

ASSEMBLY CONSUMER AFFAIRS COMMITTEE

STATEMENT TO

ASSEMBLY, No. 2334

with committee amendments

STATE OF NEW JERSEY

DATED: OCTOBER 24, 2024

The Assembly Consumer Affairs Committee reports favorably and with committee amendments Assembly Bill No. 2334.

As amended and reported, this bill requires telecommunications, cable television, and Internet service providers (service providers) to allow a service recipient to pause or, as may be applicable, cancel a service contract following a service recipient's admission to a long-term care facility, without incurring any additional fees. The service provider is not to resume charging the service recipient under the contract for a minimum period of 90 days. Should the service recipient remain admitted to a long-term care facility at the end of the 90 day period, the service provider is required to cancel the contract without additional fees.

The amended bill also allows a service provider to require written proof of a service recipient's admission to a long-term facility. In this event, the bill provides that the delivery of a written notice to the service provider of the contract pause or cancellation request and a letter signed by the service recipient's physician would be deemed to constitute sufficient proof.

The amended bill further provides that nothing in the bill is to relieve a service recipient of an obligation to return equipment to the service provider or to pay a lawful unreturned equipment charge, nor is a service recipient relieved from any amounts owed for any equipment purchased by the service recipient.

As amended, the bill provides that a service provider is to provide a standard form to the service recipient upon request, which the service recipient and a physician are to utilize when requesting contract pause or cancellation from the service provider.

In addition, the amended bill provides that when the service recipient is unable to submit the standard form and a representative of the service recipient is requesting contract pause or cancellation, the representative is to submit to the service provider the standard form and a copy of the power of attorney, conservatorship, or guardianship documents verifying the representative's authority to act on behalf of the service recipient.

This bill was prefiled for introduction in the 2024-2025 session pending technical review. As reported, the bill includes the changes required by technical review, which has been performed.

As amended and reported by the committee, Assembly Bill No. 2334 is identical to Senate Bill No. 684, which was also amended and reported by the committee on this date.

COMMITTEE AMENDMENTS:

The committee amended the bill to:

(1) provide that a service provider is required to permit a service recipient to pause a contract upon the admission of the service recipient to a long-term care facility and that the service provider is not to charge the service recipient under the contract for a minimum period of 90 days;

(2) require that, if a service recipient remains admitted to a long-term care facility after a period of 90 days, the service provider cancel the contract without additional fees;

(3) remove the requirement that a service recipient provide a service provider 45 days advance notice of the requested contract termination or cancellation;

(4) remove the requirement that a service recipient receive a physician's order or plan of care to relocate the service recipient to a long-term care facility for a period of at least 90 days;

(5) change all references to the "relocation" of a service recipient to a long-term care facility to "admission" of a service recipient to a long-term care facility;

(6) change all references to "termination" of a contract to instead read "pause" or "cancellation" of a contract;

(7) provide that a service provider is required to provide a standard form requesting contract pause or cancellation, instead of providing a "termination form," to a service recipient upon request;

(8) make technical changes to the bill; and

(9) update the title and synopsis to reflect the changes to the bill.