

43:21-39

LEGISLATIVE HISTORY CHECKLIST

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LAWS OF: 2009 **CHAPTER:** 114

NJSA: 43:21-39 (Includes nurse midwives among medical professionals authorized to certify medical condition of individuals under "Temporary Disability Benefits Law" and "Work First New Jersey Act.")

BILL NO: S2231 (Substituted for A3110)

SPONSOR(S) Weinberg and Others

DATE INTRODUCED: October 16, 2008

COMMITTEE: **ASSEMBLY:** ---

SENATE: Health, Human Services and Senior Citizens Committee

AMENDED DURING PASSAGE: Yes

DATE OF PASSAGE: **ASSEMBLY:** June 25, 2009

SENATE: June 25, 2009

DATE OF APPROVAL: August 12, 2009

FOLLOWING ARE ATTACHED IF AVAILABLE:

FINAL TEXT OF BILL (Second reprint enacted)

S2231

SPONSOR'S STATEMENT: (Begins on page 7 of original bill)	Yes
COMMITTEE STATEMENT:	ASSEMBLY: No
	SENATE: Yes

(Audio archived recordings of the committee meetings, corresponding to the date of the committee statement, *may possibly* be found at www.njleg.state.nj.us)

FLOOR AMENDMENT STATEMENT:	Yes
LEGISLATIVE FISCAL NOTE:	No

A3110

SPONSOR'S STATEMENT: (Begins on page 7 of original bill)	Yes
COMMITTEE STATEMENT:	ASSEMBLY: Yes
	SENATE: No

FLOOR AMENDMENT STATEMENT:	Yes	3-5-09 6-25-09
LEGISLATIVE FISCAL NOTE:	No	

(continued)

VETO MESSAGE:

No

GOVERNOR'S PRESS RELEASE ON SIGNING:

Yes 8-12-09

FOLLOWING WERE PRINTED:

To check for circulating copies, contact New Jersey State Government Publications at the State Library (609) 278-2640 ext. 103 or <mailto:refdesk@njstatelib.org>

REPORTS:

No

HEARINGS:

No

NEWSPAPER ARTICLES:

Yes

"Governor Corzine signs maternity health legislation," NewJerseyNewsroom.com, 8-13-10, <http://www.newjerseynewsroom.com/healthquest/governor-corzine-signs-maternity-health-legislation>

LAW/RWH

[Second Reprint]
SENATE, No. 2231

STATE OF NEW JERSEY
213th LEGISLATURE

INTRODUCED OCTOBER 16, 2008

Sponsored by:

Senator LORETTA WEINBERG

District 37 (Bergen)

Senator ROBERT M. GORDON

District 38 (Bergen)

Assemblywoman CARIDAD RODRIGUEZ

District 33 (Hudson)

Assemblywoman VALERIE VAINIERI HUTTLE

District 37 (Bergen)

Co-Sponsored by:

Assemblywoman Riley

SYNOPSIS

Includes nurse midwives among medical professionals authorized to certify medical condition of individuals under "Temporary Disability Benefits Law" and "Work First New Jersey Act."

CURRENT VERSION OF TEXT

As amended by the General Assembly on March 16, 2009.



(Sponsorship Updated As Of: 6/26/2009)

1 AN ACT concerning nurse midwives and amending P.L.1948, c.110
2 and P.L.1997, c.38.

3

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

6

7 1. Section 15 of P.L.1948, c.110 (C.43:21-39) is amended to
8 read as follows:

9 15. Limitation of benefits. Notwithstanding any other provision
10 of the "Temporary Disability Benefits Law," P.L.1948, c.110
11 (C.43:21-25 et al.), no benefits shall be payable under the State plan
12 to any individual:

13 (a) for the first seven consecutive days of each period of
14 disability; except that:

15 (1) if benefits shall be payable for three consecutive weeks with
16 respect to any period of disability, then benefits shall also be
17 payable with respect to the first seven days thereof;

