

17:48-1

LEGISLATIVE HISTORY CHECKLIST
Compiled by the NJ State Law Library

NJSA: 17:48-1 et al

(Mammogram--
require health
insurance
coverage)

LAWS OF: 1991

CHAPTER: 279

Bill No: A803

Sponsor(s): Bush and others

Date Introduced: Pre-filed

Committee: Assembly: Insurance

Senate: -----

Amended during passage: Yes Amendments during passage
denoted by asterisks.

Date of Passage: Assembly: June 20, 1990

Senate: July 29, 1991

Date of Approval: September 16, 1991

Following statements are attached if available:

Sponsor statement: Yes

Committee Statement: Assembly: Yes

Senate: No

Fiscal Note: Yes

Veto Message: No

Message on signing: Yes

Following were printed:

Reports: No

Hearings: No

KBG/SLJ

[FIRST REPRINT]
ASSEMBLY, No. 803

STATE OF NEW JERSEY

PRE-FILED FOR INTRODUCTION IN THE 1990 SESSION

By Assemblywoman BUSH, Assemblyman McGREEVEY,
Assemblywoman Randall and Assemblyman Russo

1 AN ACT requiring health insurance benefits for mammograms
2 and supplementing P.L.1938, c.366 (C.17:48-1 et seq.),
3 P.L.1940, c.74 (C.17:48A-1 et seq.), P.L.1985, c.236
4 (C.17:48E-1 et seq.), chapter 26 of Title 17B of the New Jersey
5 Statutes, chapter 27 of Title 17B of the New Jersey Statutes,
6 and P.L.1973, c.337 (C.26:2J-1 et seq.).
7

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

10 1. No group or individual hospital service corporation contract
11 providing hospital or medical expense benefits shall be delivered,
12 issued, executed or renewed in this State, or approved for
13 issuance or renewal in this State by the Commissioner of
14 Insurance on or after the effective date of this act, unless the
15 contract provides benefits to any subscriber or other person
16 covered thereunder for expenses incurred in conducting ¹[a
17 mammogram] one baseline mammogram examination for women
18 who are at least 35 but less than 40 years of age; one
19 mammogram examination every two years, or more frequently if
20 recommended by a physician, for women who are at least 40 but
21 less than 50 years of age; and one mammogram examination
22 every year for women age 50 and over¹. These benefits shall be
23 provided to the same extent as for any other sickness under the
24 contract.

25 2. No group or individual medical service corporation contract
26 providing hospital or medical expense benefits shall be delivered,
27 issued, executed or renewed in this State, or approved for
28 issuance or renewal in this State by the Commissioner of
29 Insurance on or after the effective date of this act, unless the
30 contract provides benefits to any subscriber or other person
31 covered thereunder for expenses incurred in conducting ¹[a
32 mammogram] one baseline mammogram examination for women
33 who are at least 35 but less than 40 years of age; one
34 mammogram examination every two years, or more frequently if
35 recommended by a physician, for women who are at least 40 but
36 less than 50 years of age; and one mammogram examination
37 every year for women age 50 and over¹. These benefits shall be
38 provided to the same extent as for any other sickness under the
39 contract.

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 AIN committee amendments adopted September 10, 1990.

1 3. No group or individual health service corporation contract
2 providing hospital or medical expense benefits shall be delivered,
3 issued, executed or renewed in this State, or approved for
4 issuance or renewal in this State by the Commissioner of
5 Insurance on or after the effective date of this act, unless the
6 contract provides benefits to any subscriber or other person
7 covered thereunder for expenses incurred in conducting ¹[a
8 mammogram] one baseline mammogram examination for women
9 who are at least 35 but less than 40 years of age; one
10 mammogram examination every two years, or more frequently if
11 recommended by a physician, for women who are at least 40 but
12 less than 50 years of age; and one mammogram examination
13 every year for women age 50 and over¹. These benefits shall be
14 provided to the same extent as for any other sickness under the
15 contract.

