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**REPORTS:** No

**HEARINGS:** No

**NEWSPAPER ARTICLES:** No

LAW/RWH

§1 - C.17:48-6kk  
§2 –  
C.17:48A-7hh  
§3 –  
C.17:48E-35.35  
§4 –  
C.17B:27-46.1kk  
§5 –  
C.17B:26-2.1ee  
§6 - C.26:2J-4.36  
§7 –  
C.17B:27A-7.18  
§8 –  
C.17B:27A-19.22  
§§9,10 –  
C.26:5B-5 &  
26:5B-6  
§11 - Note

(CORRECTED COPY)

P.L.2011, CHAPTER 210, *approved January 17, 2012*  
Assembly, No. 1120 (*Second Reprint*)

1 **AN ACT** concerning insurance coverage for, and the provision of  
2 information about, sickle cell anemia, <sup>1</sup>**and**<sup>1</sup> supplementing Titles  
3 17 and 26 of the Revised Statutes and Title 17B of the New  
4 Jersey Statutes<sup>1</sup>**[, and making an appropriation]**<sup>1</sup>.

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

8  
9 1. Every hospital service corporation contract that provides  
10 hospital and medical expense benefits and is delivered, issued,  
11 executed <sup>2,2</sup> or renewed in this State pursuant to P.L.1938, c.366  
12 (C.17:48-1 et seq.), or approved for issuance or renewal in this State  
13 by the Commissioner of Banking and Insurance, on or after the  
14 effective date of this act, shall provide coverage for <sup>2</sup>**medical**<sup>2</sup>  
15 expenses incurred by a covered person for the treatment of sickle  
16 cell anemia <sup>2</sup>**[, when prescribed as medically necessary by the**  
17 covered person's physician, including, but not limited to, expenses  
18 incurred for prescription drugs provided on an inpatient or  
19 outpatient basis and the following treatments: dose-intensive  
20 chemotherapy/bone marrow transplants and umbilical cord blood  
21 transplants when performed by institutions approved by 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:

<sup>1</sup>Assembly AHE committee amendments adopted December 8, 2011.

<sup>2</sup>Assembly floor amendments adopted December 15, 2011.

1 National Heart, Lung, and Blood Institute or pursuant to protocols  
2 consistent with the guidelines of the National Heart, Lung, and  
3 Blood Institute or any other nationally recognized professional  
4 medical specialty academy or organization] and, if the contract  
5 provides benefits for expenses incurred in the purchase of  
6 outpatient prescription drugs, then the contract shall provide  
7 coverage for prescription drug expenses incurred by a covered  
8 person for the treatment of sickle cell anemia<sup>2</sup> .

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

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

14

15 2. Every medical service corporation contract that provides  
16 hospital and medical expense benefits and is delivered, issued,  
17 executed <sup>2</sup>,<sup>2</sup> or renewed in this State pursuant to P.L.1940, c.74  
18 (C.17:48A-1 et seq.), or approved for issuance or renewal in this  
19 State by the Commissioner of Banking and Insurance, on or after  
20 the effective date of this act, shall provide coverage for <sup>2</sup>medical<sup>2</sup>  
21 expenses incurred by a covered person for the treatment of sickle  
22 cell anemia <sup>2</sup> [, when prescribed as medically necessary by the  
23 covered person's physician, including, but not limited to, expenses  
24 incurred for prescription drugs provided on an inpatient or  
25 outpatient basis and the following treatments: dose-intensive  
26 chemotherapy/bone marrow transplants and umbilical cord blood  
27 transplants when performed by institutions approved by the  
28 National Heart, Lung, and Blood Institute or pursuant to protocols  
29 consistent with the guidelines of the National Heart, Lung, and  
30 Blood Institute or any other nationally recognized professional  
31 medical specialty academy or organization] and, if the contract  
32 provides benefits for expenses incurred in the purchase of  
33 outpatient prescription drugs, then the contract shall provide  
34 coverage for prescription drug expenses incurred by a covered  
35 person for the treatment of sickle cell anemia<sup>2</sup> .

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

38 This section shall apply to those medical service corporation  
39 contracts in which the medical service corporation has reserved the  
40 right to change the premium.

41

42 3. Every health service corporation contract that provides  
43 hospital and medical expense benefits and is delivered, issued,  
44 executed <sup>2</sup>,<sup>2</sup> or renewed in this State pursuant to P.L.1985, c.236  
45 (C.17:48E-1 et seq.) or approved for issuance or renewal in this  
46 State by the Commissioner of Banking and Insurance, on or after  
47 the effective date of this act, shall provide coverage for <sup>2</sup>medical<sup>2</sup>

1 expenses incurred by a covered person for the treatment of sickle  
2 cell anemia <sup>2</sup>[, when prescribed as medically necessary by the  
3 covered person's physician, including, but not limited to, expenses  
4 incurred for prescription drugs provided on an inpatient or  
5 outpatient basis and the following treatments: dose-intensive  
6 chemotherapy/bone marrow transplants and umbilical cord blood  
7 transplants when performed by institutions approved by the  
8 National Heart, Lung, and Blood Institute or pursuant to protocols  
9 consistent with the guidelines of the National Heart, Lung, and  
10 Blood Institute or any other nationally recognized professional  
11 medical specialty academy or organization] and, if the contract  
12 provides benefits for expenses incurred in the purchase of  
13 outpatient prescription drugs, then the contract shall provide  
14 coverage for prescription drug expenses incurred by a covered  
15 person for the treatment of sickle cell anemia<sup>2</sup>.

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

18 This section shall apply to those health service corporation  
19 contracts in which the health service corporation has reserved the  
20 right to change the premium.