18 (2) in the case of intermittent leave in a single period of family
19 temporary disability leave taken to provide care for a family
20 member of the individual with a serious health condition, benefits
21 shall be payable with respect to the first day of leave taken after the
22 first one-week period following the commencement of the period of
23 family temporary disability leave and each subsequent day of leave
24 during that period of family temporary disability leave; and if
25 benefits become payable on any day after the first three weeks in
26 which leave is taken, then benefits shall also be payable with
27 respect to any leave taken during the first one-week period in which
28 leave is taken; and

29 (3) in the case of an individual taking family temporary
30 disability leave immediately after the individual has a period of
31 disability for the individual's own disability, there shall be no
32 waiting period between the period of the individual's own disability
33 and the period of family temporary disability;

34 (b) (1) for more than 26 weeks with respect to any one period of
35 disability of the individual;

36 (2) for more than six weeks with respect to any one period of
37 family temporary disability leave, or more than 42 days with
38 respect to any one period of family temporary disability leave taken
39 on an intermittent basis to provide care for a family member of the
40 individual with a serious health condition; and

41 (3) for more than six weeks of family temporary disability leave
42 during any 12-month period, or more than 42 days of family
43 temporary disability leave taken during any 12-month period, on an
44 intermittent basis to provide care for a family member of the

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:

¹Senate SHH committee amendments adopted October 27, 2008.

²Assembly floor amendments adopted March 16, 2009.

1 individual with a serious health condition, including family
2 temporary disability leave taken pursuant to R.S.43:21-4(f)(2) while
3 unemployed;

4 (c) for any period of disability which did not commence while
5 the claimant was a covered individual;

6 (d) for any period of disability of a claimant during which the
7 claimant is not under the care of a legally licensed ¹['or certified']
8 physician, dentist, optometrist, podiatrist, practicing psychologist,
9 advanced practice nurse, ²certified² nurse midwife, or chiropractor,
10 who, when requested by the division, shall certify within the scope
11 of the practitioner's practice, the disability of the claimant, the
12 probable duration thereof, and, where applicable, the medical facts
13 within the practitioner's knowledge or for any period of family
14 temporary disability leave for a serious health condition of a family
15 member of the claimant, during which the family member is not
16 receiving inpatient care in a hospital, hospice, or residential medical
17 care facility or is not subject to continuing medical treatment or
18 continuing supervision by a health care provider, who, when
19 requested by the division, shall certify within the scope of the
20 provider's practice, the serious health condition of the family
21 member, the probable duration thereof, and, where applicable, the
22 medical facts within the provider's knowledge;

23 (e) (Deleted by amendment, P.L.1980, c.90.)

24 (f) for any period of disability due to willfully and intentionally
25 self-inflicted injury, or to injury sustained in the perpetration by the
26 claimant of a crime of the first, second, third, or fourth degree, or
27 for any period during which a covered individual would be
28 disqualified for unemployment compensation benefits for gross
29 misconduct under subsection (b) of R.S.43:21-5;

30 (g) for any period during which the claimant performs any work
31 for remuneration or profit;

32 (h) in a weekly amount which together with any remuneration
33 the claimant continues to receive from the employer would exceed
34 regular weekly wages immediately prior to disability;

35 (i) for any period during which a covered individual would be
36 disqualified for unemployment compensation benefits under
37 subsection (d) of R.S.43:21-5, unless the disability commenced
38 prior to such disqualification;

39 and there shall be no other cause of disqualification or ineligibility
40 to receive disability benefits hereunder except as may be
41 specifically provided in this act.

42 (cf: P.L.2008, c.17, s.6)

43
44 2. Section 25 of P.L.1948, c.110 (C.43:21-49) is amended to
45 read as follows:

46 25. (a) (1) Every employer shall post, in prominent locations,
47 notices to employees in the form provided by the division of
48 whether the employer is permitted or required to participate in a

1 temporary disability benefits program pursuant to the "Temporary
2 Disability Benefits Law," P.L.1948, c.110 (C.43:21-25 et seq.), and
3 whether the employer does or does not participate. For employers
4 who participate in a temporary disability benefits program, the
5 notice shall also describe the temporary disability benefits available
6 to the employees and prominently disclose that pregnancy is
7 regarded by law as a disability and that pregnant employees are
8 regarded as disabled and entitled to temporary disability benefits to
9 the same extent as other disabled employees. Upon the request of
10 an employer, the division shall, without charge, provide the
11 employer with a copy of each applicable notice, suitable for
12 reproduction by the employer. Each employer participating in the
13 State plan or a private plan shall give a printed copy of benefit
14 instructions to any disabled employee as soon as the employer
15 becomes aware of the disability.

