

ASSEMBLY, No. 378

STATE OF NEW JERSEY

221st LEGISLATURE

PRE-FILED FOR INTRODUCTION IN THE 2024 SESSION

Sponsored by:

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SYNOPSIS

Prohibits health insurance carriers from disclosing to policyholder or other person covered under health benefits plan any identifying information connected to covered person with valid protection order against policyholder or other covered person.

CURRENT VERSION OF TEXT

Introduced Pending Technical Review by Legislative Counsel.



1 AN ACT concerning health insurance carriers and confidentiality of
2 certain information, and supplementing P.L.1997, c.192
3 (C.26:2S-1 et seq.).
4

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

8 1. a. A carrier shall be prohibited from disclosing to a
9 policyholder or other person covered by the health benefits plan of
10 the policyholder the address, telephone number, other method of
11 contact, or any other identifying information of a covered person
12 under a health benefits plan if the covered person delivers to the
13 carrier:

14 (1) a valid protective order against the policyholder that is
15 issued by a court of competent jurisdiction in the State; or

16 (2) a request to designate an alternative mailing address,
17 telephone number or method of contact for the purposes of
18 receiving claim related information if the covered person states that
19 disclosure of all or part of the claim-related information could
20 endanger the person.

21 The prohibition pursuant to this subsection shall remain in place
22 for the duration of the protective order or until the request
23 designating an alternative mailing address, telephone number or
24 other method of contact is cancelled in writing by the covered
25 person who made the request.

26 b. The requirements of subsection a. of this section shall apply
27 to any healthcare provider providing covered services to the
28 covered person. The provider shall be prohibited from disclosing
29 any personally identifying information of the covered person; the
30 nature of the covered services provided to the covered person; or
31 from mailing, delivering, or otherwise providing claim-related
32 information to any mailing address, telephone number, or other
33 method of contact other than as designated by the covered person
34 pursuant to subsection a. of this section.

35 c. If the covered person is a minor, the right established by this
36 act may be asserted by, and shall extend to, the parent or guardian
37 of the minor.

38 d. A carrier may require a covered person making a request to
39 designate an alternative mailing address, telephone number, or other
40 method of contact pursuant to this section to:

41 (1) make the request in writing;

42 (2) include a statement in the request that disclosure of all or
43 part of the claim related information to which the request pertains
44 could endanger the person or minor, if applicable; and

45 (3) specify an alternative mailing address, telephone number, or
46 other method of contact.

47 e. As used in this section:

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1 “Carrier” means an insurance company, health service
2 corporation, hospital service information, medical service
3 corporation, health maintenance organization, or other entity
4 authorized to issue health benefits plans in this State, and shall
5 include the State Health Benefits Program and the School
6 Employees’ Health Benefits Program.

7 “Claim related information” means all claim or billing
8 information relating specifically to a covered person.

2. The Commissioner of Banking and Insurance shall adopt rules and regulations as necessary to implement and administer this act in accordance with the "Administrative Procedure Act" P.L.1968, c.410 (C.52:14B-1 et seq.).

3. This act shall take effect on the 90th day next following enactment and shall apply to policies and contracts that are delivered, issued, executed, or renewed on or after that date.

STATEMENT

22 This bill prohibits health insurance carriers from disclosing to the
23 policyholder, or any other person covered under the health benefits
24 plan, any identifying information connected to a covered person with a
25 valid protection order against the policyholder or other covered person.

26 Under the bill, a carrier will be prohibited from disclosing to the
27 policyholder the address, telephone number, or other method of
28 contact for a covered person under a health benefits plan if the
29 covered person under the health benefits plan delivers to the carrier:

(1) a valid protective order against the policyholder that is issued by a court of competent jurisdiction in the State; or

(2) a request to designate an alternative mailing address, telephone number or other method of contact for the purpose of receiving claim related information if the covered person states that disclosure of all or part of the claim related information could endanger the person.

Healthcare providers providing covered services will also be included in the restrictions imposed by the bill. A provider will be prohibited from providing:

40 (1) any personally identifying information of the covered
41 person;

42 (2) the nature of the covered services provided to the covered
43 person; or

44 (3) claim related information to any mailing address, telephone
45 number, or other method of contact other than as designated by the
46 covered person.

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1 The bill also provides that if the covered person is a minor, the
2 right established by the bill may be asserted by, and may extend to,
3 the parent or guardian of the minor.