

17:48-6K

LEGISLATIVE HISTORY CHECKLIST
Compiled by the NJ State Law Library

(Health benefits--insurance--
cancer)

NJSA: 17:48-6K

LAWS OF: 1995 **CHAPTER:** 100

BILL NO: A1997

SPONSOR(S): Cohen and others

DATE INTRODUCED: August 15, 1994

COMMITTEE: **ASSEMBLY:** Insurance; Health & Human Services
SENATE: Health

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

DATE OF PASSAGE: **ASSEMBLY:** February 6, 1995
SENATE: March 30, 1995

DATE OF APPROVAL: May 9, 1995

FOLLOWING STATEMENTS ARE ATTACHED IF AVAILABLE:

SPONSOR STATEMENT: Yes

COMMITTEE STATEMENT: **ASSEMBLY:** Yes 1-19-95 & 12-12-94
SENATE: Yes

FISCAL NOTE: No

VETO MESSAGE: No

MESSAGE ON SIGNING: No

FOLLOWING WERE PRINTED:

REPORTS: No

HEARINGS: No

See newspaper clippings--attached:

"New law required insurers to offer bone marrows transplant coverage," 5-10-95, Star Ledger.

"New laws address health & safety," 5-10-95, Asbury Park Press.

KBG:pp

[FIRST REPRINT]
ASSEMBLY, No. 1997

STATE OF NEW JERSEY

INTRODUCED AUGUST 15, 1994

By Assemblymen COHEN, COLBURN, Moran, Suliga, Jones, Lustbader, Charles, Assemblywoman Quigley, Assemblymen Augustine, Russo, Assemblywomen Ogden, Gregory-Scocchi, Assemblymen Kavanaugh, Felice, Assemblywoman Gill, Assemblymen DiGaetano, Doria, Impreveduto, Dalton, Assemblywoman Turner, Assemblymen Romano, Oros, Lance, Assemblywoman Haines, Assemblymen Warsh, Petrillo, Foley, Catania, Zecker, Kelly, Williams, Assemblywoman Murphy, Assemblyman Pascrell, Assemblywoman Weinberg, Assemblymen Zisa, Roberts, Yuhas, Corodemus, Assemblywoman J. Smith, Assemblymen Solomon, Mikulak, Collins, Assemblywoman Vandervalk, Assemblymen Kramer, Roma, Rooney, Assemblywoman Heck and Assemblyman Bateman

1 AN ACT ¹concerning health insurance and¹ requiring health
2 insurers to offer benefits for certain treatments of cancer
3 under certain conditions and supplementing P.L.1938, c.366
4 (C.17:48-1 et seq.), P.L.1940, c.74 (C.17:48A-1 et seq.),
5 P.L.1985, c.236 (C.17:48E-1 et seq.), chapters 26 and 27 of
6 Title 17B of the New Jersey Statutes and P.L.1973, c.337
7 (C.26:2J-1 et seq.).
8

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

11 1.¹[Except as otherwise] (New section) In addition to benefits¹
12 provided ¹[in] under regulations adopted pursuant to¹ P.L.1992,
13 c.161 (C.17B:27A-2 et seq.) and P.L.1992, c.162 (C.17B:27A-17 et
14 seq.), a hospital service corporation shall offer under every group
15 or individual hospital service corporation contract providing
16 hospital or medical expense benefits delivered, issued, executed
17 or renewed in this State, or approved for issuance or renewal in
18 this State by the Commissioner of Insurance, on or after the
19 effective date of this act to provide benefits for the treatment of
20 cancer by dose-intensive chemotherapy/autologous bone marrow
21 transplants ¹[or] and peripheral blood¹ stem cell transplants when
22 performed ¹[pursuant to protocols approved by the institutional
23 review board of any United States medical teaching college
24 including, but not limited to, National Cancer Institute protocols
25 favorably reviewed and utilized by hematologists or oncologists
26 experienced in dose-intensive chemotherapy/autologous bone
27 marrow transplants or stem cell transplants] by institutions
28 approved by the National Cancer Institute or pursuant to
29 protocols consistent with the guidelines of the American Society
30 of Clinical Oncologists¹. Benefits for such treatment shall be
31 provided to the same extent as for any other illness under the
32 contract. ¹[No preexisting condition exclusion shall apply to such
33 benefits.]¹

34 The offer required pursuant to this section shall apply to all
35 hospital service corporation contracts in which the hospital

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:

¹ Assembly floor amendments adopted December 15, 1994.