21

22 4. Every group health insurance policy that provides hospital  
23 and medical expense benefits and is delivered, issued, executed <sup>2</sup> <sub>2</sub>  
24 or renewed in this State pursuant to chapter 27 of Title 17B of the  
25 New Jersey Statutes, or approved for issuance or renewal in this  
26 State by the Commissioner of Banking and Insurance, on or after  
27 the effective date of this act, shall provide coverage for <sup>2</sup> medical<sup>2</sup>  
28 expenses incurred by a covered person for the treatment of sickle  
29 cell anemia <sup>2</sup>[, when prescribed as medically necessary by the  
30 covered person's physician, including, but not limited to, expenses  
31 incurred for prescription drugs provided on an inpatient or  
32 outpatient basis and the following treatments: dose-intensive  
33 chemotherapy/bone marrow transplants and umbilical cord blood  
34 transplants when performed by institutions approved by the  
35 National Heart, Lung, and Blood Institute or pursuant to protocols  
36 consistent with the guidelines of the National Heart, Lung, and  
37 Blood Institute or any other nationally recognized professional  
38 medical specialty academy or organization] and, if the policy  
39 provides benefits for expenses incurred in the purchase of  
40 outpatient prescription drugs, then the policy shall provide coverage  
41 for prescription drug expenses incurred by a covered person for the  
42 treatment of sickle cell anemia<sup>2</sup>.

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

45 This section shall apply to those policies in which the insurer has  
46 reserved the right to change the premium.

1       5. Every individual health insurance policy that provides  
2 hospital and medical expense benefits and is delivered, issued,  
3 executed <sup>2</sup>,<sup>2</sup> or renewed in this State pursuant to chapter 26 of Title  
4 17B of the New Jersey Statutes, or approved for issuance or renewal  
5 in this State by the Commissioner of Banking and Insurance, on or  
6 after the effective date of this act, shall provide coverage for  
7 <sup>2</sup>medical<sup>2</sup> expenses incurred by a covered person for the treatment  
8 of sickle cell anemia <sup>2</sup>[, when prescribed as medically necessary by  
9 the covered person's physician, including, but not limited to,  
10 expenses incurred for prescription drugs provided on an inpatient or  
11 outpatient basis and the following treatments: dose-intensive  
12 chemotherapy/bone marrow transplants and umbilical cord blood  
13 transplants when performed by institutions approved by the  
14 National Heart, Lung, and Blood Institute or pursuant to protocols  
15 consistent with the guidelines of the National Heart, Lung, and  
16 Blood Institute or any other nationally recognized professional  
17 medical specialty academy or organization] and, if the policy  
18 provides benefits for expenses incurred in the purchase of  
19 outpatient prescription drugs, then the policy shall provide coverage  
20 for prescription drug expenses incurred by a covered person for the  
21 treatment of sickle cell anemia<sup>2</sup>.

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

24       This section shall apply to those policies in which the insurer has  
25 reserved the right to change the premium.  
26

27       6. Every health maintenance organization contract that  
28 provides health care services and is delivered, issued, executed <sup>2</sup>,<sup>2</sup>  
29 or renewed in this State pursuant to P.L.1973, c.337 (C.26:2J-1 et  
30 seq.), or approved for issuance or renewal in this State by the  
31 Commissioner of Banking and Insurance, on or after the effective  
32 date of this act, shall provide health care services to an enrollee for  
33 the <sup>2</sup>medical<sup>2</sup> treatment of sickle cell anemia <sup>2</sup>[, when prescribed as  
34 medically necessary by the covered person's physician, including,  
35 but not limited to, prescription drugs provided on an inpatient or  
36 outpatient basis and the following treatments: dose-intensive  
37 chemotherapy/bone marrow transplants and umbilical cord blood  
38 transplants when performed by institutions approved by the  
39 National Heart, Lung, and Blood Institute or pursuant to protocols  
40 consistent with the guidelines of the National Heart, Lung, and  
41 Blood Institute or any other nationally recognized professional  
42 medical specialty academy or organization] and, if the contract  
43 provides health care services for outpatient prescription drugs, then  
44 the contract shall provide health care services to an enrollee for  
45 prescription drugs for the treatment of sickle cell anemia<sup>2</sup>.

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

1 The provisions of this section shall apply to those contracts for  
2 health care services by health maintenance organizations under  
3 which the right to change the schedule of charges for enrollee  
4 coverage is reserved.

5  
6 7. Every individual health benefits plan that provides hospital  
7 and medical expense benefits and is delivered, issued, executed <sup>2</sup><sub>1</sub><sup>2</sup>  
8 or renewed in this State pursuant to P.L.1992, c.161 (C.17B:27A-2  
9 et seq.), or approved for issuance or renewal in this State, on or  
10 after the effective date of this act, shall provide coverage for  
11 <sup>2</sup>medical<sup>2</sup> expenses incurred by a covered person for the treatment  
12 of sickle cell anemia <sup>2</sup>【, when prescribed as medically necessary by  
13 the covered person's physician, including, but not limited to,  
14 expenses incurred for prescription drugs provided on an inpatient or  
15 outpatient basis and the following treatments: dose-intensive  
16 chemotherapy/bone marrow transplants and umbilical cord blood  
17 transplants when performed by institutions approved by the  
18 National Heart, Lung, and Blood Institute or pursuant to protocols  
19 consistent with the guidelines of the National Heart, Lung, and  
20 Blood Institute or any other nationally recognized professional  
21 medical specialty academy or organization】 and, if the plan  
22 provides benefits for expenses incurred in the purchase of  
23 outpatient prescription drugs, then the plan shall provide coverage  
24 for prescription drug expenses incurred by a covered person for the  
25 treatment of sickle cell anemia<sup>2</sup>.

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

28 This section shall apply to all individual health benefits plans in  
29 which the carrier has reserved the right to change the premium.

