

17:48-6g

LEGISLATIVE HISTORY CHECK
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LAWS OF: 1999 **CHAPTER:** 341

NJSA: 17:48-6g (Requires coverage for annual mammograms)

BILL NO: A2133

SPONSOR(S): Kelly and Doria

DATE INTRODUCED: June 1, 1998

COMMITTEE: **ASSEMBLY:** Health

SENATE: Health

AMENDED DURING PASSAGE: No

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

SENATE: December 13, 1999

DATE OF APPROVAL: January 10, 2000

FOLLOWING ARE ATTACHED IF AVAILABLE:

FINAL TEXT OF BILL: Original
(Amendments during passage denoted by superscript number)

SPONSORS STATEMENT: (Begins on page 4 of original bill) Yes

COMMITTEE STATEMENT: **ASSEMBLY:** Yes

SENATE: Yes

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: No

P.L. 1999, CHAPTER 341, *approved January 10, 2000*
Assembly, No. 2133

1 **AN ACT** requiring health benefits coverage for annual mammograms
2 for women age 40 and over and amending P.L.1991, c.279.

3

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

6

7 1. Section 1 of P.L.1991, c.279 (C.17:48-6g) is amended to read
8 as follows:

9 1. No group or individual hospital service corporation contract
10 providing hospital or medical expense benefits shall be delivered,
11 issued, executed or renewed in this State, or approved for issuance or
12 renewal in this State by the Commissioner of Banking and Insurance
13 on or after the effective date of this act, unless the contract provides
14 benefits to any subscriber or other person covered thereunder for
15 expenses incurred in conducting one baseline mammogram
16 examination for women who are at least 35 but less than 40 years of
17 age; **[one mammogram examination every two years, or more**
18 **frequently if recommended by a physician, for women who are at least**
19 **40 but less than 50 years of age;]** and one mammogram examination
20 every year for women age **[50]** 40 and over. These benefits shall be
21 provided to the same extent as for any other sickness under the
22 contract.

23 (cf: P.L.1991, c.279, s.1)

24

25 2. Section 2 of P.L.1991, c.279 (C.17:48A-7f) is amended to read
26 as follows:

27 2. No group or individual medical service corporation contract
28 providing hospital or medical expense benefits shall be delivered,
29 issued, executed or renewed in this State, or approved for issuance or
30 renewal in this State by the Commissioner of Banking and Insurance
31 on or after the effective date of this act, unless the contract provides
32 benefits to any subscriber or other person covered thereunder for
33 expenses incurred in conducting one baseline mammogram
34 examination for women who are at least 35 but less than 40 years of
35 age; **[one mammogram examination every two years, or more**
36 **frequently if recommended by a physician, for women who are at least**
37 **40 but less than 50 years of age;]** and one mammogram examination
38 every year for women age **[50]** 40 and over. These benefits shall be
39 provided to the same extent as for any other sickness under the
40 contract.

41 (cf: P.L.1991, c.279, s.2)

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 3. Section 3 of P.L.1991, c.279 (C.17:48E-35.4) is amended to
2 read as follows:

3 3. No group or individual health service corporation contract
4 providing hospital or medical expense benefits shall be delivered,
5 issued, executed or renewed in this State, or approved for issuance or
6 renewal in this State by the Commissioner of Banking and Insurance
7 on or after the effective date of this act, unless the contract provides
8 benefits to any subscriber or other person covered thereunder for
9 expenses incurred in conducting one baseline mammogram
10 examination for women who are at least 35 but less than 40 years of
11 age; **【one** mammogram examination every two years, or more
12 frequently if recommended by a physician, for women who are at least
13 40 but less than 50 years of age;**】** and one mammogram examination
14 every year for women age **【50】** 40 and over. These benefits shall be
15 provided to the same extent as for any other sickness under the
16 contract.

17 (cf: P.L.1991, c.279, s.3)

18

19 4. Section 4 of P.L.1991, c.279 (C.17B:26-2.1e) is amended to
20 read as follows:

21 4. No individual health insurance policy providing hospital or
22 medical expense benefits shall be delivered, issued, executed or
23 renewed in this State, or approved for issuance or renewal in this State
24 by the Commissioner of Banking and Insurance on or after the
25 effective date of this act, unless the policy provides benefits to any
26 named insured or other person covered thereunder for expenses
27 incurred in conducting one baseline mammogram examination for
28 women who are at least 35 but less than 40 years of age; **【one**
29 mammogram examination every two years, or more frequently if
30 recommended by a physician, for women who are at least 40 but less
31 than 50 years of age;**】** and one mammogram examination every year
32 for women age **【50】** 40 and over. These benefits shall be provided to
33 the same extent as for any other sickness under the policy.

