS RELEASE**

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RELEASE: July 26, 1999

**Governor Signs Bills Expanding NJ KidCare Program to Thousands More  
Children;  
Spends Day Touring Monmouth County**

New Jersey Gov. Christie Whitman today signed legislation to expand the NJ KidCare program, making affordable health insurance available to tens of thousands additional New Jersey children.

"NJ KidCare was established to ensure that uninsured children get the medical care they need," said Gov. Whitman.

"Today we are expanding the NJ KidCare program to assist hard- working families who are struggling to pay for their own individual health insurance plan. We are ensuring that New Jersey families earning the maximum annual income allowed under federal law qualify for the program. And we are increasing our efforts to contact each and every family with children who could be eligible to benefit from NJ KidCare," the Governor said.

Gov. Whitman signed the expansive health care legislation at Brookdale Community College in Lincroft during a day-long tour of Monmouth County.

The legislation, a package of four bills, is intended to increase the number of children in NJ KidCare by expanding the eligibility requirements and by expanding public awareness of the program eligibility and benefits.

**S-1659**, sponsored by Senators Richard Codey (D-Essex) and Joseph Vitale (D-Middlesex) and Assembly Members Herbert Conaway (D-Burlington/Camden) and Charlotte Vandervalk (R-Bergen), removes the unintended obstacle of a six-month uninsured waiting period before becoming eligible for NJ KidCare for working families who are struggling to pay their own individual health insurance costs.

**S-1758**, sponsored by Senate President Donald DiFrancesco and Senator Jack Sinagra (R-Middlesex) and Assembly Members Tom Smith (R-Monmouth) and Steve Coredemus (R-Monmouth) increases the eligible income to include families making between 200 and 350 percent of the federal poverty level. Under these expanded guidelines, a family of four with an annual income of \$58,450 would qualify for NJ KidCare, up from the former limit of \$33,400.

In addition to the expansion of who is eligible for the NJ KidCare, the new legislation is intended to increase public awareness of the program.



Gov. Whitman said, "The expansion of NJ KidCare will be wasted if we don't increase awareness of the program. These bills specifically address the need for increased enrollment efforts."

**S-1756**, sponsored by Senate President Donald DiFrancesco and Senator Norman Robertson (R-Essex/Passaic) and Assembly Members John Kelly (R-Bergen/Essex/ Passaic) and Paul DiGaetano (R-Bergen/Essex/Passaic) allows certain children who are eligible, but not yet enrolled in the program, to receive NJ KidCare benefits for needed medical services at acute-care hospitals, federally-qualified health centers and local health department facilities. The family must be evaluated in an interview and, if the family income appears to meet the qualification of up to 200 percent of the federal poverty level, they are given "presumptive eligibility" for benefits. This must be followed up with a completed application and income evaluation to continue receiving NJ KidCare benefits.

**S-1757**, sponsored by Senate President Donald DiFrancesco and Senator Diane Allen (R-Burlington/Camden) and Assembly Members Samuel Thompson (R-Middlesex/ Monmouth) and Joseph Azzolina (R-Middlesex/Monmouth) establishes partnerships between NJ KidCare and schools, childcare organizations and health care entities to actively reach out to families to identify children eligible for NJ KidCare. The designated community organizations will receive \$25 for each household enrolled in the program. The bill provides \$75,000 to carry out the enrollment program.

The bill signing in Lincroft was one of many events the Governor attended around Monmouth County today. She began the day at the Vietnam Veterans Memorial in Holmdel to participate in the unveiling of a US Postal Service stamp commemorating Vietnam War Veterans.

During a stop at the Hall of Records in Freehold Borough, Gov. Whitman presented a ceremonial check for \$430 million to the Monmouth County Freeholders. The check represents a combination of school aid, municipal aid, various special appropriations, open space preservation funds and the first phase of the New Jersey SAVER property tax rebate program.

The Governor also visited the newly-constructed Aberdeen-Matawan train station in Aberdeen. The station serves 3,400 travelers daily and is one of five in the NJ TRANSIT North Jersey Coast Line slated to receive high-level platforms, accessible by stairs and ramps, to comply with the Americans with Disabilities Act. The station project costs \$7.1 million, Ofunded by the Casino Reinvestment Development Authority and Transportation Act Fund monies. It is scheduled to be completed in the fall of 1999.

And in Allenhurst, the Governor presented a \$350,000 ceremonial check to the Deal Lake Commission for the lake restoration project. The state funds, from the 1996 bond act approved by voters for the revitalization of New Jersey's ports and lakes, will be matched by in-kind services from the Deal Lake Commission, the Colonial Terrace Protective Assoc., and Ocean Twp.

The Governor concluded the day's events visiting with local residents on walking tours, first through historic Red Bank, home of author and critic Edmund Wilson and jazz great Count Basie, and then through the 95-year-old Keansburg Amusement Park.