

17:48E-35.13

LEGISLATIVE HISTORY CHECKLIST
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(Prostate insurance coverage)

NJSA: 17:48E-35.13 et al

LAWS OF: 1996 CHAPTER: 125

BILL NO: A1077

SPONSOR(S): Sinagra

DATE INTRODUCED: May 9, 1996

ASSEMBLY: Insurance

SENATE: Health

AMENDED DURING PASSAGE: Yes Amendments during passage
Second reprint enacted denoted by superscript numbers

DATE OF PASSAGE: ASSEMBLY: October 24, 1996

SENATE: July 25, 1996

DATE OF APPROVAL: November 6, 1996

FOLLOWING STATEMENTS ARE ATTACHED IF AVAILABLE:

SPONSOR STATEMENT: Yes

COMMITTEE STATEMENT: ASSEMBLY: Yes

SENATE: Yes

FISCAL NOTE: No

VETO MESSAGE: No

MESSAGE ON SIGNING: Yes

FOLLOWING WERE PRINTED:

REPORTS: No

HEARINGS: No

See newspaper clipping--attached:

"Law mandates health coverage..." 11-7-96, Asbury Park Press.

KBP:pp

[Second Reprint]
SENATE, No. 1077

STATE OF NEW JERSEY

INTRODUCED MAY 9, 1996

By Senators SINAGRA, BUBBA, Codey, Kosco, Inverso,
Matheussen and Baer

1 AN ACT requiring health insurance benefits for testing for prostate
2 cancer and supplementing Titles 17 and 26 of the Revised Statutes
3 and Title 17B of the New Jersey Statutes.

4

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

7

8 1. No health service corporation contract providing hospital or
9 medical expense benefits for groups with greater than 49 persons shall
10 be delivered, issued, executed or renewed in this State, or approved
11 for issuance or renewal in this State by the Commissioner of Insurance
12 on or after the effective date of this act, unless the contract provides
13 benefits to any named subscriber or other person covered thereunder
14 for expenses incurred in conducting an annual medically recognized
15 diagnostic examination including, but not limited to, a digital rectal
16 examination¹ **[, transrectal ultrasonography]**¹ and a prostate-specific
17 anitgen test for men age 50 and over who are asymptomatic and for
18 men age 40 and over with a family history of prostate cancer or other
19 prostate cancer risk factors.

20 The benefits shall be provided to the same extent as for any other
21 medical condition under the contract.

22 This section shall apply to all health service corporation contracts
23 in which the health service corporation has reserved the right to
24 change the premium.

25

26 2. No hospital service corporation contract providing hospital or
27 medical expense benefits for groups with greater than 49 persons shall
28 be delivered, issued, executed or renewed in this State, or approved
29 for issuance or renewal in this State by the Commissioner of Insurance
30 on or after the effective date of this act, unless the contract provides

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.

Matter enclosed in superscript numerals has been adopted as follows:

¹ Senate SHH committee amendments adopted June 20, 1996.

² Assembly AIN committee amendments adopted October 7, 1996.

1 benefits to any named subscriber or other person covered thereunder
2 for expenses incurred in conducting an annual medically recognized
3 diagnostic examination including, but not limited to, a digital rectal
4 examination¹ [, transrectal ultrasonography]¹ and a prostate-specific
5 anitgen test for men age 50 and over who are asymptomatic and for
6 men age 40 and over with a family history of prostate cancer or other
7 prostate cancer risk factors.

8 The benefits shall be provided to the same extent as for any other
9 medical condition under the contract.

10 This section shall apply to all hospital service corporation contracts
11 in which the hospital service corporation has reserved the right to
12 change the premium.