34 (cf: P.L.1991, c 279, s.4)

35

36 5. Section 5 of P.L.1991, c279 (C.17B:27-46.1f) is amended to
37 read as follows:

38 5. No group health insurance policy providing hospital or medical
39 expense benefits shall be delivered, issued, executed or renewed in this
40 State, or approved for issuance or renewal in this State by the
41 Commissioner of Banking and Insurance on or after the effective date
42 of this act, unless the policy provides benefits to any named insured or
43 other person covered thereunder for expenses incurred in conducting
44 one baseline mammogram examination for women who are at least 35
45 but less than 40 years of age; **【one** mammogram examination every
46 two years, or more frequently if recommended by a physician, for

1 women who are at least 40 but less than 50 years of age;】 and one
2 mammogram examination every year for women age 【50】 40 and
3 over. These benefits shall be provided to the same extent as for any
4 other sickness under the policy.

5 (cf: P.L.1991, c.279, s.5)

6

7 6. Section 6 of P.L.1991, c.279 (C.26:2J-4.4) is amended to read
8 as follows:

9 6. Notwithstanding any provision of law to the contrary, a
10 certificate of authority to establish and operate a health maintenance
11 organization in this State shall not be issued or continued by the
12 Commissioner of Health and Senior Services on or after the effective
13 date of this act unless the health maintenance organization provides
14 health care services to any enrollee for the conduct of one baseline
15 mammogram examination for women who are at least 35 but less than
16 40 years of age; 【one mammogram examination every two years, or
17 more frequently if recommended by a physician, for women who are
18 at least 40 but less than 50 years of age;】 and one mammogram
19 examination every year for women age 【50】 40 and over. These
20 health care services shall be provided to the same extent as for any
21 other sickness.

22 (cf: P.L.1991, c.279, s.6)

23

24 7. This act shall take effect on the 90th day after enactment.

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26

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STATEMENT

28

29 This bill requires health insurers, including hospital service
30 corporations, medical service corporations, health service
31 corporations, commercial insurers and health maintenance
32 organizations, to provide health benefits coverage for annual
33 mammograms for women aged 40 and over. National organizations
34 such as the American Cancer Society, the American College of
35 Radiology and the National Cancer Institute recommend that women
36 should begin annual mammograms at age 40. Current law provides
37 health benefits coverage for the conduct of one mammogram
38 examination every two years, or more frequently if recommended by
39 a physician, for women who are at least 40 but less than 50 years of
40 age; and one mammogram examination every year for women age 50
41 and over.

42 Currently, one out of nine women in the United States contracts
43 breast cancer. Each year, breast cancer strikes about 180,000 women
44 and approximately 40,000 women die from the disease despite
45 improvements in surgical techniques and chemotherapy. However,
46 early breast self examinations and mammography screening have been

1 documented to significantly lower the death rate from breast cancer.

2

3

4

5

6 Requires health benefits coverage for annual mammograms for women

7 age 40 and over.

ASSEMBLY, No. 2133

STATE OF NEW JERSEY 208th LEGISLATURE

INTRODUCED JUNE 1, 1998

Sponsored by:

Assemblyman JOHN V. KELLY

District 36 (Bergen, Essex and Passaic)

Assemblyman JOSEPH V. DORIA, JR.

District 31 (Hudson)

Co-Sponsored by:

Assemblymen Felice, Augustine, Assemblywomen Crecco, Heck, Buono, Assemblyman Barnes, Assemblywoman Watson Coleman, Assemblyman Gusciora, Assemblywoman Gill, Assemblymen Tucker, Payne, Assemblywomen Previte, Murphy, Assemblymen Impreveduto, Cohen, Assemblywoman Friscia, Assemblymen Greenwald, Wisniewski, Stanley, Assemblywomen Pou, Weinberg, Assemblymen Gregg, Romano, Garcia, Green, Zisa, O'Toole, Luongo, Gibson, Thompson, LeFevre, Conaway, Asselta, Azzolina, Blee, Connors, Corodemus, Cottrell, DeCroce, DiGaetano, Geist, Kramer, Malone, Moran, Rooney, T.Smith and Zecker

SYNOPSIS

Requires health benefits coverage for annual mammograms for women age 40 and over.

CURRENT VERSION OF TEXT

As introduced.

(Sponsorship Updated As Of: 6/11/1999)

A2133 KELLY, DORIA

2

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42 breast cancer. Each year, breast cancer strikes about 180,000 women
43 and approximately 40,000 women die from the disease despite
44 improvements in surgical techniques and chemotherapy. However,
45 early breast self examinations and mammography screening have been
46 documented to significantly lower the death rate from breast cancer.