16 (2) In addition, in the event of the disability of any individual
17 covered under the State plan, the employer shall, on the ninth day of
18 disability, issue to the individual and to the division printed notices
19 on division forms containing the name, address and Social Security
20 number of the individual, such wage information as the division
21 may require to determine the individual's eligibility for benefits,
22 and the name, address, and division identity number of the
23 employer. Not later than 30 days after the commencement of the
24 period of disability for which such notice is furnished, the
25 individual shall furnish to the division a notice and claim for
26 disability benefits under the State plan or for disability during
27 unemployment. Upon the submission of such notices by the
28 employer and the individual, the division may issue benefit
29 payments for periods not exceeding three weeks pending the receipt
30 of medical proof. When requested by the division, such notice and
31 proof shall include certification of total disability by the attending
32 physician, or a record of hospital confinement. Failure to furnish
33 notice and proof within the time or in the manner above provided
34 shall not invalidate or reduce any claim if it shall be shown to the
35 satisfaction of the division not to have been reasonably possible to
36 furnish such notice and proof and that such notice and proof was
37 furnished as soon as reasonably possible.

38 (b) A person claiming benefits under the State plan or for
39 disability during unemployment shall, when requested by the
40 division, submit at intervals, but not more often than once a week,
41 to an examination by a legally licensed ¹[or certified]¹ physician,
42 dentist, podiatrist, chiropractor, ²certified² nurse midwife, advanced
43 practice nurse or public health nurse designated by the division. In
44 all cases of physical examination of a claimant, the examination
45 shall be made by a designee of the division, who shall be the same
46 sex as the claimant if so requested by the claimant. All such
47 examinations by physicians, dentists, podiatrists, chiropractors,
48 ²certified² nurse midwives or nurses designated by the division

1 shall be without cost to the claimant and shall be held at a
2 reasonable time and place. Refusal to submit to such a requested
3 examination shall disqualify the claimant from all benefits for the
4 period of disability in question, except as to benefits already paid.

5 (c) All medical records of the division, except to the extent
6 necessary for the proper administration of this act, shall be
7 confidential and shall not be published or be open to public
8 inspection (other than to public employees in the performance of
9 their public duties) in any manner revealing the identity of the
10 claimant, or the nature or cause of disability nor admissible in
11 evidence in any action or special proceeding other than one arising
12 under this act.

13 (cf: P.L.2005, c.106, s.1)

14
15 3. Section 8 of P.L.1997, c.38 (C.44:10-62) is amended to read
16 as follows:

17 8. a. As defined by the commissioner, each adult recipient shall
18 continuously and actively seek employment in an effort to remove
19 the assistance unit of which the recipient is a member from the
20 program. A recipient may be assigned to a work activity as
21 determined by the commissioner. The recipient shall sign an
22 individual responsibility plan, as provided in subsection f. of this
23 section, in order to be able to participate in the program, which
24 shall indicate the terms of the work activity requirements that the
25 recipient must fulfill in order to continue to receive benefits.

26 b. In accordance with Pub.L.104-193 (42U.S.C. s. 601 et seq.), a
27 recipient in an assistance unit with dependent children shall
28 commence participation in a work activity, self-directed job search
29 or other activities as determined by the commissioner at some time
30 prior to having received 24 months of benefits; except that if the
31 recipient is a full-time post-secondary student in a course of study
32 related to employment as defined by regulation of the
33 commissioner, the recipient shall be required to engage in another
34 work activity for no more than 15 hours a week, subject to the
35 recipient making satisfactory progress toward the completion of the
36 post-secondary course of study as determined by the commissioner.

