

P.L. 2025, CHAPTER 320, *approved January 20, 2026*
Senate, No. 4816 (*Second Reprint*)

1 AN ACT concerning neonatal care and amending P.L.1992, c.160.

2

3 **BE IT ENACTED** by the Senate and General Assembly of the State
4 of New Jersey:

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6 1. Section 19 of P.L.1992, c.160 (C.26:2H-7a) is amended to
7 read as follows:

8 19. Notwithstanding the provisions of section 7 of P.L.1971,
9 c.136 (C.26:2H-7) to the contrary, the following are exempt from
10 the certificate of need requirement:

11 Community-based primary care centers;

12 Outpatient drug and alcohol services;

13 Hospital-based medical detoxification for drugs and alcohol;

14 Ambulance and invalid coach services;

15 Mental health services which are non-bed related outpatient
16 services;

17 Full service diagnostic catheterization services, primary
18 angioplasty services, and elective angioplasty services in
19 accordance with a license issued under section 2 of P.L.2021, c.18
20 (C.26:2H-7.23);

21 Residential health care facility services;

22 Dementia care homes;

23 Capital improvements and renovations to health care facilities;

24 Additions of medical/surgical, adult intensive care and adult
25 critical care beds in hospitals;

26 ¹[An addition of intermediate or intensive bassinets in a health
27 care facility that provides inpatient, maternity services, irrespective
28 of whether the health care facility has an existing certificate of need
29 to provide neonatal care services; however, a reduction of
30 intermediate or intensive bassinets in a health care facility that
31 provides inpatient, maternity services, shall not be exempt from the
32 certificate of need requirement;

33 An increase in the level of neonatal care designation of a health
34 care facility that provides inpatient, maternity services, irrespective
35 of whether the health care facility has an existing certificate of need
36 to provide neonatal care services; however, a decrease in the level
37 of neonatal care designation of a health care facility that provides

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:

¹Senate SBA committee amendments adopted January 8, 2026.

²Senate amendments adopted in accordance with Governor's
recommendations January 12, 2026.

1 inpatient, maternity services, shall not be exempt from the
 2 certificate of need requirement;]

3 An increase in the level of neonatal care designation of a health
 4 care facility, which provides inpatient, maternity services, from
 5 “community perinatal center-basic” to “community perinatal
 6 center – intermediate,” as these terms are defined in N.J.A.C.8:33-
 7 1.3, or its successor regulation;¹

8 Inpatient special psychiatric beds used solely for services for
 9 patients with co-occurring mental health and substance use
 10 disorders;

11 Replacement of existing major moveable equipment;

12 Inpatient operating rooms;

13 Alternate family care programs;

14 Hospital-based subacute care;

15 Ambulatory care facilities;

16 Comprehensive outpatient rehabilitation services;

17 Special child health clinics;

18 New technology in accordance with the provisions of section 18
 19 of P.L.1998, c.43 (C.26:2H-7d);

20 Transfer of ownership interest except in the case of an acute care
 21 hospital;

22 Change of site for approved certificate of need within the same
 23 county;

24 Additions to vehicles or hours of operation of a mobile intensive
 25 care unit;

26 Relocation or replacement of a health care facility within the
 27 same county, except for an acute care hospital;

28 Continuing care retirement communities authorized pursuant to
 29 P.L.1986, c.103 (C.52:27D-330 et seq.);

30 Magnetic resonance imaging;

31 Adult day health care facilities;

32 Pediatric day health care facilities;

33 Chronic or acute renal dialysis facilities; and

34 Transfer of ownership of a hospital to an authority in accordance
 35 with P.L.2006, c.46 (C.30:9-23.15 et al.).

36 (cf: P.L.2021, c.18, s.4)

37
 38 ²[¹2. Notwithstanding the provisions of sections 1 or 3 of P.L.
 39 , c. (C.) (pending before the Legislature as this bill), a health
 40 care facility that provides inpatient maternity services, as of the
 41 effective date of P.L. , c. (C.) (pending before the
 42 Legislature as this bill), shall be permitted to increase its total
 43 number of bassinets by no more than 25 percent of its total number
 44 of bassinets that are licensed as of the effective date of P.L. , c.
 45 (C.) (pending before the Legislature as this bill), provided that
 46 this increase shall only occur once and shall only occur prior to
 47 December 31, 2026.¹]²

1 ²**[¹3.] 2.²** Within 180 days following the effective date of
2 P.L. , c. (C.) (pending before the Legislature as this bill),
3 the Department of Health shall issue a certificate of need call for
4 the neonatal level of care designation, "community perinatal center
5 – intensive," as this term is defined in N.J.A.C.8:33-1.3 or its
6 successor regulation, and for the addition of intensive bassinets
7 within health care facilities that provide inpatient, maternity
8 services, in a manner that reflects the current needs of the State.¹

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10 ²**[¹4.] 3.²** Nothing in P.L. , c. (C.) (pending before the
11 Legislature as this bill), shall be construed as limiting the
12 Department of Health's licensing authority with regard to bassinets
13 within health care facilities that provide inpatient, maternity
14 services.¹

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16 ¹**[2.] ²[^{5.1}] 4.²** This act shall take effect immediately.

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Expands New Jersey's certificate of need exemption list.