16 4. No individual health insurance policy providing hospital or
17 medical expense benefits shall be delivered, issued, executed or
18 renewed in this State, or approved for issuance or renewal in this
19 State by the Commissioner of Insurance on or after the effective
20 date of this act, unless the policy provides benefits to any named
21 insured or other person covered thereunder for expenses incurred
22 in conducting ¹[a mammogram] one baseline mammogram
23 examination for women who are at least 35 but less than 40 years
24 of age; one mammogram examination every two years, or more
25 frequently if recommended by a physician, for women who are at
26 least 40 but less than 50 years of age; and one mammogram
27 examination every year for women age 50 and over¹. These
28 benefits shall be provided to the same extent as for any other
29 sickness under the policy.

30 5. No group health insurance policy providing hospital or
31 medical expense benefits shall be delivered, issued, executed or
32 renewed in this State, or approved for issuance or renewal in this
33 State by the Commissioner of Insurance on or after the effective
34 date of this act, unless the policy provides benefits to any named
35 insured or other person covered thereunder for expenses incurred
36 in conducting ¹[a mammogram] one baseline mammogram
37 examination for women who are at least 35 but less than 40 years
38 of age; one mammogram examination every two years, or more
39 frequently if recommended by a physician, for women who are at
40 least 40 but less than 50 years of age; and one mammogram
41 examination every year for women age 50 and over¹. These
42 benefits shall be provided to the same extent as for any other
43 sickness under the policy.

44 6. Notwithstanding any provision of law to the contrary, a
45 certificate of authority to establish and operate a health
46 maintenance organization in this State shall not be issued or
47 continued by the Commissioner of Health on or after the
48 effective date of this act unless the health maintenance
49 organization provides health care services to any enrollee for the

1 conduct of ¹[a mammogram] one baseline mammogram
2 examination for women who are at least 35 but less than 40 years
3 of age; one mammogram examination every two years, or more
4 frequently if recommended by a physician, for women who are at
5 least 40 but less than 50 years of age; and one mammogram
6 examination every year for women age 50 and over¹. These
7 health care services shall be provided to the same extent as for
8 any other sickness.

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

10

11

12

INSURANCE

13

14

Requires health insurers to pay for mammograms.

1 insured or other person covered thereunder for expenses incurred
2 in conducting a mammogram. These benefits shall be provided to
3 the same extent as for any other sickness under the policy.

4 5. No group health insurance policy providing hospital or
5 medical expense benefits shall be delivered, issued, executed or
6 renewed in this State, or approved for issuance or renewal in this
7 State by the Commissioner of Insurance on or after the effective
8 date of this act, unless the policy provides benefits to any named
9 insured or other person covered thereunder for expenses incurred
10 in conducting a mammogram. These benefits shall be provided to
11 the same extent as for any other sickness under the policy.

12 6. Notwithstanding any provision of law to the contrary, a
13 certificate of authority to establish and operate a health
14 maintenance organization in this State shall not be issued or
15 continued by the Commissioner of Health on or after the
16 effective date of this act unless the health maintenance
17 organization provides health care services to any enrollee for the
18 conduct of a mammogram. These health care services shall be
19 provided to the same extent as for any other sickness.

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

21

22

23

STATEMENT

24

25 This bill requires hospital service corporations (Blue Cross),
26 medical service corporations (Blue Shield), health service
27 corporations (Blue Cross/Blue Shield), commercial insurers and
28 health maintenance organizations to provide benefits for the
29 conduct of mammograms. The bill is designed to encourage
30 women to take advantage of mammograms which are capable of
31 detecting breast cancer in its early stages.

32

33

34

INSURANCE

35

36

Requires health insurers to pay for mammograms.

ASSEMBLY INSURANCE COMMITTEE

STATEMENT TO

ASSEMBLY, No. 803

with Assembly committee amendments

STATE OF NEW JERSEY

DATED: SEPTEMBER 10, 1990

The Assembly Insurance Committee reports favorably Assembly Bill No. 803 with committee amendments.

This bill requires hospital service corporations (Blue Cross), medical service corporations (Blue Shield), health service corporations (Blue Cross/Blue Shield), commercial insurers and health maintenance organizations to provide benefits for the conduct of mammograms. The bill is designed to encourage women to take advantage of mammograms which are capable of detecting breast cancer in its early stages.