30  
31 8. Every small employer health benefits plan that provides  
32 hospital and medical expense benefits and is delivered, issued,  
33 executed <sup>2</sup><sub>1</sub><sup>2</sup> or renewed in this State pursuant to P.L.1992, c.162  
34 (C.17B:27A-17 et seq.), or approved for issuance or renewal in this  
35 State, on or after the effective date of this act, shall provide  
36 coverage for <sup>2</sup>medical<sup>2</sup> expenses incurred by a covered person for  
37 the treatment of sickle cell anemia <sup>2</sup>【, when prescribed as medically  
38 necessary by the covered person's physician, including, but not  
39 limited to, expenses incurred for prescription drugs provided on an  
40 inpatient or outpatient basis and the following treatments: dose-  
41 intensive chemotherapy/bone marrow transplants and umbilical  
42 cord blood transplants when performed by institutions approved by  
43 the National Heart, Lung, and Blood Institute or pursuant to  
44 protocols consistent with the guidelines of the National Heart,  
45 Lung, and Blood Institute or any other nationally recognized  
46 professional medical specialty academy or organization】 and, if the  
47 plan provides benefits for expenses incurred in the purchase of

1 outpatient prescription drugs, then the plan shall provide coverage  
2 for prescription drug expenses incurred by a covered person for the  
3 treatment of sickle cell anemia<sup>2</sup>.

4 The benefits shall be provided to the same extent as for any other  
5 medical condition under the health benefits plan.

6 This section shall apply to all small employer health benefits  
7 plans in which the carrier has reserved the right to change the  
8 premium.

9

10 9. The Legislature finds and declares that:

11 a. Sickle cell anemia is an inherited blood disorder  
12 characterized primarily by chronic anemia and periodic episodes of  
13 pain;

14 b. The clinical course of sickle cell anemia does not follow a  
15 single pattern, for the symptoms can range from mild to very  
16 severe;

17 c. Sickle cell anemia affects millions of people throughout the  
18 world but in this country affects approximately 72,000 people,  
19 according to the National Heart, Lung, and Blood Institute, most of  
20 whom are African-Americans and Hispanic-Americans of  
21 Caribbean ancestry;

22 d. Approximately two million Americans, or one in 12 African-  
23 Americans, carry the sickle cell trait; and the disease occurs in  
24 approximately one in 500 African-Americans and one in every  
25 1,000-1,400 Hispanic-Americans;

26 e. All newborn infants born in New Jersey and in most other  
27 states are screened for sickle cell anemia; however, there is  
28 currently no known means of prevention or cure for the disease,  
29 although promising new methods of treatment have emerged from  
30 clinical studies in recent years, including drug therapy, bone  
31 marrow transplants from matched siblings, and umbilical cord  
32 blood transplants; and

33 f. There is a widespread need for information among those  
34 populations who are at greatest risk for carrying the sickle cell trait  
35 about the genetic risk factors associated with sickle cell anemia and  
36 the symptoms and treatment of the disease.

37

38 10. a. The Department of Health and Senior Services, in  
39 consultation with the Medical Society of New Jersey and the  
40 University of Medicine and Dentistry of New Jersey, shall prepare  
41 '[an informational booklet] , and make available on its Internet  
42 website, information<sup>1</sup> in English and Spanish '.'<sup>1</sup> which '[provides,  
43 in a manner] is designed to be<sup>1</sup> easily understandable by the  
44 '[patient] general public<sup>1</sup>, '[information]<sup>1</sup> about the genetic risk  
45 factors associated with, and the symptoms and treatment of, sickle  
46 cell anemia<sup>1</sup>]. The department shall make a supply of booklets  
47 available to all licensed health care facilities engaged in the



1 diagnosis or treatment of sickle cell anemia, as well as to health  
2 care professionals, community health centers, members of the  
3 public and social services agencies upon their request. The booklet  
4 may contain] , in addition to<sup>1</sup> any other information that the  
5 Commissioner of Health and Senior Services deems necessary  
6 <sup>1</sup>[and may be revised by the department] for the purposes of this  
7 act. The department shall revise this information<sup>1</sup> whenever new  
8 information about sickle cell anemia becomes available. <sup>1</sup>[The  
9 department shall publicize and make available the booklet to the  
10 maximum extent possible.]<sup>1</sup>

11 b. The department shall <sup>1</sup>[make available electronically on its  
12 Internet website] prepare an informational booklet<sup>1</sup> in English and  
13 Spanish <sup>1</sup>[that contains] the information <sup>1</sup>[contained in the booklet  
14 prepared] posted on its website<sup>1</sup> pursuant to subsection a. of this  
15 section<sup>1</sup>, as funds become available for that purpose. The  
16 department shall make a supply of booklets available to all licensed  
17 health care facilities engaged in the diagnosis or treatment of sickle  
18 cell anemia, as well as to health care professionals, community  
19 health centers, members of the public, and social services agencies  
20 upon their request<sup>1</sup>.

21

22 <sup>1</sup>[11. There is appropriated \$95,000 from the General Fund to  
23 the Department of Health and Senior Services to effectuate the  
24 purposes of section 10 of this act.]<sup>1</sup>

25

26 <sup>1</sup>[12.] 11.<sup>1</sup> Sections 9 <sup>1</sup>[through 11] and 10<sup>1</sup> of this act shall  
27 take effect immediately, and sections 1 through 8 shall take effect  
28 on the <sup>1</sup>[90th day after] first day of the fourth month next  
29 following the date of<sup>1</sup> enactment and shall apply to policies or  
30 contracts issued or renewed on or after the effective date.

31

32

33

34

35 Requires insurers to cover treatment for sickle cell anemia;  
36 requires DHSS to provide information to public about sickle cell  
37 anemia.

# ASSEMBLY, No. 1120

## STATE OF NEW JERSEY 214th LEGISLATURE

PRE-FILED FOR INTRODUCTION IN THE 2010 SESSION

**Sponsored by:**

**Assemblywoman ELEASE EVANS**

**District 35 (Bergen and Passaic)**

**Assemblywoman MILA M. JASEY**

**District 27 (Essex)**

**Assemblywoman CLEOPATRA G. TUCKER**

**District 28 (Essex)**

**Co-Sponsored by:**

**Assemblymen Caputo, Prieto, Chiappone, McKeon, Assemblywoman Rodriguez, Assemblymen Green and Giblin**

**SYNOPSIS**

Requires insurers to cover treatment for sickle cell anemia; requires DHSS to prepare and distribute informational booklet about sickle cell anemia; appropriates \$95,000.