37 c. A recipient shall comply with work activity participation
38 requirements as a condition of remaining eligible for benefits. In
39 accordance with the requirements of Pub.L.104-193 (42U.S.C. s.
40 601 et seq.), a minimum participation rate of 25% shall be realized
41 in federal fiscal year 1997. The participation rate shall increase by
42 5% in each federal fiscal year to a level of 50% in federal fiscal
43 year 2002 and thereafter. For two-parent assistance units with
44 dependent children receiving benefits, the participation rate shall be
45 75% for federal fiscal years 1997 and 1998 and 90% in federal
46 fiscal year 1999 and thereafter. The participation rate shall be
47 calculated in accordance with federal requirements. A recipient

1 may be required to participate in one or more work activities for a
2 maximum aggregate hourly total of 40 hours per week.

3 d. A recipient shall not be required to engage in a work activity
4 if child care, including the unavailability of after-school child care
5 for children over six years of age, is unavailable for the recipient's
6 dependent child, as determined by regulation of the commissioner.

7 e. A recipient may temporarily be deferred from work activity
8 requirements as provided for by the commissioner if the recipient
9 is:

10 (1) a woman in the third trimester of pregnancy;

11 (2) a person certified by an examining ²legally licensed²
12 physician or ²legally licensed certified² nurse midwife, acting
13 within the scope of the practitioner's profession, to be unable, by
14 reason of a physical or mental defect, disease or impairment, to
15 engage in any gainful occupation for any period less than 12
16 months; or

17 (3) the parent or relative of a child under the age of 12 weeks
18 who is providing care for that child, except that, the deferral may be
19 extended for an appropriate period of time if determined to be
20 medically necessary for the parent or child.

21 f. Upon a determination of eligibility for benefits, each adult
22 recipient not otherwise deferred or exempted under this act shall be
23 given an assessment of that person's potential and readiness for
24 work, including, but not limited to, skills, education, past work
25 experience and any barriers to securing employment, including a
26 screening and assessment for substance abuse, as appropriate. For
27 all recipients not deferred or exempt, an annual individual
28 responsibility plan shall be developed jointly by the county agency
29 or municipal welfare agency, as appropriate, and recipient
30 specifying the steps that will be taken by each to assist the recipient
31 to secure employment. The individual responsibility plan shall
32 include specific goals for each adult member or minor parent in the
33 assistance unit, and may include specific goals for a dependent
34 child member of the assistance unit. The goals, as determined by
35 regulation of the commissioner, shall include, but not be limited to,
36 requirements for parental participation in a dependent child's
37 primary school program, immunizations for a dependent child, and
38 regular school attendance by a dependent child. Recipients who are
39 job ready shall be placed immediately in a self-directed job search.
40 Within the amount of funds allocated by the commissioner for this
41 purpose, other recipients shall be placed in an appropriate work
42 activity as indicated by their individual assessments.

43 g. The county agency or municipal welfare agency, as
44 appropriate, shall ensure the provision of necessary case
45 management for recipients, as appropriate to their degree of job
46 readiness, pursuant to regulations adopted by the commissioner.
47 The most intensive case management shall be directed to those
48 recipients facing the most serious barriers to employment.

1 h. (1) A recipient shall not be placed or utilized in a position at a
2 particular workplace:

3 (a) that was previously filled by a regular employee if that
4 position, or a substantially similar position at that workplace, has
5 been made vacant through a demotion, substantial reduction of
6 hours or a layoff of a regular employee in the previous 12 months,
7 or has been eliminated by the employer at any time during the
8 previous 12 months;

9 (b) in a manner that infringes upon a wage rate or an
10 employment benefit, or violates the contractual overtime provisions
11 of a regular employee at that workplace;

12 (c) in a manner that violates an existing collective bargaining
13 agreement or a statutory provision that applies to that workplace;

14 (d) in a manner that supplants or duplicates a position in an
15 existing, approved apprenticeship program;

16 (e) by or through an employment agency or temporary help
17 service firm as a community work experience or alternative work
18 experience worker;

19 (f) if there is a contractual or statutory recall right to that
20 position at that workplace; or

21 (g) if there is an ongoing strike or lockout at that workplace.