1 service corporation has reserved the right to change the
2 premium. 1Nothing in this section shall be construed to limit a
3 hospital service corporation in adjusting premium amounts, or
4 providing for reasonable deductibles or copayments, with respect
5 to benefits provided pursuant to this section.¹

6 2.¹[Except as otherwise] (New section) In addition to benefits¹
7 provided [in] under regulations adopted pursuant to¹ P.L.1992,
8 c.161 (C.17B:27A-2 et seq.) and P.L.1992, c.162 (C.17B:27A-17 et
9 seq.), a medical service corporation shall offer under every group
10 or individual medical service corporation contract providing
11 hospital or medical expense benefits delivered, issued, executed
12 or renewed in this State, or approved for issuance or renewal in
13 this State by the Commissioner of Insurance, on or after the
14 effective date of this act to provide benefits for the treatment of
15 cancer by dose-intensive chemotherapy/autologous bone marrow
16 transplants ¹[or] and peripheral blood¹ stem cell transplants when
17 performed ¹[pursuant to protocols approved by the institutional
18 review board of any United States medical teaching college
19 including, but not limited to, National Cancer Institute protocols
20 favorably reviewed and utilized by hematologists or oncologists
21 experienced in dose-intensive chemotherapy/autologous bone
22 marrow transplants or stem cell transplants] by institutions
23 approved by the National Cancer Institute or pursuant to
24 protocols consistent with the guidelines of the American Society
25 of Clinical Oncologists¹. Benefits for such treatment shall be
26 provided to the same extent as for any other illness under the
27 contract. ¹[No preexisting condition exclusion shall apply to such
28 benefits.]¹

29 The offer required pursuant to this section shall apply to all
30 medical service corporation contracts in which the medical
31 service corporation has reserved the right to change the
32 premium. 1Nothing in this section shall be construed to limit a
33 medical service corporation in adjusting premium amounts, or
34 providing for reasonable deductibles or copayments, with respect
35 to benefits provided pursuant to this section.¹

36 3.¹[Except as otherwise] (New section) In addition to benefits¹
37 provided [in] under regulations adopted pursuant to¹ P.L.1992,
38 c.161 (C.17B:27A-2 et seq.) and P.L.1992, c.162 (C.17B:27A-17 et
39 seq.), a health service corporation shall offer under every group
40 or individual health service corporation contract providing
41 hospital or medical expense benefits delivered, issued, executed
42 or renewed in this State, or approved for issuance or renewal in
43 this State by the Commissioner of Insurance, on or after the
44 effective date of this act to provide benefits for the treatment of
45 cancer by dose-intensive chemotherapy/autologous bone marrow
46 transplants ¹[or] and peripheral blood¹ stem cell transplants when
47 performed ¹[pursuant to protocols approved by the institutional
48 review board of any United States medical teaching college
49 including, but not limited to, National Cancer Institute protocols
50 favorably reviewed and utilized by hematologists or oncologists
51 experienced in dose-intensive chemotherapy/autologous bone
52 marrow transplants or stem cell transplants] by institutions
53 approved by the National Cancer Institute or pursuant to
54 protocols consistent with the guidelines of the American Society

1 of Clinical Oncologists¹. Benefits for such treatment shall be
2 provided to the same extent as for any other illness under the
3 contract. ¹[No preexisting condition exclusion shall apply to such
4 benefits.]¹

5 The offer required pursuant to this section shall apply to all
6 health service corporation contracts in which the health service
7 corporation has reserved the right to change the premium.
8 ¹Nothing in this section shall be construed to limit a health
9 service corporation in adjusting premium amounts, or providing
10 for reasonable deductibles or copayments, with respect to
11 benefits provided pursuant to this section.¹