**CURRENT VERSION OF TEXT**

Introduced Pending Technical Review by Legislative Counsel



A1120 EVANS, JASEY

2

1 AN ACT concerning insurance coverage for, and the provision of  
2 information about, sickle cell anemia, supplementing Titles 17  
3 and 26 of the Revised Statutes and Title 17B of the New Jersey  
4 Statutes, and making an appropriation.

5

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

8

9 1. Every hospital service corporation contract that provides  
10 hospital and medical expense benefits and is delivered, issued,  
11 executed or renewed in this State pursuant to P.L.1938, c.366  
12 (C.17:48-1 et seq.), or approved for issuance or renewal in this State  
13 by the Commissioner of Banking and Insurance, on or after the  
14 effective date of this act, shall provide coverage for expenses  
15 incurred by a covered person for the treatment of sickle cell anemia,  
16 when prescribed as medically necessary by the covered person's  
17 physician, including, but not limited to, expenses incurred for  
18 prescription drugs provided on an inpatient or outpatient basis and  
19 the following treatments: dose-intensive chemotherapy/bone  
20 marrow transplants and umbilical cord blood transplants when  
21 performed by institutions approved by the National Heart, Lung and  
22 Blood Institute or pursuant to protocols consistent with the  
23 guidelines of the National Heart, Lung and Blood Institute or any  
24 other nationally recognized professional medical specialty academy  
25 or organization.

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 those hospital service corporation  
29 contracts in which the hospital service corporation has reserved the  
30 right to change the premium.

31

32 2. Every medical service corporation contract that provides  
33 hospital and medical expense benefits and is delivered, issued,  
34 executed or renewed in this State pursuant to P.L.1940, c.74  
35 (C.17:48A-1 et seq.), or approved for issuance or renewal in this  
36 State by the Commissioner of Banking and Insurance, on or after  
37 the effective date of this act, shall provide coverage for expenses  
38 incurred by a covered person for the treatment of sickle cell anemia,  
39 when prescribed as medically necessary by the covered person's  
40 physician, including, but not limited to, expenses incurred for  
41 prescription drugs provided on an inpatient or outpatient basis and  
42 the following treatments: dose-intensive chemotherapy/bone  
43 marrow transplants and umbilical cord blood transplants when  
44 performed by institutions approved by the National Heart, Lung and  
45 Blood Institute or pursuant to protocols consistent with the  
46 guidelines of the National Heart, Lung and Blood Institute or any  
47 other nationally recognized professional medical specialty academy  
48 or organization.

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

3       This section shall apply to those medical service corporation  
4       contracts in which the medical service corporation has reserved the  
5       right to change the premium.

6  
7       3. Every health service corporation contract that provides  
8       hospital and medical expense benefits and is delivered, issued,  
9       executed or renewed in this State pursuant to P.L.1985, c.236  
10       (C.17:48E-1 et seq.) or approved for issuance or renewal in this  
11       State by the Commissioner of Banking and Insurance, on or after  
12       the effective date of this act, shall provide coverage for expenses  
13       incurred by a covered person for the treatment of sickle cell anemia,  
14       when prescribed as medically necessary by the covered person's  
15       physician, including, but not limited to, expenses incurred for  
16       prescription drugs provided on an inpatient or outpatient basis and  
17       the following treatments: dose-intensive chemotherapy/bone  
18       marrow transplants and umbilical cord blood transplants when  
19       performed by institutions approved by the National Heart, Lung and  
20       Blood Institute or pursuant to protocols consistent with the  
21       guidelines of the National Heart, Lung and Blood Institute or any  
22       other nationally recognized professional medical specialty academy  
23       or organization.

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

26       This section shall apply to those health service corporation  
27       contracts in which the health service corporation has reserved the  
28       right to change the premium.

29  
30       4. Every group health insurance policy that provides hospital  
31       and medical expense benefits and is delivered, issued, executed or  
32       renewed in this State pursuant to chapter 27 of Title 17B of the New  
33       Jersey Statutes, or approved for issuance or renewal in this State by  
34       the Commissioner of Banking and Insurance, on or after the  
35       effective date of this act, shall provide coverage for expenses  
36       incurred by a covered person for the treatment of sickle cell anemia,  
37       when prescribed as medically necessary by the covered person's  
38       physician, including, but not limited to, expenses incurred for  
39       prescription drugs provided on an inpatient or outpatient basis and  
40       the following treatments: dose-intensive chemotherapy/bone  
41       marrow transplants and umbilical cord blood transplants when  
42       performed by institutions approved by the National Heart, Lung and  
43       Blood Institute or pursuant to protocols consistent with the  
44       guidelines of the National Heart, Lung and Blood Institute or any  
45       other nationally recognized professional medical specialty academy  
46       or organization.

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

1       This section shall apply to those policies in which the insurer has  
2 reserved the right to change the premium.

3  
4       5. Every individual health insurance policy that provides  
5 hospital and medical expense benefits and is delivered, issued,  
6 executed or renewed in this State pursuant to chapter 26 of Title  
7 17B of the New Jersey Statutes, or approved for issuance or renewal  
8 in this State by the Commissioner of Banking and Insurance, on or  
9 after the effective date of this act, shall provide coverage for  
10 expenses incurred by a covered person for the treatment of sickle  
11 cell anemia, when prescribed as medically necessary by the covered  
12 person's physician, including, but not limited to, expenses incurred  
13 for prescription drugs provided on an inpatient or outpatient basis  
14 and the following treatments: dose-intensive chemotherapy/bone  
15 marrow transplants and umbilical cord blood transplants when  
16 performed by institutions approved by the National Heart, Lung and  
17 Blood Institute or pursuant to protocols consistent with the  
18 guidelines of the National Heart, Lung and Blood Institute or any  
19 other nationally recognized professional medical specialty academy  
20 or organization.