22 (2) A person who believes that he has been adversely affected
23 by a violation of this subsection, or the organization that is duly
24 authorized to represent the collective bargaining unit to which that
25 person belongs, shall be afforded an opportunity to meet with a
26 designee of the Commissioner of Labor and Workforce
27 Development or the Governor's Office of Employee Relations, as
28 appropriate. The designee shall attempt to resolve the complaint of
29 the alleged violation within 30 days of the date of the request for
30 the meeting. The Commissioner of Labor and Workforce
31 Development, in consultation with the Governor's Office of
32 Employee Relations, shall adopt regulations to effectuate the
33 provisions of this subsection. In the event that the complaint is not
34 resolved within the 30-day period, the complainant may appeal to
35 the New Jersey State Board of Mediation in the Department of
36 Labor and Workforce Development for expedited binding
37 arbitration in accordance with the rules of the board. If the
38 arbitrator determines that a violation has occurred, he shall provide
39 an appropriate remedy. The cost of the arbitration shall be borne
40 equally by both parties to the dispute.

41 (3) Nothing in this subsection shall be construed to prevent a
42 collective bargaining agreement from containing additional
43 protections for a regular employee.

44 i. The commissioner, acting in conjunction with the
45 Commissioners of Banking and Insurance, **【Commerce and**
46 **Economic Development,】** Community Affairs, Education, Health
47 and Senior Services, Labor and Workforce Development and
48 Transportation, shall implement all elements of the program and

S2231 [2R] WEINBERG, GORDON

8

1 establish initiatives to assist in moving recipients towards self-
2 sufficiency.

3 j. The commissioner shall take such actions as are necessary to
4 ensure that the program meets the requirements to qualify for the
5 maximum amount of federal funds due the State under Pub.L.104-
6 193 (42.U.S.C. s. 601 et seq.).

7 k. The commissioner is authorized to seek such waivers from the
8 federal government as are necessary to accomplish the goals of the
9 program.

10 (cf: P.L.1997, c.38, s.8)

11

12 4. This act shall take effect immediately.

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4 ensure that the program meets the requirements to qualify for the
5 maximum amount of federal funds due the State under Pub.L.104-
6 193 (42.U.S.C. s. 601 et seq.).

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8 federal government as are necessary to accomplish the goals of the
9 program.

10 (cf: P.L.1997, c.38, s.8)

11

12 4. This act shall take effect immediately.

13

14

15

SPONSORS STATEMENT

16

17 This bill permits a certified nurse midwife to certify the
18 disability of an individual for temporary disability payments, thus
19 adding to the list of authorized professionals who may examine,
20 certify and treat disability claimants under the "Temporary
21 Disability Benefits Law" (N.J.S.A..43:21-25 et al.). In addition, the
22 bill amends a provision of law pertaining to the "Work First New
23 Jersey Act," established pursuant to P.L.1977, c.38 (N.J.S.A..44:10-
24 55 et seq.), that currently allows examining physicians to certify
25 that an individual is unable to engage in a gainful occupation for a
26 period of less than 12 months under certain circumstances. The bill
27 permits examining certified nurse midwives acting within the scope
28 of their profession to also so certify.

SENATE HEALTH, HUMAN SERVICES AND SENIOR
CITIZENS COMMITTEE

STATEMENT TO

SENATE, No. 2231

with committee amendments

STATE OF NEW JERSEY

DATED: OCTOBER 27, 2008

The Senate Health, Human Services and Senior Citizens Committee reports favorably and with committee amendments Senate Bill No. 2231.

As amended by the committee, this bill permits a nurse midwife to certify the disability of an individual for temporary disability payments, thus adding to the list of authorized professionals who may examine, certify and treat disability claimants under the "Temporary Disability Benefits Law" (N.J.S.A.43:21-25 et al.). In addition, the bill amends a provision of law pertaining to the "Work First New Jersey Act," established pursuant to P.L.1977, c.38 (N.J.S.A..44:10-55 et seq.), that currently allows examining physicians to certify that an individual is unable to engage in a gainful occupation for a period of less than 12 months under certain circumstances. The bill permits examining nurse midwives acting within the scope of their profession to also so certify.

