

ASSEMBLY, No. 5685

STATE OF NEW JERSEY

222nd LEGISLATURE

INTRODUCED OCTOBER 19, 2026

Sponsored by:

Assemblyman JOHN V. AZZARITI JR., M.D.

District 39 (Bergen)

Assemblywoman MARGIE DONLON, M.D.

District 11 (Monmouth)

SYNOPSIS

Prohibits health insurance carriers from assessing administrative fees or penalties on in-network health care facilities for providing inadvertent out-of-network services.

CURRENT VERSION OF TEXT

As introduced.



1 AN ACT concerning certain administrative fees or penalties for care
2 involving out-of-network health care providers and
3 supplementing P.L.2018, c.32 (C.26:2SS-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 carrier shall not assess an administrative fee or penalty
9 on an in-network health care facility that provides inadvertent out-
10 of-network services to a covered person.

11 b. A violation of subsection a. of this section by a carrier shall
12 be considered an unfair trade practice pursuant to N.J.S.17B:30-1 et
13 seq. and shall be subject to penalties contained pursuant to
14 N.J.S.17B:30-17.
15

16 2. This act shall take effect on the 90th day next following the
17 date of enactment and shall apply to policies and contracts issued,
18 executed, delivered, or renewed on or after the date of enactment.
19
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21 STATEMENT 22

23 This bill prohibits health insurance carriers from assessing
24 administrative fees or penalties on in-network health care facilities
25 that provide inadvertent out-of-network services to covered persons.
26 Under existing law, "inadvertent out-of-network services" means
27 health care services that are: covered under a managed care health
28 benefits plan that provides a network; and provided by an out-of-
29 network health care provider in the event that a covered person
30 utilizes an in-network health care facility for covered health care
31 services and, for any reason, in-network health care services are
32 unavailable in that facility. "Inadvertent out-of-network services"
33 include laboratory testing ordered by an in-network health care
34 provider and performed by an out-of-network bio-analytical
35 laboratory.

36 A violation of the provisions of this bill by a carrier will be
37 considered an unfair trade practice pursuant to State law and will be
38 subject to penalties.