12 4. ¹[Except as otherwise] (New section) In addition to benefits¹
13 provided ¹[in] under regulations adopted pursuant to¹ P.L.1992,
14 c.161 (C.17B:27A-2 et seq.)¹,¹ an insurer shall offer under every
15 individual policy providing health insurance coverage delivered,
16 issued, executed or renewed in this State, or approved for
17 issuance or renewal in this State by the Commissioner of
18 Insurance, on or after the effective date of this act to provide
19 benefits for the treatment of cancer by dose-intensive
20 chemotherapy/autologous bone marrow transplants ¹[or] and
21 peripheral blood¹ stem cell transplants when performed
22 ¹[pursuant to protocols approved by the institutional review board
23 of any United States medical teaching college including, but not
24 limited to, National Cancer Institute protocols favorably
25 reviewed and utilized by hematologists or oncologists experienced
26 in dose-intensive chemotherapy/autologous bone marrow
27 transplants or stem cell transplants] by institutions approved by
28 the National Cancer Institute or pursuant to protocols consistent
29 with the guidelines of the American Society of Clinical
30 Oncologists¹. Benefits for such treatment shall be provided to
31 the same extent as for any other illness under the policy. ¹[No
32 preexisting condition exclusion shall apply to such benefits.]¹

33 The offer required pursuant to this section shall apply to all
34 health insurance policies in which the insurer has reserved the
35 right to change the premium. ¹Nothing in this section shall be
36 construed to limit an insurer in adjusting premium amounts, or
37 providing for reasonable deductibles or copayments, with respect
38 to benefits provided pursuant to this section.¹

39 5. ¹[Except as otherwise] (New section) In addition to benefits¹
40 provided ¹[in] under regulations adopted pursuant to¹ P.L.1992,
41 c.162 (C.17B:27A-17 et seq.), an insurer shall offer under every
42 group policy providing health insurance coverage delivered,
43 issued, executed or renewed in this State, or approved for
44 issuance or renewal in this State by the Commissioner of
45 Insurance on or after the effective date of this act to provide
46 benefits for the treatment of cancer by dose-intensive
47 chemotherapy/autologous bone marrow transplants ¹[or] and
48 peripheral blood¹ stem cell transplants when performed
49 ¹[pursuant to protocols approved by the institutional review board
50 of any United States medical teaching college including, but not
51 limited to, National Cancer Institute protocols favorably
52 reviewed and utilized by hematologists or oncologists experienced
53 in dose-intensive chemotherapy/autologous bone marrow
54 transplants or stem cell transplants] by institutions approved by

1 the National Cancer Institute or pursuant to protocols consistent
2 with the guidelines of the American Society of Clinical
3 Oncologists¹. Benefits for such treatment shall be provided to
4 the same extent as for any other illness under the policy. ¹[No
5 preexisting condition exclusion shall apply to such benefits.]¹

6 The offer required pursuant to this section shall apply to all
7 health insurance policies in which the insurer has reserved the
8 right to change the premium. ¹Nothing in this section shall be
9 construed to limit an insurer in adjusting premium amounts, or
10 providing for reasonable deductibles or copayments, with respect
11 to benefits provided pursuant to this section.¹

12 6.¹[Except as otherwise] (New section) In addition to benefits¹
13 provided ¹[in] under regulations adopted pursuant to¹ P.L.1992,
14 c.161 (C.17B:27A-2 et seq.) and P.L.1992, c.162 (C.17B:27A-17 et
15 seq.), no certificate of authority to establish and operate a health
16 maintenance organization in this State shall be issued or
17 continued on or after the effective date of this act unless the
18 health maintenance organization offers to provide health care
19 services to any ¹[enrollee] contract holder¹ for the treatment of
20 cancer by dose-intensive chemotherapy/autologous bone marrow
21 transplants ¹[or] and peripheral blood¹ stem cell transplants when
22 performed ¹[pursuant to protocols approved by the institutional
23 review board of any United States medical teaching college
24 including, but not limited to, National Cancer Institute protocols
25 favorably reviewed and utilized by hematologists or oncologists
26 experienced in dose-intensive chemotherapy/autologous bone
27 marrow transplants or stem cell transplants] by institutions
28 approved by the National Cancer Institute or pursuant to
29 protocols consistent with the guidelines of the American Society
30 of Clinical Oncologists¹. This treatment shall be provided to the
31 same extent as for any other illness. ¹[No preexisting condition
32 exclusion shall apply to such benefits.]¹

