



LEGISLATIVE HISTORY CHECKLIST

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LAWS OF: 1998

CHAPTER:97

NJSA: 17:48-6t et al

"Prohibits insurers from denying benefits to victims of domestic violence"

BILL NO: S706 (Substituted for A2048)

SPONSOR(S): Singer and Bark

DATE INTRODUCED: February 23, 1998

COMMITTEE:

ASSEMBLY: Banking and Insurance

SENATE: Commerce

AMENDED DURING PASSAGE:No

DATE OF PASSAGE:

ASSEMBLY: June 29, 1998

SENATE: March 30, 1998

DATE OF APPROVAL: September 4, 1998

THE FOLLOWING ARE ATTACHED IF AVAILABLE:

FINAL TEXT OF BILL: Original

S706

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

COMMITTEE STATEMENT:

ASSEMBLY:*Yes*

SENATE:*Yes*

FLOOR AMENDMENT STATEMENTS: *No*

LEGISLATIVE FISCAL ESTIMATE: *No*

A2048

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

(Bill and Sponsors Statement identical to S706)

COMMITTEE STATEMENT:

ASSEMBLY: *No*

SENATE: *No*

FLOOR AMENDMENT STATEMENTS: *No*

LEGISLATIVE FISCAL ESTIMATE: *No*

VETO MESSAGE: *No*

GOVERNOR'S PRESS RELEASE ON SIGNING: *Yes*

THE FOLLOWING WERE PRINTED:

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REPORTS: *No*

HEARINGS: *No*

NEWSPAPER ARTICLES: *No*

SENATE, No. 706

STATE OF NEW JERSEY 208th LEGISLATURE

INTRODUCED FEBRUARY 23, 1998

Sponsored by:

Senator ROBERT W. SINGER

District 30 (Burlington, Monmouth and Ocean)

Senator MARTHA W. BARK

District 8 (Atlantic, Burlington and Camden)

Co-Sponsored by:

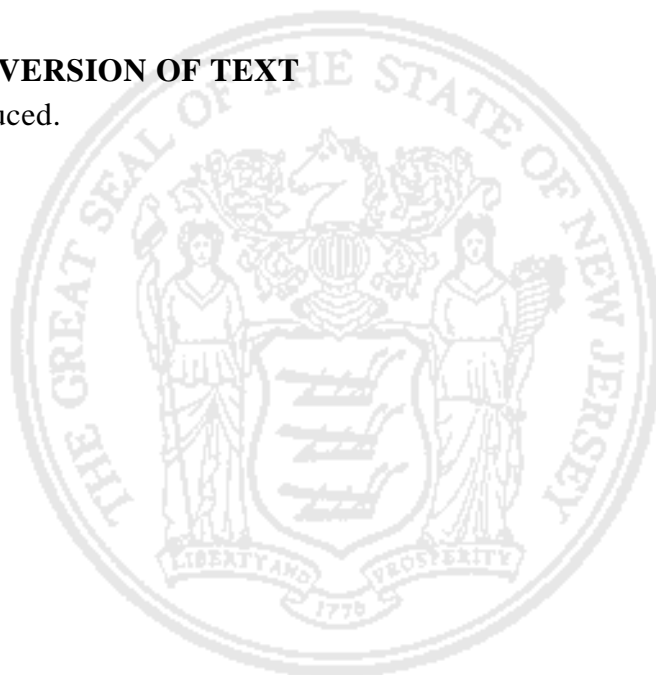
**Senators Vitale, Allen, Baer, Assemblywoman Heck, Assemblyman Cohen
and Assemblywoman Buono**

SYNOPSIS

Prohibits insurers from denying health benefits to victims of domestic violence.

CURRENT VERSION OF TEXT

As introduced.



(Sponsorship Updated As Of: 6/30/1998)

1 AN ACT concerning the provision of health benefits to victims of
2 domestic violence and supplementing P.L.1938, c.366 (C.17:48-1
3 et seq.), P.L.1940, c.74 (C.17:48A-1 et seq.), P.L.1985, c.236
4 (C.17:48E-1 et seq.), chapters 26 and 27 of Title 17B of the New
5 Jersey Statutes, and P.L.1973, c.337 (C.26:2J-1 et seq.).
6

7 **BE IT ENACTED** by the Senate and General Assembly of the State
8 of New Jersey:
9

10 1. Except as otherwise provided in P.L.1992, c.161 (C.17B:27A-2
11 et seq.) and P.L.1992, c.162 (C.17B:27A-17 et seq.), no group or
12 individual hospital service corporation contract providing hospital or
13 medical expense benefits shall contain any provision which denies
14 benefits for expenses incurred in the treatment of an injury or injuries
15 sustained as the result of domestic violence as defined in section 3 of
16 P.L.1991, c.261 (C.2C:25-19), to a subscriber or other person covered
17 thereunder. Benefits shall be provided to the same extent as for any
18 other treatment under the contract. The provisions of this section shall
19 apply to all contracts in which the hospital service corporation has
20 reserved the right to change the premium.
21