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

23       This section shall apply to those policies in which the insurer has  
24 reserved the right to change the premium.

25  
26       6. Every health maintenance organization contract that  
27 provides health care services and is delivered, issued, executed or  
28 renewed in this State pursuant to P.L.1973, c.337 (C.26:2J-1 et  
29 seq.), or approved for issuance or renewal in this State by the  
30 Commissioner of Banking and Insurance, on or after the effective  
31 date of this act, shall provide health care services to an enrollee for  
32 the treatment of sickle cell anemia, when prescribed as medically  
33 necessary by the covered person's physician, including, but not  
34 limited to, prescription drugs provided on an inpatient or outpatient  
35 basis and the following treatments: dose-intensive  
36 chemotherapy/bone marrow transplants and umbilical cord blood  
37 transplants when performed by institutions approved by the  
38 National Heart, Lung and Blood Institute or pursuant to protocols  
39 consistent with the guidelines of the National Heart, Lung and  
40 Blood Institute or any other nationally recognized professional  
41 medical specialty academy or organization.

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

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

1       7. Every individual health benefits plan that provides hospital  
2 and medical expense benefits and is delivered, issued, executed or  
3 renewed in this State pursuant to P.L.1992, c.161 (C.17B:27A-2 et  
4 seq.), or approved for issuance or renewal in this State, on or after  
5 the effective date of this act, shall provide coverage for expenses  
6 incurred by a covered person for the treatment of sickle cell anemia,  
7 when prescribed as medically necessary by the covered person's  
8 physician, including, but not limited to, expenses incurred for  
9 prescription drugs provided on an inpatient or outpatient basis and  
10 the following treatments: dose-intensive chemotherapy/bone  
11 marrow transplants and umbilical cord blood transplants when  
12 performed by institutions approved by the National Heart, Lung and  
13 Blood Institute or pursuant to protocols consistent with the  
14 guidelines of the National Heart, Lung and Blood Institute or any  
15 other nationally recognized professional medical specialty academy  
16 or organization.

17       The benefits shall be provided to the same extent as for any other  
18 medical condition under the health benefits plan.

19       This section shall apply to all individual health benefits plans in  
20 which the carrier has reserved the right to change the premium.

21

22       8. Every small employer health benefits plan that provides  
23 hospital and medical expense benefits and is delivered, issued,  
24 executed or renewed in this State pursuant to P.L.1992, c.162  
25 (C.17B:27A-17 et seq.), or approved for issuance or renewal in this  
26 State, on or after the effective date of this act, shall provide  
27 coverage for expenses incurred by a covered person for the  
28 treatment of sickle cell anemia, when prescribed as medically  
29 necessary by the covered person's physician, including, but not  
30 limited to, expenses incurred for prescription drugs provided on an  
31 inpatient or outpatient basis and the following treatments: dose-  
32 intensive chemotherapy/bone marrow transplants and umbilical  
33 cord blood transplants when performed by institutions approved by  
34 the National Heart, Lung and Blood Institute or pursuant to  
35 protocols consistent with the guidelines of the National Heart, Lung  
36 and Blood Institute or any other nationally recognized professional  
37 medical specialty academy or organization.

38       The benefits shall be provided to the same extent as for any other  
39 medical condition under the health benefits plan.

40       This section shall apply to all small employer health benefits  
41 plans in which the carrier has reserved the right to change the  
42 premium.

43

44       9. The Legislature finds and declares that:

45       a. Sickle cell anemia is an inherited blood disorder  
46 characterized primarily by chronic anemia and periodic episodes of  
47 pain;

48       b. The clinical course of sickle cell anemia does not follow a

1 single pattern, for the symptoms can range from mild to very  
2 severe;

3 c. Sickle cell anemia affects millions of people throughout the  
4 world but in this country affects approximately 72,000 people,  
5 according to the National Heart, Lung, and Blood Institute, most of  
6 whom are African-Americans and Hispanic-Americans of  
7 Caribbean ancestry;

8 d. Approximately two million Americans, or one in 12 African-  
9 Americans, carry the sickle cell trait; and the disease occurs in  
10 approximately one in 500 African-Americans and one in every  
11 1,000-1,400 Hispanic-Americans;

12 e. All newborn infants born in New Jersey and in most other  
13 states are screened for sickle cell anemia; however, there is  
14 currently no known means of prevention or cure for the disease,  
15 although promising new methods of treatment have emerged from  
16 clinical studies in recent years, including drug therapy, bone  
17 marrow transplants from matched siblings, and umbilical cord  
18 blood transplants; and

19 f. There is a widespread need for information among those  
20 populations who are at greatest risk for carrying the sickle cell trait  
21 about the genetic risk factors associated with sickle cell anemia and  
22 the symptoms and treatment of the disease.

23  
24 10. a. The Department of Health and Senior Services, in  
25 consultation with the Medical Society of New Jersey and the  
26 University of Medicine and Dentistry of New Jersey, shall prepare  
27 an informational booklet in English and Spanish which provides, in  
28 a manner easily understandable by the patient, information about  
29 the genetic risk factors associated with, and the symptoms and  
30 treatment of, sickle cell anemia. The department shall make a  
31 supply of booklets available to all licensed health care facilities  
32 engaged in the diagnosis or treatment of sickle cell anemia, as well  
33 as to health care professionals, community health centers, members  
34 of the public and social services agencies upon their request. The  
35 booklet may contain any other information that the Commissioner  
36 of Health and Senior Services deems necessary and may be revised  
37 by the department whenever new information about sickle cell  
38 anemia becomes available. The department shall publicize and  
39 make available the booklet to the maximum extent possible.

40 b. The department shall make available electronically on its  
41 Internet website in English and Spanish the information contained  
42 in the booklet prepared pursuant to subsection a. of this section.