33 The offer required pursuant to this section shall apply to all
34 contracts for health care services by health maintenance
35 organizations under which the right to change the schedule of
36 charges for enrollee coverage is reserved. ¹Nothing in this
37 section shall be construed to limit a health maintenance
38 organization in adjusting the schedule of charges for enrollee
39 coverage, or providing for reasonable deductibles or copayments,
40 with respect to benefits provided pursuant to this section.¹

41 ¹7. (New section) a. Nothing in this act shall be construed to
42 diminish any current or future health care benefits contract in
43 this State.

44 ¹[7.] 8.¹ This act shall take effect on the 90th day after
45 enactment.

46
47
48
49
50 Requires health insurers to offer to provide benefits for
51 dose-intensive chemotherapy/autologous bone marrow transplants
52 and peripheral blood stem cell transplants under certain
53 conditions.

1 shall be provided to the same extent as for any other illness under
2 the policy. No preexisting condition exclusion shall apply to such
3 benefits.

4 The offer required pursuant to this section shall apply to all
5 health insurance policies in which the insurer has reserved the
6 right to change the premium.

7 5. Except as otherwise provided in P.L.1992, c.162
8 (C.17B:27A-17 et seq.), an insurer shall offer under every group
9 policy providing health insurance coverage delivered, issued,
10 executed or renewed in this State, or approved for issuance or
11 renewal in this State by the Commissioner of Insurance on or
12 after the effective date of this act to provide benefits for the
13 treatment of cancer by dose-intensive chemotherapy/autologous
14 bone marrow transplants or stem cell transplants when performed
15 pursuant to protocols approved by the institutional review board
16 of any United States medical teaching college including, but not
17 limited to, National Cancer Institute protocols favorably
18 reviewed and utilized by hematologists or oncologists experienced
19 in dose-intensive chemotherapy/autologous bone marrow
20 transplants or stem cell transplants. Benefits for such treatment
21 shall be provided to the same extent as for any other illness under
22 the policy. No preexisting condition exclusion shall apply to such
23 benefits.

24 The offer required pursuant to this section shall apply to all
25 health insurance policies in which the insurer has reserved the
26 right to change the premium.

27 6. Except as otherwise provided in P.L.1992, c.161
28 (C.17B:27A-2 et seq.) and P.L.1992, c.162 (C.17B:27A-17 et seq.),
29 no certificate of authority to establish and operate a health
30 maintenance organization in this State shall be issued or
31 continued on or after the effective date of this act unless the
32 health maintenance organization offers to provide health care
33 services to any enrollee for the treatment of cancer by
34 dose-intensive chemotherapy/autologous bone marrow transplants
35 or stem cell transplants when performed pursuant to protocols
36 approved by the institutional review board of any United States
37 medical teaching college including, but not limited to, National
38 Cancer Institute protocols favorably reviewed and utilized by
39 hematologists or oncologists experienced in dose-intensive
40 chemotherapy/autologous bone marrow transplants or stem cell
41 transplants. This treatment shall be provided to the same extent
42 as for any other illness. No preexisting condition exclusion shall
43 apply to such benefits.

44 The offer required pursuant to this section shall apply to all
45 contracts for health care services by health maintenance
46 organizations under which the right to change the schedule of
47 charges for enrollee coverage is reserved.