The committee amended the bill to clarify that its provisions would apply only to licensed nurse midwives, rather than licensed or certified midwives, as the bill originally provided.

STATEMENT TO
[First Reprint]
SENATE, No. 2231

with Assembly Floor Amendments
(Proposed by Assemblywoman RODRIGUEZ)

ADOPTED: MARCH 16, 2009

These Assembly amendments clarify that the provisions of the bill which apply to nurse midwives apply only to legally licensed, certified nurse midwives.

1 (c) All medical records of the division, except to the extent
2 necessary for the proper administration of this act, shall be
3 confidential and shall not be published or be open to public
4 inspection (other than to public employees in the performance of
5 their public duties) in any manner revealing the identity of the
6 claimant, or the nature or cause of disability nor admissible in
7 evidence in any action or special proceeding other than one arising
8 under this act.

9 (cf: P.L.2005, c.106, s.1)

10
11 4. This act shall take effect immediately.

12
13
14 SPONSOR'S STATEMENT

15
16 This bill includes midwives among the medical professionals
17 who are authorized, under certain labor laws, to: (1) issue
18 statements of physical fitness to minors; and (2) examine or treat
19 individuals and certify disabilities.

20 Currently, a minor must receive a statement of physical fitness,
21 signed by an authorized medical professional, to obtain working
22 papers. This bill adds midwives to the list of authorized medical
23 professionals who may issue statements of physical fitness to
24 minors who desire employment and who require working papers.

25 The bill also allows midwives to examine, certify and treat
26 disability claimants under the "Temporary Disability Benefits Law,"
27 P.L.1948, c.110, (C.43:21-25 et seq.). Currently, under that law, no
28 disability benefits are paid under the State plan to any claimant who
29 is not under the care of an authorized medical professional or who
30 does not submit to an examination by an authorized medical
31 professional. This bill expands the categories of authorized medical
32 professionals to include midwives.

ASSEMBLY LABOR COMMITTEE

STATEMENT TO

ASSEMBLY, No. 3110

with committee amendments

STATE OF NEW JERSEY

DATED: NOVEMBER 13, 2008

The Assembly Labor Committee reports favorably and with committee amendments Assembly Bill No. 3110.

As amended by the committee, this bill permits a nurse midwife to certify the disability of an individual for temporary disability payments, thus adding to the list of authorized professionals who may examine, certify and treat disability claimants under the "Temporary Disability Benefits Law" (N.J.S.A.43:21-25 et al.). In addition, the bill amends a provision of law pertaining to the "Work First New Jersey Act," established pursuant to P.L.1977, c.38 (N.J.S.A..44:10-55 et seq.), that currently allows examining physicians to certify that an individual is unable to engage in a gainful occupation for a period of less than 12 months under certain circumstances. The bill permits examining nurse midwives acting within the scope of their profession to also so certify.

COMMITTEE AMENDMENTS

The committee amended the bill to:

1. Clarify that the bill's provisions would apply only to nurse midwives, rather than midwives, as the bill originally provided;
2. Delete the provision of the bill adding midwives to the medical professionals authorized to issue statements of physical fitness needed for minors to obtain working papers; and
3. Amend the "Work First New Jersey Act," P.L.1997, c.38 (N.J.S.A.44:10-55 et seq.), to permit examining nurse midwives acting within the scope of their profession to certify that an individual is unable to engage in a gainful occupation due to a disability related to pregnancy or childbirth. Currently, that law allows only examining physicians to make such certifications.

STATEMENT TO
[First Reprint]
ASSEMBLY, No. 3110

with Assembly Floor Amendments
(Proposed By Assemblywoman VANIERI HUTTLE)

ADOPTED: MARCH 5, 2009

These Assembly amendments clarify that the provisions of the bill which apply to nurse midwives apply only to legally licensed, certified nurse midwives.

STATEMENT TO
[Second Reprint]
ASSEMBLY, No. 3110

with Assembly Floor Amendments
(Proposed by Assemblywomen RODRIGUEZ)

ADOPTED: JUNE 25, 2009

These amendments update the title and synopsis of the bill to more accurately reflect the current version of the bill, and to make it identical to Senate Bill, No.2231 (2R).