43  
44 11. There is appropriated \$95,000 from the General Fund to the  
45 Department of Health and Senior Services to effectuate the  
46 purposes of section 10 of this act.

47  
48 12. Sections 9 through 11 of this act shall take effect

1 immediately, and sections 1 through 8 shall take effect on the 90th  
2 day after enactment and shall apply to policies or contracts issued  
3 or renewed on or after the effective date.

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STATEMENT

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8 This bill is designed to improve access to medically necessary  
9 treatments for sickle cell anemia through enhanced health insurance  
10 coverage and the dissemination of information about this inherited  
11 blood disorder to health care providers and the general public.

12 Specifically, the bill requires hospital, medical and health service  
13 corporations, commercial individual, small employer and group  
14 health insurers, and health maintenance organizations to cover the  
15 cost of treatment for sickle cell anemia, when prescribed as  
16 medically necessary by the covered person's physician. The costs  
17 would include but are not limited to, those incurred for prescription  
18 drugs provided on an inpatient or outpatient basis and the following  
19 treatments: dose-intensive chemotherapy/bone marrow transplants  
20 and umbilical cord blood transplants when performed by  
21 institutions approved by the National Heart, Lung and Blood  
22 Institute or pursuant to protocols consistent with the guidelines of  
23 the National Heart, Lung and Blood Institute or any other nationally  
24 recognized professional medical specialty academy or organization.  
25 These health care benefits are to be provided to the same extent as  
26 for any other medical condition under the policy or contract.

27 In addition, the Department of Health and Senior Services  
28 (DHSS), in consultation with the Medical Society of New Jersey  
29 and the University of Medicine and Dentistry of New Jersey, would  
30 be required to prepare an informational booklet in English and  
31 Spanish which provides, in a manner easily understandable by the  
32 patient, information about the genetic risk factors associated with,  
33 and the symptoms and treatment of, sickle cell anemia.

34 DHSS is to make a supply of the booklets available to all  
35 licensed health care facilities engaged in the diagnosis or treatment  
36 of sickle cell anemia, as well as to health care professionals,  
37 community health centers, members of the public and social  
38 services agencies upon their request. The booklet may contain any  
39 other information that the Commissioner of Health and Senior  
40 Services deems necessary and may be revised by DHSS whenever  
41 new information about sickle cell anemia becomes available. In  
42 addition, DHSS is to publicize and make available the booklet to  
43 the maximum extent possible, including making the information  
44 contained in the booklet available electronically on its Internet  
45 website in English and Spanish.

46 The bill appropriates \$95,000 from the General Fund to DHSS to  
47 cover the costs of preparing and printing the informational booklet.

48 The insurance coverage provisions of the bill (sections 1 through



**A1120 EVANS, JASEY**

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- 1 8) take effect on the 90th day after enactment and apply to policies
- 2 and contracts issued or renewed on or after its effective date.
- 3 Sections 9 through 11 take effect immediately.

# ASSEMBLY HEALTH AND SENIOR SERVICES COMMITTEE

## STATEMENT TO

### **ASSEMBLY, No. 1120**

with committee amendments

# **STATE OF NEW JERSEY**

DATED: DECEMBER 8, 2011

The Assembly Health and Senior Services Committee reports favorably and with committee amendments Assembly Bill No. 1120.

As amended by the committee, the purpose of this bill is to improve access to medically necessary treatments for sickle cell anemia through enhanced health insurance coverage and the dissemination of information about this inherited blood disorder to health care providers and the general public.

The bill requires health insurers (hospital, medical and health service corporations, commercial individual, small employer and group health insurers, and health maintenance organizations) to cover the cost of treatment for sickle cell anemia, when prescribed as medically necessary by the covered person's physician.

The covered costs would include, but not be limited to, those incurred for prescription drugs provided on an inpatient or outpatient basis and the following treatments: dose-intensive chemotherapy/bone marrow transplants and umbilical cord blood transplants when performed by institutions approved by the National Heart, Lung, and Blood Institute or pursuant to protocols consistent with the guidelines of the National Heart, Lung, and Blood Institute or any other nationally recognized professional medical specialty academy or organization.

These health care benefits are to be provided to the same extent as for any other medical condition under the policy or contract.

In addition, the bill requires that the Department of Health and Senior Services (DHSS), in consultation with the Medical Society of New Jersey and the University of Medicine and Dentistry of New Jersey, prepare, and make available on its Internet website, information in English and Spanish, which is designed to be easily understandable by the general public, about the genetic risk factors associated with, and the symptoms and treatment of, sickle cell anemia, in addition to any other information that the Commissioner of Health and Senior Services deems necessary for the purposes of the bill. DHSS is to revise this information whenever new information about sickle cell anemia becomes available.

DHSS is also required to prepare an informational booklet in English and Spanish that contains the information posted on its website pursuant to the bill, as funds become available for that purpose, and to make a supply of booklets available to all licensed health care facilities engaged in the diagnosis or treatment of sickle cell anemia, as well as to health care professionals, community health centers, members of the public, and social services agencies upon their request.

The insurance coverage provisions of the bill take effect on the first day of the fourth month following the date of enactment and apply to policies and contracts issued or renewed on or after its effective date.

This bill was pre-filed for introduction in the 2010-2011 session pending technical review. As reported, the bill includes the changes required by technical review, which has been performed.

#### COMMITTEE AMENDMENTS

The committee amendments to the bill:

- make the requirement that DHSS prepare an informational booklet on sickle cell anemia subject to the availability of funds for that purpose;
- delete the \$95,000 appropriation to DHSS to prepare and print the informational booklet; and
- make a technical change in the effective date of the insurance coverage provisions of the bill (from the 90th day after enactment to the first day of the fourth month next following the date of enactment).