ASSEMBLY HEALTH COMMITTEE

STATEMENT TO

ASSEMBLY, No. 2133

STATE OF NEW JERSEY

DATED: JUNE 7, 1999

The Assembly Health Committee reports favorably Assembly Bill No. 2133.

This bill amends P.L.1991, c.279 to require health insurers, including hospital service corporations, medical service corporations, health service corporations, commercial insurers and health maintenance organizations, to provide health benefits coverage for annual mammograms for women who are 40 years of age and over. P.L.1991, c.279 currently provides health benefits coverage for the conduct of one mammogram examination every two years, or more frequently if recommended by a physician, for women who are at least 40 but less than 50 years of age; and one mammogram examination every year for women 50 years of age and over.

This bill is intended to reflect the recommendations of the American Cancer Society, the American College of Radiology and the National Cancer Institute (which is part of the National Institutes of Health) that women should begin annual mammograms at age 40.

SENATE HEALTH COMMITTEE

STATEMENT TO

ASSEMBLY, No. 2133

STATE OF NEW JERSEY

DATED: DECEMBER 6, 1999

The Senate Health Committee reports favorably Assembly Bill No. 2133.

This bill requires health insurers, including hospital, medical and health service corporations, commercial insurers and health maintenance organizations, to provide health benefits coverage for annual mammograms for women aged 40 and over.

National organizations such as the American Cancer Society, the American College of Radiology and the National Cancer Institute recommend that women should begin annual mammograms at age 40. Current law provides health benefits coverage for the conduct of one mammogram examination every two years, or more frequently if recommended by a physician, for women who are at least 40 but less than 50 years of age; and one mammogram examination every year for women age 50 and over.

Currently, one out of nine women in the United States contracts breast cancer. Each year, breast cancer strikes about 180,000 women and approximately 40,000 women die from the disease despite improvements in surgical techniques and chemotherapy. However, early breast self examinations and mammography screening have been documented to significantly lower the death rate from breast cancer.

Office of the Governor
NEWS RELEASE

CONTACT: Gene Herman
609-777-2600

RELEASE: January 10, 2000

Gov. Christie Whitman today signed the following pieces of legislation:

S-436, sponsored by Senators C. Louis Bassano (R-Essex/Union) and Diane B. Allen (R-Burlington/Camden), requires the Department of Health and Senior Services (DHSS) to prepare an informational pamphlet on the nature and causes of osteoporosis and methods used to treat and prevent osteoporosis. The bill appropriates \$25,000 from the General Fund to DHSS to fund the printing and distribution of the pamphlets.

S-1735, sponsored by Senators William L. Gormley (R-Atlantic) and John A. Girgenti (D-Passaic) and Assembly Members Kenneth C. LeFevre (R-Atlantic) and Francis J. Blee (R-Atlantic), amends the reckless endangerment statute to clarify that adulteration of a drink or other substance constitutes the fourth degree offense of reckless endangerment. Specifically, the bill clarifies that this offense is committed when a person purposely or knowingly gives another person a drink or other substance that is intoxicating, tranquilizing or disorienting, when that other person does not know the identity and effect of the drink or substance.

A-2775, sponsored by Assembly Members John V. Kelly (R-Bergen/Essex/Passaic) and Paul DiGaetano (R-Bergen/Essex/Passaic) and Senator Garry J. Furnari (D-Bergen/Essex/Passaic), provides a grant of \$75,000 to create a study skills program in the East Rutherford Boro School District to address the needs of at-risk pupils. Pupils who are at-risk will be determined by using multiple indicators, including test scores, writing portfolios, teacher recommendations, and parental input. Funding will be utilized for staffing, teaching materials and other supplies. The bill makes a supplemental appropriation to the Fiscal Year 2000 budget.

A-1019, sponsored by Assembly Members Charles Zisa (D-Bergen) and Alan M. Augustine (R-Middlesex/Morris/Somerset/Union), and Senator Joseph A. Palaia (R-Monmouth), provides that commencing on September 1, 2002, any buildings and grounds supervisor employed by a school district must be a certified educational facilities manager. The bill directs the State Board of Education to issue rules and regulations to administer the program. The bill provides that a certified educational facilities manager must meet specific requirements, including having two years of experience in the field of buildings and grounds supervision and graduate as a certified educational facilities manager from the New Jersey Educational Facility Management Program at Rutgers University, or an equivalent program at an accredited institution of higher learning.

A-2993, sponsored by Assembly Members Gerald J. Luongo (R-Camden/Gloucester) and Senator Robert E. Littell (R-Sussex/Hunterdon/Morris), excludes bonds supported by open space, recreation, farmland or historic preservation taxes from calculation of gross debt of a county or municipality. Gross debt is a measure used under the Local Bond Law to derive the net debt of a county or municipality for purposes of establishing a county or municipal debt limit.