48 7. This act shall take effect on the 90th day after enactment.
49
50

51 STATEMENT

52
53 This bill requires hospital service corporations, medical service
54 corporations, health service corporations, commercial insurers

1 and health maintenance organizations to offer to provide
2 coverage for the treatment of cancer by dose-intensive
3 chemotherapy/autologous bone marrow transplants or stem cell
4 transplants when performed pursuant to protocols approved by
5 the institutional review board of any United States medical
6 teaching college including, but not limited to, National Cancer
7 Institute protocols favorably reviewed and utilized by
8 hematologists or oncologists experienced in dose-intensive
9 chemotherapy/autologous bone marrow transplants or stem cell
10 transplants. The bill prohibits the application of preexisting
11 condition exclusions to such benefits.

12

13

14

15

16 Requires health insurers to offer to provide benefits for
17 treatment of cancer by dose-intensive chemotherapy/autologous
18 bone marrow transplants or stem cell transplants under certain
19 conditions.

ASSEMBLY HEALTH AND HUMAN SERVICES COMMITTEE

STATEMENT TO

ASSEMBLY, No. 1997

STATE OF NEW JERSEY

DATED: DECEMBER 12, 1994

The Assembly Health and Human Resources Committee favorably reports Assembly Bill No. 1997.

This bill requires hospital service corporations, medical service corporations, health service corporations, commercial insurers and health maintenance organizations to offer to provide coverage for the treatment of cancer by dose-intensive chemotherapy/autologous bone marrow transplants or stem cell transplants when performed pursuant to protocols approved by the institutional review board of any United States medical teaching college including, but not limited to, National Cancer Institute protocols favorably reviewed and utilized by hematologists or oncologists experienced in dose-intensive chemotherapy/autologous bone marrow transplants or stem cell transplants. The bill prohibits the application of preexisting condition exclusions to such benefits.

This bill is identical to Senate Bill No. 1320 (Sinagra/Matheussen), which is currently pending in the Senate Health Committee.

ASSEMBLY INSURANCE COMMITTEE

STATEMENT TO

[FIRST REPRINT]

ASSEMBLY, No. 1997

STATE OF NEW JERSEY

DATED: JANUARY 19, 1995

The Assembly Insurance Committee reports favorably Assembly Bill No. 1997 [1R].

This bill requires health insurers, including hospital service corporations, medical service corporations, health service corporations, commercial insurers and health maintenance organizations, to offer to provide coverage for the treatment of cancer by dose-intensive chemotherapy/autologous bone marrow transplants peripheral or stem cell transplants when performed by institutions approved by the National Cancer Institute or pursuant to protocols consistent with the guidelines of the American Society of Clinical Oncologists. A health insurer that provides benefits for such treatment as a part of its benefits package complies with the requirements of the bill.

The bill stipulates that the provisions of the bill shall not be construed to limit a health insurer's ability to adjust its premium amounts or schedule of charges, as appropriate, or to provide for reasonable deductibles or copayments, with respect to benefits pursuant to the bill.

The bill further provides that nothing in the bill shall be construed to diminish any current or future health care benefits contract in this State.

SENATE HEALTH COMMITTEE

STATEMENT TO

[FIRST REPRINT]

ASSEMBLY, No. 1997

STATE OF NEW JERSEY

DATED: FEBRUARY 27, 1995

The Senate Health Committee favorably reports Assembly Bill No. 1997 (1R).

This bill requires hospital service corporations, medical service corporations, health service corporations, commercial insurers and health maintenance organizations to offer to provide coverage for the treatment of cancer by dose-intensive chemotherapy/autologous bone marrow transplants and peripheral blood stem cell transplants when performed by institutions approved by the National Cancer Institute or pursuant to protocols consistent with the guidelines of the American Society of Clinical Oncologists. The bill specifies that nothing in the bill shall be construed to limit an insurer in adjusting premium amounts, or providing for reasonable deductibles or copayments, with respect to benefits provided under the bill.

The bill further provides that nothing in the bill shall be construed to diminish any current or future health care benefits contract in this State.

This bill is identical to Senate, No. 1320 (SCA) (Sinagra/Matheussen), which the committee also reported favorably on this date.