13

14 3. No medical service corporation contract providing hospital or
15 medical expense benefits for groups with greater than 49 persons shall
16 be delivered, issued, executed or renewed in this State, or approved
17 for issuance or renewal in this State by the Commissioner of Insurance
18 on or after the effective date of this act, unless the contract provides
19 benefits to any named subscriber or other person covered thereunder
20 for expenses incurred in conducting an annual medically recognized
21 diagnostic examination including, but not limited to, a digital rectal
22 examination¹ [, transrectal ultrasonography]¹ and a prostate-specific
23 anitgen test for men age 50 and over who are asymptomatic and for
24 men age 40 and over with a family history of prostate cancer or other
25 prostate cancer risk factors.

26 The benefits shall be provided to the same extent as for any other
27 medical condition under the contract.

28 This section shall apply to all medical service corporation contracts
29 in which the medical service corporation has reserved the right to
30 change the premium.

31

32 4. No group health insurance policy providing hospital or medical
33 expense benefits for groups with greater than 49 persons shall be
34 delivered, issued, executed or renewed in this State, or approved for
35 issuance or renewal in this State by the Commissioner of Insurance on
36 or after the effective date of this act, unless the policy provides
37 benefits to any named insured or other person covered thereunder for
38 expenses incurred in conducting an annual medically recognized
39 diagnostic examination including, but not limited to, a digital rectal
40 examination¹ [, transrectal ultrasonography]¹ and a prostate-specific
41 anitgen test for men age 50 and over who are asymptomatic and for
42 men age 40 and over with a family history of prostate cancer or other
43 prostate cancer risk factors.

44 The benefits shall be provided to the same extent as for any other
45 medical condition under the policy.

46 This section shall apply to all group health insurance policies in

1 which the health insurer has reserved the right to change the premium.

2

3 5. A certificate of authority to establish and operate a health
4 maintenance organization in this State shall not be issued or continued
5 by the Commissioner of Health on or after the effective date of this act
6 unless the health maintenance organization ²~~offers~~ provides ² health
7 care services to any enrollee which include an annual medically
8 recognized diagnostic examination including, but not limited to, a
9 digital rectal examination¹~~], transrectal ultrasonography]~~ ¹and a
10 prostate-specific antigen test for men age 50 and over who are
11 asymptomatic and for men age 40 and over with a family history of
12 prostate cancer or other prostate cancer risk factors.

13 The health care services shall be provided to the same extent as for
14 any other medical condition under the contract.

15 The provisions of this section shall apply to all contracts for health
16 care services by health maintenance organizations under which the
17 right to change the schedule of charges for enrollee coverage is
18 reserved.

19

20 6. This act shall take effect on the 30th day after enactment.

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23

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25 _____
Requires insurers to provide coverage for prostate cancer tests.

1 diagnostic examination including, but not limited to, a digital rectal
2 examination, transrectal ultrasonography and a prostate-specific
3 anitgen test for men age 50 and over who are asymptomatic and for
4 men age 40 and over with a family history of prostate cancer or other
5 prostate cancer risk factors.

6 The health care services shall be provided to the same extent as for
7 any other medical condition under the contract.

8 The provisions of this section shall apply to all contracts for health
9 care services by health maintenance organizations under which the
10 right to change the schedule of charges for enrollee coverage is
11 reserved.

12

13 6. This act shall take effect on the 30th day after enactment.

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STATEMENT

17

18 This bill requires all health insurers which cover groups with 50 or
19 more persons and health maintenance organizations to provide benefits
20 for an annual medically recognized diagnostic examination including,
21 but not limited to, a digital rectal examination, transrectal
22 ultrasonography and a prostate-specific anitgen (PSA) test for men age
23 50 and over who are asymptomatic and for men age 40 and over with
24 a family history of prostate cancer or other prostate cancer risk
25 factors. The PSA blood test was recently approved by the federal Food
26 and Drug Administration to help detect prostate cancer in men when
27 used in conjunction with a digital rectal examination.

28 Prostate cancer is the second leading cause of cancer death in men,
29 and the American Cancer Society estimates that the disease will kill
30 41,400 men in 1996. An estimated 317,100 new cases in the United
31 States will be detected in 1996. Between 1980 and 1990, prostate
32 cancer incidence rates increased 50%, largely due to improved
33 detection. It is expected that there will be further increases in the
34 incidence of this disease with widespread use of PSA blood tests and
35 accompanying diagnostic examinations.