STATEMENT TO  
[First Reprint]  
**ASSEMBLY, No. 1120**

with Assembly Floor Amendments  
(Proposed by Assemblywoman EVANS)

ADOPTED: DECEMBER 15, 2011

These amendments revise the requirements in this bill for health insurers (hospital, medical and health service corporations, commercial individual, small employer and group health insurers, and health maintenance organizations) to cover expenses for the treatment of sickle cell anemia. The amendments provide that health insurers are to provide coverage for medical expenses incurred by a covered person for the treatment of sickle cell anemia and for prescription drug expenses incurred by a covered person for the treatment of sickle cell anemia if the contract, policy, or plan provides outpatient prescription drug benefits.

# SENATE, No. 3182

## STATE OF NEW JERSEY 214th LEGISLATURE

INTRODUCED DECEMBER 15, 2011

**Sponsored by:**

**Senator RONALD L. RICE**

**District 28 (Essex)**

**Senator SHIRLEY K. TURNER**

**District 15 (Mercer)**

**Co-Sponsored by:**

**Senator Ruiz**

**SYNOPSIS**

Requires insurers to cover treatment for sickle cell anemia; requires DHSS to provide information to public about sickle cell anemia.

**CURRENT VERSION OF TEXT**

As introduced.



**(Sponsorship Updated As Of: 1/10/2012)**

1 AN ACT concerning insurance coverage for, and the provision of  
2 information about, sickle cell anemia, and supplementing Titles  
3 17 and 26 of the Revised Statutes and Title 17B of the New  
4 Jersey Statutes.

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

8  
9 1. Every hospital service corporation contract that provides  
10 hospital and medical expense benefits and is delivered, issued,  
11 executed, or renewed in this State pursuant to P.L.1938, c.366  
12 (C.17:48-1 et seq.), or approved for issuance or renewal in this State  
13 by the Commissioner of Banking and Insurance, on or after the  
14 effective date of this act, shall provide coverage for medical  
15 expenses incurred by a covered person for the treatment of sickle  
16 cell anemia and, if the contract provides benefits for expenses  
17 incurred in the purchase of outpatient prescription drugs, then the  
18 contract shall provide coverage for prescription drug expenses  
19 incurred by a covered person for the treatment of sickle cell anemia.

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 those hospital service corporation  
23 contracts in which the hospital service corporation has reserved the  
24 right to change the premium.

25  
26 2. Every medical service corporation contract that provides  
27 hospital and medical expense benefits and is delivered, issued,  
28 executed, or renewed in this State pursuant to P.L.1940, c.74  
29 (C.17:48A-1 et seq.), or approved for issuance or renewal in this  
30 State by the Commissioner of Banking and Insurance, on or after  
31 the effective date of this act, shall provide coverage for medical  
32 expenses incurred by a covered person for the treatment of sickle  
33 cell anemia and, if the contract provides benefits for expenses  
34 incurred in the purchase of outpatient prescription drugs, then the  
35 contract shall provide coverage for prescription drug expenses  
36 incurred by a covered person for the treatment of sickle cell anemia.

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

39 This section shall apply to those medical service corporation  
40 contracts in which the medical service corporation has reserved the  
41 right to change the premium.

42  
43 3. Every health service corporation contract that provides  
44 hospital and medical expense benefits and is delivered, issued,  
45 executed, or renewed in this State pursuant to P.L.1985, c.236  
46 (C.17:48E-1 et seq.) or approved for issuance or renewal in this  
47 State by the Commissioner of Banking and Insurance, on or after  
48 the effective date of this act, shall provide coverage for medical

1 expenses incurred by a covered person for the treatment of sickle  
2 cell anemia and, if the contract provides benefits for expenses  
3 incurred in the purchase of outpatient prescription drugs, then the  
4 contract shall provide coverage for prescription drug expenses  
5 incurred by a covered person for the treatment of sickle cell anemia.

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

8 This section shall apply to those health service corporation  
9 contracts in which the health service corporation has reserved the  
10 right to change the premium.

11

12 4. Every group health insurance policy that provides hospital  
13 and medical expense benefits and is delivered, issued, executed, or  
14 renewed in this State pursuant to chapter 27 of Title 17B of the New  
15 Jersey Statutes, or approved for issuance or renewal in this State by  
16 the Commissioner of Banking and Insurance, on or after the  
17 effective date of this act, shall provide coverage for medical  
18 expenses incurred by a covered person for the treatment of sickle  
19 cell anemia and, if the policy provides benefits for expenses  
20 incurred in the purchase of outpatient prescription drugs, then the  
21 policy shall provide coverage for prescription drug expenses  
22 incurred by a covered person for the treatment of sickle cell anemia.

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

25 This section shall apply to those policies in which the insurer has  
26 reserved the right to change the premium.

27

28 5. Every individual health insurance policy that provides  
29 hospital and medical expense benefits and is delivered, issued,  
30 executed, or renewed in this State pursuant to chapter 26 of Title  
31 17B of the New Jersey Statutes, or approved for issuance or renewal  
32 in this State by the Commissioner of Banking and Insurance, on or  
33 after the effective date of this act, shall provide coverage for  
34 medical expenses incurred by a covered person for the treatment of  
35 sickle cell anemia and, if the policy provides benefits for expenses  
36 incurred in the purchase of outpatient prescription drugs, then the  
37 policy shall provide coverage for prescription drug expenses  
38 incurred by a covered person for the treatment of sickle cell anemia.

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

41 This section shall apply to those policies in which the insurer has  
42 reserved the right to change the premium.

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44 6. Every health maintenance organization contract that  
45 provides health care services and is delivered, issued, executed, or  
46 renewed in this State pursuant to P.L.1973, c.337 (C.26:2J-1 et  
47 seq.), or approved for issuance or renewal in this State by the  
48 Commissioner of Banking and Insurance, on or after the effective

1 date of this act, shall provide health care services to an enrollee for  
2 the medical treatment of sickle cell anemia and, if the contract  
3 provides health care services for outpatient prescription drugs, then  
4 the contract shall provide health care services to an enrollee for  
5 prescription drugs for the treatment of sickle cell anemia.