22 2. Except as otherwise provided in P.L.1992, c.161 (C.17B:27A-2
23 et seq.) and P.L.1992, c.162 (C.17B:27A-17 et seq.), no group or
24 individual medical service corporation contract providing hospital or
25 medical expense benefits shall contain any provision which denies
26 benefits for expenses incurred in the treatment of an injury or injuries
27 sustained as the result of domestic violence as defined in section 3 of
28 P.L.1991, c.261 (C.2C:25-19), to a subscriber or other person covered
29 thereunder. Benefits shall be provided to the same extent as for any
30 other treatment under the contract. The provisions of this section shall
31 apply to all contracts in which the medical service corporation has
32 reserved the right to change the premium.
33

34 3. Except as otherwise provided in P.L.1992, c.161 (C.17B:27A-2
35 et seq.) and P.L.1992, c.162 (C.17B:27A-17 et seq.), no group or
36 individual health service corporation contract providing hospital or
37 medical expense benefits shall contain any provision which denies
38 benefits for expenses incurred in the treatment of an injury or injuries
39 sustained as the result of domestic violence as defined in section 3 of
40 P.L.1991, c.261 (C.2C:25-19), to a subscriber or other person covered
41 thereunder. Benefits shall be provided to the same extent as for any
42 other treatment under the contract. The provisions of this section shall
43 apply to all contracts in which the health service corporation has
44 reserved the right to change the premium.

1 4. Except as otherwise provided in P.L.1992, c.161 (C.17B:27A-2
2 et seq.), no individual health insurance policy providing hospital or
3 medical expense benefits shall contain any provision which denies
4 benefits for expenses incurred in the treatment of an injury or injuries
5 sustained as the result of domestic violence as defined in section 3 of
6 P.L.1991, c.261 (C.2C:25-19), to a named insured or other person
7 covered thereunder. Benefits shall be provided to the same extent as
8 for any other treatment under the policy. The provisions of this
9 section shall apply to all policies in which the insurer has reserved the
10 right to change the premium.

11

12 5. Except as otherwise provided in P.L.1992, c.162 (C.17B:27A-17
13 et seq.), no group health insurance policy providing hospital or
14 medical expense benefits shall contain any provision which denies
15 benefits for expenses incurred in the treatment of an injury or injuries
16 sustained as the result of domestic violence as defined in section 3 of
17 P.L.1991, c.261 (C.2C:25-19), to a named insured or other person
18 covered thereunder. Benefits shall be provided to the same extent as
19 for any other treatment under the policy. The provisions of this
20 section shall apply to all policies in which the insurer has reserved the
21 right to change the premium.

22

23 6. Except as otherwise provided in P.L.1992, c.161 (C.17B:27A-2
24 et seq.) and P.L.1992, c.162 (C.17B:27A-17 et seq.), no health
25 maintenance organization shall deny health care services for the
26 treatment of an injury or injuries sustained as the result of domestic
27 violence as defined in section 3 of P.L.1991, c.261 (C.2C:25-19), to
28 its enrollees. Services shall be provided to the same extent as for any
29 other treatment. The provisions of this section shall apply to all
30 certificates of authority in which the health maintenance organization
31 has reserved the right to change the schedule of charges for enrollee
32 coverage.

33

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

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STATEMENT

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39 This bill would prohibit commercial individual and group health
40 insurers, hospital service corporations, medical service corporations,
41 health service corporations and health maintenance organizations
42 (HMOs) from denying benefits, otherwise available under the terms of
43 a person's health insurance coverage, to a covered person for expenses
44 incurred in the treatment of an injury or injuries sustained as the result
45 of domestic violence.

46 It is the sponsor's sense that just as the health care community and

1 the community at large is beginning to recognize and understand
2 domestic violence, health insurers may be denying coverage for
3 treatment of the injuries that result. More women are seeking help and
4 health care professionals are doing more to identify and help victims.
5 Doctors are being trained to document incidents of abuse in medical
6 records so women have evidence to take to court; but in some
7 instances, this information may be used by a health insurer to deny
8 coverage, treating the situation as a "pre-existing condition" or
9 specifically excluding domestic violence injuries from coverage. It is
10 the sponsor's intent to prevent an inequity such as this, whereby the
11 victim is in essence penalized under her own health insurance coverage
12 for coming forward about the nature of her injuries.

SENATE, No. 706

STATE OF NEW JERSEY 208th LEGISLATURE

INTRODUCED FEBRUARY 23, 1998

Sponsored by:

Senator ROBERT W. SINGER

District 30 (Burlington, Monmouth and Ocean)

Senator MARTHA W. BARK

District 8 (Atlantic, Burlington and Camden)

Co-Sponsored by:

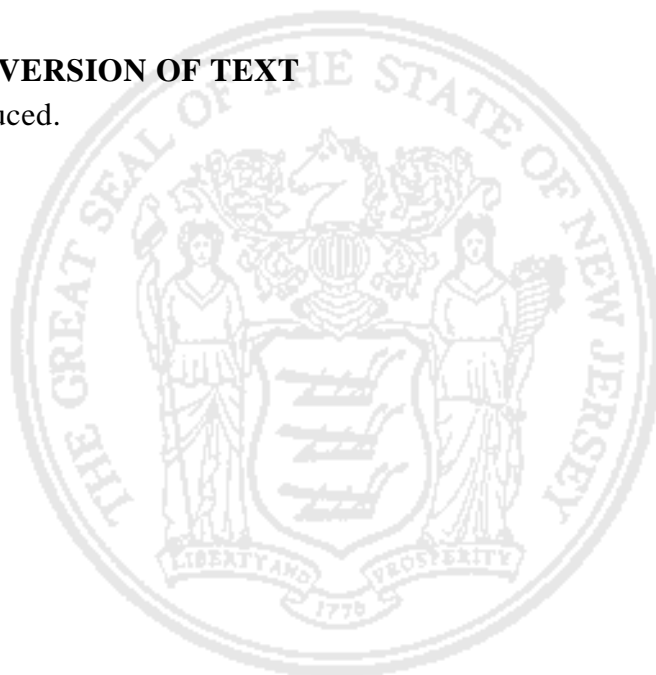
**Senators Vitale, Allen, Baer, Assemblywoman Heck, Assemblyman Cohen
and Assemblywoman Buono**

SYNOPSIS

Prohibits insurers from denying health benefits to victims of domestic violence.

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As introduced.



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8 of New Jersey:
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2 domestic violence, health insurers may be denying coverage for
3 treatment of the injuries that result. More women are seeking help and
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5 Doctors are being trained to document incidents of abuse in medical
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11 victim is in essence penalized under her own health insurance coverage
12 for coming forward about the nature of her injuries.

ASSEMBLY BANKING AND INSURANCE COMMITTEE

STATEMENT TO

SENATE, No. 706

STATE OF NEW JERSEY

DATED: MAY 4, 1998

The Assembly Banking and Insurance Committee reports favorably Senate Bill No. 706.

This bill prohibits commercial individual and group health insurers, hospital service corporations, medical service corporations, health service corporations and health maintenance organizations (HMOs) from denying benefits, otherwise available under the terms of a person's health insurance coverage, to a covered person for expenses incurred in the treatment of an injury or injuries sustained as the result of domestic violence.

SENATE COMMERCE COMMITTEE

STATEMENT TO

SENATE, No. 706

STATE OF NEW JERSEY

DATED: MARCH 23, 1998

The Senate Commerce Committee reports favorably Senate Bill No. 706.

This bill prohibits commercial individual and group health insurers, hospital service corporations, medical service corporations, health service corporations and health maintenance organizations (HMOs) from denying benefits, otherwise available under the terms of a person's health insurance coverage, to a covered person for expenses incurred in the treatment of an injury or injuries sustained as the result of domestic violence.

ASSEMBLY, No. 2048

STATE OF NEW JERSEY 208th LEGISLATURE

INTRODUCED MAY 28, 1998

Sponsored by:

Assemblywoman ROSE MARIE HECK

District 38 (Bergen)

Assemblyman NEIL M. COHEN

District 20 (Union)

Co-Sponsored by:

Assemblywoman Buono

SYNOPSIS

Prohibits insurers from denying health benefits to victims of domestic violence.

CURRENT VERSION OF TEXT

As introduced.



(Sponsorship Updated As Of: 6/26/1998)

1 AN ACT concerning the provision of health benefits to victims of
2 domestic violence and supplementing P.L.1938, c.366 (C.17:48-1
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11 victim is in essence penalized under her own health insurance coverage
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Office of the Governor
NEWS RELEASE

PO BOX 004
TRENTON, NJ 08625

CONTACT: Jayne O'Connor
Wendi Patella
609-777-2600

RELEASE: September 4, 1998

**Gov. Whitman Signs Bill Ensuring
Health Coverage for Domestic Violence Injuries**

Gov. Christie Whitman today signed the following bills:

S-706, sponsored by Senators Robert Singer (R-Burlington/Monmouth/Ocean) and Martha Bark (R-Atlantic/Burlington/Camden) and Assembly Members Rose Heck (R-Bergen) and Neil Cohen (D-Union), prohibits insurers from denying health benefits to victims of domestic violence. The bill addresses the concern that health insurers may be denying coverage for the treatment of domestic violence injuries.

A-1964, sponsored by Assembly Member Bonnie Watson-Coleman (D-Mercer) and Senators Joseph Vitale (D-Middlesex) and Peter Inverso (R-Mercer/Middlesex), limits the amount check cashers may charge to cash Social Security checks. The amount will be limited to one and one-half percent of the amount of the check or 90 cents, whichever is greater. Currently, check cashers can charge two percent.

A-1903, sponsored by Assembly Members Guy Talarico (R-Bergen) and Richard Bagger (R-Middlesex/Morris/Somerset/Union) and Senator Robert Martin (R-Essex/Morris/Passaic), clarifies the imposition of sales and use tax on direct mail advertising. The prior statute imposed a tax on "advertising services," but did not define the services. The new law taxes "direct mail advertising processing services in connection with distribution of advertising or promotional material."