

ASSEMBLY COMMITTEE SUBSTITUTE FOR
ASSEMBLY, No. 378

STATE OF NEW JERSEY
221st LEGISLATURE

ADOPTED FEBRUARY 22, 2024

Sponsored by:

Assemblyman STERLEY S. STANLEY

District 18 (Middlesex)

Assemblywoman SHANIQUE SPEIGHT

District 29 (Essex and Hudson)

Assemblywoman VERLINA REYNOLDS-JACKSON

District 15 (Hunterdon and Mercer)

Co-Sponsored by:

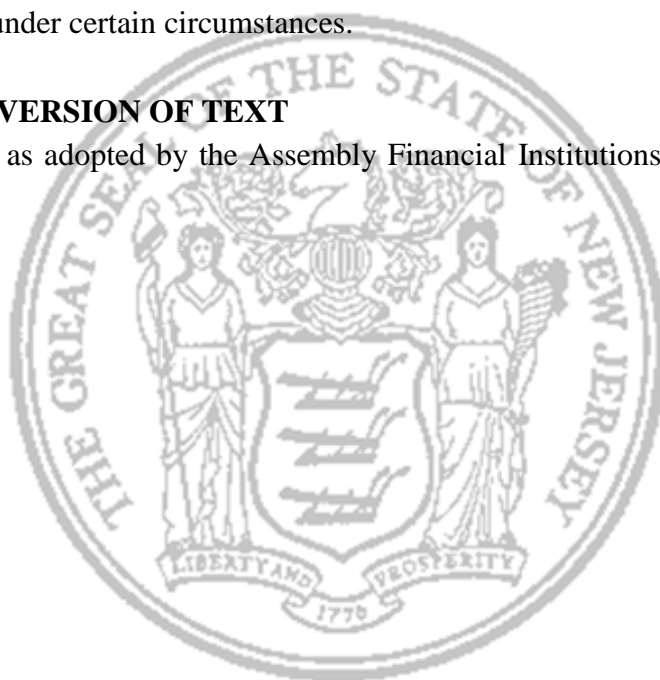
Assemblyman Freiman, Assemblywomen Hall and Bagolie

SYNOPSIS

Requires health insurance carriers, health care providers, and hospitals and health care facilities to change manner of communications of protected health information under certain circumstances.

CURRENT VERSION OF TEXT

Substitute as adopted by the Assembly Financial Institutions and Insurance Committee.



(Sponsorship Updated As Of: 4/4/2024)

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 covered person, or, if the covered person is a minor,
 9 the parent or guardian of the covered person, may submit to a
 10 carrier a request to receive communications of protected health
 11 information, including Explanations of Benefits, from the carrier by
 12 alternative means or at alternative locations, if the covered person is
 13 receiving sensitive services or clearly states that the disclosure of
 14 all or part of that information could endanger the covered person.
 15 A carrier shall accommodate all reasonable requests submitted
 16 pursuant to this subsection.

17 b. An individual, or, if the individual is a minor, the parent or
 18 guardian of the individual, may submit to a health care provider
 19 licensed pursuant to Title 45 of the Revised Statutes, or a hospital
 20 or other health care facility licensed pursuant to Title 26 of the
 21 Revised Statutes, a request to receive communications of protected
 22 health information from the health care provider, hospital, or other
 23 health care facility by alternative means or at alternative locations,
 24 if the individual is receiving sensitive services or clearly states that
 25 the disclosure of all or part of that information could endanger the
 26 individual. A health care provider, hospital, or other health care
 27 facility shall accommodate all reasonable requests submitted
 28 pursuant to this subsection.

29 c. A carrier, health care provider, hospital, or other health care
 30 facility shall provide the communications of protected health
 31 information in the manner requested by the covered person or
 32 individual pursuant to subsection a. of this section until the request
 33 is cancelled in writing by the covered person or individual who
 34 made the request or as permitted under federal regulations.

35 d. As used in this section:

36 "Carrier" means an insurance company, health service
 37 corporation, hospital service information, medical service
 38 corporation, health maintenance organization, or other entity
 39 authorized to issue health benefits plans in this State, and shall
 40 include the State Health Benefits Program and the School
 41 Employees' Health Benefits Program.

42 "Sensitive services" means health care services related to sexual
 43 assault, pregnancy, family planning, sexually transmitted diseases,
 44 domestic violence, behavioral health, and substance or alcohol
 45 abuse.
 46

47 2. The Commissioner of Banking and Insurance shall adopt
 48 rules and regulations as necessary to implement and administer this

1 act in accordance with the “Administrative Procedure Act”
2 P.L.1968, c.410 (C.52:14B-1 et seq.).

3

4 3. This act shall take effect on the 180th day next following
5 enactment and shall apply to policies and contracts that are
6 delivered, issued, executed, or renewed on or after that date.