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

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

12

13 7. Every individual health benefits plan that provides hospital  
14 and medical expense benefits and is delivered, issued, executed, or  
15 renewed in this State pursuant to P.L.1992, c.161 (C.17B:27A-2 et  
16 seq.), or approved for issuance or renewal in this State, on or after  
17 the effective date of this act, shall provide coverage for medical  
18 expenses incurred by a covered person for the treatment of sickle  
19 cell anemia and, if the plan provides benefits for expenses incurred  
20 in the purchase of outpatient prescription drugs, then the plan shall  
21 provide coverage for prescription drug expenses incurred by a  
22 covered person for the treatment of sickle cell anemia.

23 The benefits shall be provided to the same extent as for any other  
24 medical condition under the health benefits plan.

25 This section shall apply to all individual health benefits plans in  
26 which the carrier has reserved the right to change the premium.

27

28 8. Every small employer health benefits plan that provides  
29 hospital and medical expense benefits and is delivered, issued,  
30 executed, or renewed in this State pursuant to P.L.1992, c.162  
31 (C.17B:27A-17 et seq.), or approved for issuance or renewal in this  
32 State, on or after the effective date of this act, shall provide  
33 coverage for medical expenses incurred by a covered person for the  
34 treatment of sickle cell anemia and, if the plan provides benefits for  
35 expenses incurred in the purchase of outpatient prescription drugs,  
36 then the plan shall provide coverage for prescription drug expenses  
37 incurred by a covered person for the treatment of sickle cell anemia.

38 The benefits shall be provided to the same extent as for any other  
39 medical condition under the health benefits plan.

40 This section shall apply to all small employer health benefits  
41 plans in which the carrier has reserved the right to change the  
42 premium.

43

44 9. The Legislature finds and declares that:

45 a. Sickle cell anemia is an inherited blood disorder  
46 characterized primarily by chronic anemia and periodic episodes of  
47 pain;

48 b. The clinical course of sickle cell anemia does not follow a



1 single pattern, for the symptoms can range from mild to very  
2 severe;

3 c. Sickle cell anemia affects millions of people throughout the  
4 world but in this country affects approximately 72,000 people,  
5 according to the National Heart, Lung, and Blood Institute, most of  
6 whom are African-Americans and Hispanic-Americans of  
7 Caribbean ancestry;

8 d. Approximately two million Americans, or one in 12 African-  
9 Americans, carry the sickle cell trait; and the disease occurs in  
10 approximately one in 500 African-Americans and one in every  
11 1,000-1,400 Hispanic-Americans;

12 e. All newborn infants born in New Jersey and in most other  
13 states are screened for sickle cell anemia; however, there is  
14 currently no known means of prevention or cure for the disease,  
15 although promising new methods of treatment have emerged from  
16 clinical studies in recent years, including drug therapy, bone  
17 marrow transplants from matched siblings, and umbilical cord  
18 blood transplants; and

19 f. There is a widespread need for information among those  
20 populations who are at greatest risk for carrying the sickle cell trait  
21 about the genetic risk factors associated with sickle cell anemia and  
22 the symptoms and treatment of the disease.

23

24 10. a. The Department of Health and Senior Services, in  
25 consultation with the Medical Society of New Jersey and the  
26 University of Medicine and Dentistry of New Jersey, shall prepare,  
27 and make available on its Internet website, information in English  
28 and Spanish, which is designed to be easily understandable by the  
29 general public, about the genetic risk factors associated with, and  
30 the symptoms and treatment of, sickle cell anemia, in addition to  
31 any other information that the Commissioner of Health and Senior  
32 Services deems necessary for the purposes of this act. The  
33 department shall revise this information whenever new information  
34 about sickle cell anemia becomes available.

35 b. The department shall prepare an informational booklet in  
36 English and Spanish that contains the information posted on its  
37 website pursuant to subsection a. of this section, as funds become  
38 available for that purpose. The department shall make a supply of  
39 booklets available to all licensed health care facilities engaged in  
40 the diagnosis or treatment of sickle cell anemia, as well as to health  
41 care professionals, community health centers, members of the  
42 public, and social services agencies upon their request.

43

44 11. Sections 9 and 10 of this act shall take effect immediately,  
45 and sections 1 through 8 shall take effect on the first day of the  
46 fourth month next following the date of enactment and shall apply  
47 to policies or contracts issued or renewed on or after the effective  
48 date.

STATEMENT

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This bill is designed to improve access to treatments for sickle cell anemia through enhanced health insurance coverage and the dissemination of information about this inherited blood disorder to health care providers and the general public.

Specifically, the bill requires hospital, medical and health service corporations, commercial individual, small employer and group health insurers, and health maintenance organizations to provide coverage for medical expenses incurred by a covered person for the treatment of sickle cell anemia and for prescription drug expenses incurred by a covered person for the treatment of sickle cell anemia if the contract, policy, or plan provides outpatient prescription drug benefits.

In addition, the bill requires that the Department of Health and Senior Services (DHSS), in consultation with the Medical Society of New Jersey and the University of Medicine and Dentistry of New Jersey, prepare, and make available on its Internet website, information in English and Spanish, which is designed to be easily understandable by the general public, about the genetic risk factors associated with, and the symptoms and treatment of, sickle cell anemia, in addition to any other information that the Commissioner of Health and Senior Services deems necessary for the purposes of the bill. DHSS is to revise this information whenever new information about sickle cell anemia becomes available.

DHSS is also required to prepare an informational booklet in English and Spanish that contains the information posted on its website pursuant to the bill, as funds become available for that purpose, and to make a supply of booklets available to all licensed health care facilities engaged in the diagnosis or treatment of sickle cell anemia, as well as to health care professionals, community health centers, members of the public, and social services agencies upon their request.

The insurance coverage provisions of the bill take effect on the first day of the fourth month following the date of enactment and apply to policies and contracts issued or renewed on or after its effective date.