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Governor**For Immediate Release:**
Date: August 12, 2009**For More Information:**
Robert Corrales
Phone: 609-777-2600

Governor Corzine Signs Health Legislation

Measures enhance insurance and provider services for pregnant women

NEWARK - During his visit to the Newark Community Health Center, Governor Jon S. Corzine today signed two pieces of legislation that improve a woman's access to health insurance coverage for maternity services by ensuring timely reimbursement to health providers and empowering nurse midwives to certify patient medical conditions for certain disability decisions.

"The stability of our healthcare systems is of utmost concerns to all Americans," said Governor Corzine. "These two bills that I am signing represent our continued attention toward the delivery of quality health care services, equally focusing on the patient, and those that provide these vital services."

The first bill, A-2539 /S-1125, requires health care insurance carriers to reimburse obstetrical providers in installment payments for maternity services provided over the term of a woman's pregnancy, rather than after the birth of the child. Covered payments will now occur on an on-going basis and include office visits, other pre-natal care, as well as the delivery of the baby.

"This bill is a strong step forward, and will enhance a woman's right to choose the best doctors and medical professionals offering prenatal care in New Jersey," said Senator Nia H. Gill, (D-Essex and Passaic). "Under the previous reimbursement rules, maternity care specialists would have to provide months and thousands of dollars worth of care to their patients before seeing one penny of reimbursement from the patient's insurance provider. By switching to installment payments, we can make sure medical professionals receive payment for services rendered, and expecting moms get the best care they can in the Garden State."

"Asking medical professionals to go for almost a year without getting paid borders on the absurd," said Assemblywoman Caridad Rodriguez (D-Hudson). "Allowing them to be paid on an ongoing basis is a much more equitable and fair way to handle maternity services coverage."

"We are doing more today than simply changing the way maternity service providers are paid," said Assemblyman Ruben J. Ramos Jr., (D-Hudson). "We have laid the groundwork for more enthusiastic care on the part of obstetricians and midwives, which in turn will hopefully lead to more professionals opening shop in New Jersey."

Primary sponsors of the legislation include Senator Gill and Assemblymembers Rodriguez and Ramos.

The second bill, S-2231/A-3110 adds nurse midwives to the list of medical professionals who can certify medical conditions of individuals under New Jersey's "Temporary Disability Benefits Law" and "Work First New Jersey Act."

"During a pregnancy, it is often a nurse midwife who has substantial direct contact with the mother and therefore has expert knowledge regarding a disability, or a serious health condition requiring temporary leave from work," said Senator Loretta Weinberg (D-Bergen), Vice-Chairwoman of the Senate Health Committee. "It's only appropriate that licensed nurse midwives have the latitude to make these determinations."

"I want to thank Governor Corzine for expanding the ability of midwives to care for New Jersey's women," said Health Commissioner Heather Howard. "By expanding the important role of midwives as health care providers, we are improving access to critical prenatal and preconception care that helps ensure women have a healthy pregnancy and a healthy baby."

This is of particular importance at Newark Community Health Centers, Inc. (NCHC), a network of federally qualified health care centers, where nurse midwives have an increasingly-important role in monitoring the health of expectant mothers, and delivering pre-natal care. During the 2009 Fiscal Year, Newark received \$700,000 in State funds to expand and provide more prenatal care services to the center's service population.

"New Jersey's trained and licensed nurse midwives already are empowered to make a host of medical decisions for women, including the ability to write prescriptions," said Assemblywoman Caridad Rodriguez (D-Hudson). "Including them in the decision-making process for disability benefits in New Jersey just makes sense."

"Following an accident, surgery or prolonged illness, many women may be without easy access to a physician, except through a visit to the emergency room," said Assemblywoman Valerie Vainieri Huttle (D-Bergen). "Allowing women under the care of a nurse midwife access to many of the same services available to women under a doctor's care, therefore, becomes especially important."

Legislative sponsors of the measure include Senators Weinberg and Gordon and Assemblymembers Rodriguez and Vainieri Huttle.

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