A-1445, sponsored by Assembly Members Jack Collins (R- Salem/Cumberland/Gloucester) and Marion Crecco (R-Essex/Passaic) and Senators Norman Robertson (R-Essex/Passaic) and Anthony R. Bucco (R- Morris), permits a police officer enrolled in the Police and Firemen's Retirement System to purchase up to three years of service credit based on inactive time between a point of no-fault layoff and the point of rehiring the employee.

A-2133, sponsored by Assembly Members John V. Kelly (R- Bergen/Essex/Passaic) and Joseph V. Doria, Jr. (D-Hudson), requires health insurers, including hospital service corporations, medical service corporations, health service corporations, commercial insurers and health maintenance organizations to provide health benefits coverage for annual mammograms for women aged 40 and over. Previous law provided for annual mammogram coverage for women 50 and over; women who are at least 40, but less than 50, were provided coverage for biannual examinations.

S-1503, sponsored by Senator Richard J. Codey (D-Essex) and Assembly Members John V. Kelly (R-Bergen/Essex/Passaic) and Paul DiGaetano (R-Bergen/Essex/Passaic), revises pension benefits and employee contribution rates for members of certain board of education pension funds.

A-2943, sponsored by Assembly Members Jack Collins (R-Cumberland/Gloucester/Salem) and Christopher Bateman (R-Morris/Somerset) and Senators Robert W. Singer (R-Burlington/Monmouth/Ocean) and Diane B. Allen (R-Burlington/Camden), requires the return of unearned premiums on a pro rata basis for canceled automobile insurance policies. Previous law only required an insurer to return unpaid premiums on a short rate basis, which is an amount less than the pro rata basis because a percentage of administrative costs are charged to the insured.

A-1706, sponsored by Assembly Member John V. Kelly (R-Bergen/Essex/Passaic) and Senators Robert W. Singer (R-Burlington/Monmouth/Ocean) and Louis F. Kosco (R-Bergen), establishes a procedure to be followed by landlords of commercial or residential property when disposing of tangible property left behind in premises that had been vacated by a tenant.

S-1062, sponsored by Senators William L. Gormley (R-Atlantic) and Edward T. O'Connor, Jr. (D-Hudson) and Assembly Members Richard A. Merkt (R-Morris) and Michael Patrick Carroll (R-Morris), establishes a procedure for dealing with lost or abandoned property.

A-3298, sponsored by Assembly Members John S. Wisniewski (D-Middlesex) and Gerald J. Luongo (R-Camden/Gloucester) and Senators Joseph F. Vitale (D-Middlesex) and Nicholas J. Sacco (D-Bergen/Hudson), allows for re-certification of the special district tax for school districts if the school district's surplus account is higher than estimated at the school election in certain circumstances.

S-1697, sponsored by Senators William L. Gormley (R-Atlantic) and Wayne R. Bryant (D-Camden/Gloucester) and Assembly Members James W. Holzapfel (R- Monmouth/Ocean) and Kenneth C. LeFevre (R-Atlantic), authorizes a court to issue a restraining order prohibiting a person charged with, convicted of or adjudicated delinquent for any drug distribution offense or any offense involving the use or possession of an assault weapon from returning to the place where the offense occurred.

A-960, sponsored by Assembly Member Alan M. Augustine (R- Middlesex/Morris/Somerset /Union), requires pet shops to refund the purchase price, reimburse any veterinary fees, or provide replacement for sick cats or dogs under certain circumstances.

S-1273, sponsored by Senators Robert W. Singer (R- Burlington/Monmouth/Ocean) and Robert W. Littell (R-Sussex/Hunterdon/Morris) and Assembly Members Charlotte Vandervalk (R- Bergen) and Nicholas R. Felice (R-Bergen/Passaic), permits HMO enrollees residing in certain retirement communities with nursing homes to continue to receive care at that nursing facility under certain circumstances.

A-1653, sponsored by Assembly Members John V. Kelly (R- Bergen/Essex/Passaic) and Neil M. Cohen (D-Union) and Senator Gerald Cardinale (R-Bergen), requires health insurers, including hospital service corporations, medical service corporation, health service corporations, commercial insurers and health maintenance organizations to provide insurance coverage benefits for health wellness examinations and counseling. The bill appropriates \$95,000 to the Department of Health and Senior Services for allocation to the Health Wellness Promotion Advisory Board to evaluate implementation of the provisions of the bill and to ensure awareness and utilization of the health promotion program by covered persons and health care providers.

A-2461, sponsored by Assembly Member Gary W. Stuhltrager (R-Salem/Cumberland/ Gloucester), extends the cap on tax liability on transfers of hazardous substances to certain successors in interest.