36

37

38

39

40 Requires insurers to provide coverage for prostate cancer tests.

ASSEMBLY INSURANCE COMMITTEE

STATEMENT TO

[First Reprint]
SENATE, No. 1077

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with committee amendments

STATE OF NEW JERSEY

DATED: OCTOBER 7, 1996

The Assembly Insurance Committee reports favorably and with committee amendments Senate Bill No. 1077 (1R).

This bill, as amended, requires all health insurers which cover groups with 50 or more persons and health maintenance organizations to provide benefits for an annual medically recognized diagnostic examination for prostate cancer including, but not limited to, a digital rectal examination and a prostate-specific antigen (PSA) test for men age 50 and over who are asymptomatic and for men age 40 and over with a family history of prostate cancer or other prostate cancer risk factors. The PSA blood test was recently approved by the federal Food and Drug Administration to help detect prostate cancer in men when used in conjunction with a digital rectal examination.

The committee amended the bill to clarify that health maintenance organizations are required to provide the health care services required by this bill.

As reported by the committee, this bill is identical to Assembly, No. 1964 (1R).

SENATE HEALTH COMMITTEE

STATEMENT TO

SENATE, No. 1077

with committee amendments

STATE OF NEW JERSEY

DATED: JUNE 20, 1996

The Senate Health Committee reports favorably Senate Bill No. 1077 with committee amendments.

As amended by committee, this bill requires all health insurers which cover groups with 50 or more persons and health maintenance organizations to provide benefits for an annual medically recognized diagnostic examination including, but not limited to, a digital rectal examination and a prostate-specific antigen (PSA) test for men age 50 and over who are asymptomatic and for men age 40 and over with a family history of prostate cancer or other prostate cancer risk factors. The PSA blood test was recently approved by the federal Food and Drug Administration to help detect prostate cancer in men when used in conjunction with a digital rectal examination.

Prostate cancer is the second leading cause of cancer death in men, and the American Cancer Society estimates that the disease will kill 41,400 men in 1996. An estimated 317,100 new cases in the United States will be detected in 1996. Between 1980 and 1990, prostate cancer incidence rates increased 50%, largely due to improved detection. It is expected that there will be further increases in the incidence of this disease with widespread use of PSA blood tests and accompanying diagnostic examinations.

The committee amended the bill to delete specific reference to transrectal ultrasonography as a required benefit. This reference was deleted because unlike the PSA test and the digital rectal examination, typically, this test would not be performed annually.

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OFFICE OF THE GOVERNOR NEWS RELEASE

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TRENTON, NJ 08625
RELEASE: Wednesday
 Nov. 6, 1996

Governor Christie Whitman today signed legislation requiring health maintenance organizations and health insurers to provide benefits for an annual prostate cancer test.

"The health and well-being of New Jerseyans is a top priority," said Governor Whitman. "Improving our methods of early detection is essential to dealing with prostate cancer, a leading cause of death in men."

Under this bill, health maintenance organizations and health insurers that cover groups with 50 or more individuals must provide coverage for an annual, medically-recognized diagnostic exam for prostate cancer. The annual exam must include a digital rectal exam, as well as a prostate-specific antigen (PSA) blood test for asymptomatic men age 50 or over and for men age 40 and over who have a family history of prostate cancer or other risk factors.

The bill takes effect 30 days after its enactment.

This legislation does not apply to entities that self-insure.

The American Cancer Society estimates that in 1996 more than 41,000 men will die from prostate cancer. Between 1980 and 1990, reported cases of prostate cancer incidence rates increased by 50 percent, due in part to improved detection.

S-1077/A-1964, was sponsored by Senators Jack Sinagra (R-Midlessex) and Joseph Bubba (R-Essex/Passaic) and Assemblymen Alex DeCroce (R-Essex/Morris/Passaic) and Anthony Bucco (R-Morris).