

SENATE HEALTH, HUMAN SERVICES AND SENIOR
CITIZENS COMMITTEE

STATEMENT TO

SENATE, No. 2705

with committee amendments

STATE OF NEW JERSEY

DATED: JUNE 23, 2022

The Senate Health, Human Services and Senior Citizens Committee reports favorably Senate Bill No. 2705, with committee amendments.

As amended by the committee, this bill authorizes home care for individuals who are disabled or elderly and requires health insurance coverage therefor.

Under the bill, a health care professional is to be permitted to provide care or treatment to an individual who is disabled or elderly in the home of the individual if the individual is unable to present for an in-person visit in a clinical setting, as documented by a health care professional in the medical record of the individual based upon the good faith clinical judgment of the health care professional, provided that the health care professional is able to provide adequate medical care or treatment in the home of the individual who is disabled or elderly in a manner that is consistent with the clinical standards for treatment in the applicable specialty.

Further, the bill requires health insurance carriers, including insurance companies, health service corporations, hospital service corporations, medical service corporations, health maintenance organizations authorized to issue health benefits plans in New Jersey, and any entity contracted to administer health benefits in connection with the State Health Benefits Program or School Employees' Health Benefits Program, to cover home care.

As amended, the provisions of the bill are not be interpreted as imposing any new network adequacy requirements related specifically to the provision of home care. Additionally, the provisions of the bill are not be interpreted to preclude a health insurance carrier from offering benefits for the provision of care or treatment by a health care professional in a covered person's home, which coverage may be provided regardless of whether the covered person is elderly or has a disability and regardless of the reasons for which care or treatment is provided in the covered person's home.

The bill defines "home care" to include preventative, primary, specialty, or urgent care or treatment provided by a health care

professional to an individual who is disabled or elderly in the individual's home. "Home care" does not include custodial care.

COMMITTEE AMENDMENTS:

The committee amendments provide that the provisions of the bill are not to be interpreted as imposing any new network adequacy requirements related specifically to the provision of home care.

The committee amendments provide that the provisions of the bill are not to be interpreted to preclude a health insurance carrier from offering benefits for the provision of care or treatment by a health care professional in a covered person's home, which coverage may be provided regardless of whether the covered person is elderly or has a disability and regardless of the reasons for which care or treatment is provided in the covered person's home.

The committee amendments remove the definition of "health care facility" from the bill and replace references to "health care facility" with "clinical setting," which the committee amendments define as a health care professional's office or professional practice setting or a health care facility licensed pursuant to P.L.1971, c.136 (C.26:2H-1 et seq.).

The committee amendments make technical changes to correct references to medical service corporations, health service corporations, and health benefits plans.