SENATE HEALTH, HUMAN SERVICES AND SENIOR CITIZENS COMMITTEE

STATEMENT TO

SENATE, No. 1984

with committee amendments

STATE OF NEW JERSEY

DATED: MAY 9, 2024

The Senate Health, Human Services and Senior Citizens Committee reports favorably and with committee amendments Senate Bill No. 1984.

As amended by the committee, this bill provides that the Department of Health (department) is to require each hospital in this State to be in compliance with federal hospital price transparency requirements under 45 C.F.R. Part 180 and to evaluate whether each hospital has complied with such requirements. If the department concludes that a hospital is noncompliant with one or more of the federal requirements, the department may take any of the following actions: (1) provide a written warning notice to a hospital of a specific violation; (2) request a corrective action plan from the hospital if its noncompliance constitutes a material violation; or (3) impose a civil monetary penalty on the hospital and publish the penalty on the department's website if the hospital fails to respond to the department's request to submit a corrective action plan or comply with the requirements of the corrective action plan. A material violation may include a hospital's failure to publish its standard charges. A hospital's corrective action plan is to specify elements including: (1) the corrective actions or processes the hospital is to take to address the deficiency identified by the department; and (2) the timeframe by which the hospital is to complete the corrective action.

The department may impose a civil monetary penalty on a hospital that violates any of the federal hospital price transparency requirements under 45 C.F.R. Part 180 or any of the bill's provisions. A hospital is to pay the civil monetary penalty in full within 60 calendar days after the date of the notice of imposition of a civil monetary penalty.

A hospital upon which the department has imposed a penalty may appeal that penalty. If a hospital does not request a hearing within 30 calendar days of the issuance of a notice of imposition of a civil monetary penalty, the department may impose the civil monetary penalty indicated in such notice and may impose additional penalties in response to continuing violations without the right of appeal.

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.

COMMITTEE AMENDMENTS:

The committee amendments revise the bill to provide that the Department of Health (department) is to require each hospital in the State to be in compliance with the federal hospital price transparency requirements under 45 C.F.R. Part 180 and to evaluate whether each hospital has complied with such requirements. As introduced, the bill would have required the State to codify its own set of hospital price transparency requirements in statute, against which the department would evaluate hospitals for compliance.

The committee amendments revise the bill's synopsis to reflect these changes.