The bill was amended to include the schedule for coverage that is suggested by the American Cancer Society guidelines for asymptomatic women.

This bill was pre-filed for introduction in the 1990 session pending technical review. As reported the bill includes the changes required by technical review which has been performed.

LEGISLATIVE FISCAL ESTIMATE TO

[FIRST REPRINT]

ASSEMBLY, No. 803

STATE OF NEW JERSEY

LAW LIBRARY COPY
DO NOT REMOVE

DATED: January 7, 1991

Assembly Bill No. 803 (1R) of 1990 would require hospital service corporations, medical service corporations, health service corporations, commercial insurers and health maintenance organizations to provide health benefits for the conduct of mammograms. Under the provisions of the bill, benefits will be provided for conducting the following examinations: one baseline mammogram examination for women who are at least 35 but less than 40 years of age; one mammogram examination every two years, or more frequently if recommended by a physician, for women who are at least 40 but less than 50 years of age; and one mammogram examination every year for women age 50 and over.

According to the Division of Pensions within the Department of the Treasury, enactment of this legislation will have no fiscal impact on State health benefits because it does not amend the State health benefits statutes and, therefore, the State would not be required to implement the bill's provisions in its health benefits program.

The Office of Legislative Services notes, however, that the State Health Benefits Commission has, in the past, implemented benefit policies resulting from enacted legislation that did not amend the State health benefits statutes. Furthermore, although the bill does not specifically require the State to provide such coverage, the carriers that have contracted to provide State health benefits would be subject to the bill and therefore would be required to provide benefits for the conduct of mammograms according to the terms of the bill. The Division of Pensions has not provided any information as to potential increases in State health benefit costs associated with such an implementation. OLS notes, however, that the State Traditional Benefit Plan does not cover preventative examinations of this nature. According to the Prudential Insurance Company, only diagnostic examinations are currently covered. As a result, the enactment of this bill could possibly result in an increase in the cost of the State health benefits program. It is very difficult, however, to determine the number of women who would have these examinations.

This legislative fiscal estimate has been produced by the Office of Legislative Services due to the failure of the Executive Branch to respond to our request for a fiscal note.

This fiscal estimate has been prepared pursuant to P.L.1980, c.67.

974.901
661



OFFICE OF THE GOVERNOR NEWS RELEASE

CN-001

Contact: JON SHURE
609-292-8956

TRENTON, N.J. 08625

Release: MONDAY
SEPT. 16, 1991

Gov. Florio Signs Measure to Help Fight Breast Cancer; Requires Health Insurers to Cover Cost of Early Detection Test

NORTH BRUNSWICK -- In what is hoped will be a further encouragement for women to be tested for breast cancer, Gov. Jim Florio today signed into law a measure that requires health insurers to cover the costs of mammograms.

"This is a day of great hope," Gov. Florio said at a bill-signing ceremony at the offices of the American Cancer Society. "We are committing ourselves to the health of the women of this state."

"There's a lot we don't know about breast cancer. But there's one thing we do know: mammograms save lives."

Mammograms can find tumors years before they are detectable to the touch or the naked eye. That valuable time can make the difference between life and death. About 6,800 women will be diagnosed with breast cancer this year in New Jersey.

The legislation (A-803/S-2183) was sponsored by Assembly members Stephanie Bush and James McGreevey, and Sen. Henry McNamara. It requires hospital and medical service corporations, commercial insurers and health maintenance organizations (HMOs) to provide coverage for mammograms. Benefits will be provided for:

- Conducting one exam for women between 35 and 40 years old

(over)

- One exam every two years for women between 40-49, or more frequently if recommended by a physician
- Annual exams for women 50 or older

Some 1,700 women in New Jersey die each year from breast cancer. The centers for Disease Control have cited New Jersey as having the third highest mortality rate in the nation from this disease. The American Cancer Society says that 91 percent of women diagnosed with localized breast cancer are alive five years after the diagnosis.

Mammograms cost in the area of \$75 to \$250. "No child should be robbed of his or her mother for such a paltry sum," Gov. Florio said.

#####