

[First Reprint]

ASSEMBLY, No. 2334

STATE OF NEW JERSEY
221st LEGISLATURE

PRE-FILED FOR INTRODUCTION IN THE 2024 SESSION

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District 38 (Bergen)

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SYNOPSIS

Requires telecommunications, cable television, and Internet service providers to allow for service contracts to be paused or canceled following service recipient's admission to long-term care facility.

CURRENT VERSION OF TEXT

As reported by the Assembly Consumer Affairs Committee on October 24, 2024, with amendments.

(Sponsorship Updated As Of: 12/19/2024)

1 AN ACT allowing ¹~~【certain telecommunications service recipients~~
 2 to terminate】 for¹ service contracts to be paused or canceled¹
 3 following ¹~~【a physician's referral】~~ service recipients'
 4 admission¹ to certain long-term care facilities and supplementing
 5 Title 56 of the Revised Statutes.

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

9
 10 1. a. A service provider doing business in this State shall allow
 11 a service recipient to ¹~~【terminate】~~ pause and, as may be applicable,
 12 cancel¹ a contract for telecommunications service, cable television
 13 service, or Internet connection service pursuant to subsection b. of
 14 this section.

15 b. (1) A service provider shall permit a service recipient to
 16 ¹~~【terminate】~~ pause¹, without incurring an ¹~~【early termination】~~
 17 additional¹ fee, the contract for those services ¹~~【after the service~~
 18 recipient receives a physician's order, or develops a plan of care in
 19 collaboration with a physician responsible for the care of the service
 20 recipient, to relocate the service recipient to a long-term care
 21 facility for a period of at least 90 days, if the service recipient
 22 relocates to a long-term care facility that meets the description in
 23 the physician's order or the plan of care】 upon the admission of the
 24 service recipient to a long-term care facility. The service provider
 25 shall not resume charging the service recipient under the contract
 26 for a minimum period of 90 days. If the service recipient remains
 27 admitted to a long-term care facility after a period of 90 days, the
 28 service provider shall cancel the contract without any additional
 29 charge¹.

30 (2) ¹~~【The service recipient shall, unless waived or not required~~
 31 by the service provider, provide the service provider with no less
 32 than 45 days' notice prior to the requested date of the contract
 33 termination or cancellation; provided, however, a service provider
 34 shall waive the notice requirement and permit the termination
 35 within 48 hours if a physician's order requires immediate relocation
 36 to a long-term care facility.】¹ The service provider shall provide a
 37 standard ¹~~【termination】~~¹ form to the service recipient upon request,
 38 which the service recipient and a physician shall utilize when
 39 requesting contract ¹~~【termination】~~ pause¹ or cancellation pursuant
 40 to the provisions of this section. If the service recipient is unable to
 41 submit the standard ¹~~【termination】~~¹ form and a representative of
 42 the service recipient is requesting contract ¹~~【termination】~~ pause¹
 43 or cancellation pursuant to the provisions of this section, 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:

¹Assembly ACO committee amendments adopted October 24, 2024.

1 representative shall submit to the service provider the standard
2 **1** **termination** **1** form and a copy of the power of attorney,
3 conservatorship, or guardianship documents verifying the
4 representative's authority to act on behalf of the service recipient.

5 (3) A service provider may require written proof of a service
6 recipient's **1** **relocation** **admission** **1** to a long-term care facility. If
7 the service provider requires written proof, then the delivery of a
8 written notice to the service provider of the **1** **requested contract**
9 **termination** **request pursuant to this subsection** **1** and a letter signed
10 by the service recipient's physician **1**, no later than 45 days prior to
11 the requested date of termination, **1** attesting that the requirements
12 established pursuant to this subsection are met, shall be deemed
13 sufficient proof.

14 (4) Nothing in P.L. , c. (C.) (pending before the
15 Legislature as this bill) shall relieve a service recipient of an
16 obligation to return equipment to the service provider or to **1** **be**
17 **charged** **pay** **1** a lawful unreturned equipment charge **1**, **1** nor shall a
18 service recipient be relieved from any amounts owed for any
19 equipment purchased by the service recipient.

20 c. For purposes of this section:

21 "Assisted living facility" means an assisted living residence or
22 comprehensive personal care home licensed pursuant to P.L.1971,
23 c.136 (C.26:2H-1 et seq.).

24 "Cable television company" and "cable television service" shall
25 have the same meaning as provided in section 3 of P.L.1972, c.186
26 (C.48:5A-3).

27 "Certified mail" shall have **1** **the** **1** same meaning as provided in
28 R.S.1:1-2.

29 "Dementia care home" means a community residential facility
30 which: (1) provides services to residents with special needs,
31 including, but not limited to, persons with Alzheimer's disease and
32 related disorders or other forms of dementia; (2) is subject to the
33 licensure authority of the Department of Health as a health care
34 facility pursuant to P.L.1971, c.136 (C.26:2H-1 et seq.); (3) and
35 meets the requirements of section 19 of P.L.2015, c.125 (C.26:2H-
36 150).

37 "Internet service provider" shall have **1** **the** **1** same meaning as
38 provided in section 3 of P.L.2007, c.272 (C.56:8-170).

39 "Long-term care facility" means a nursing home, assisted living
40 residence, comprehensive personal care home, residential health
41 care facility, or dementia care home licensed pursuant to P.L.1971,
42 c.136 (C.26:2H-1 et seq.).

43 "Physician" means a physician authorized by law to practice
44 medicine in this or any other state and any other person authorized
45 by law to treat sick and injured human beings in this or any other
46 state.

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1 “Service provider” means a telecommunications service
2 provider, a cable television company, or an Internet service
3 provider.

4 “Service recipient” means any individual who resides in this
5 State who receives telecommunications service, cable television
6 service, or Internet service from a service provider through
7 equipment that is located in this State.

8 “Telecommunications service provider” means any person,
9 business or organization qualified to do business in this State that
10 provides a telecommunications service that is subject to regulation
11 by the Board of Public Utilities pursuant to Title 48 of the Revised
12 Statutes.

13

14 2. This act shall take effect on the first day of the 12th month next
15 following enactment.