

New Jersey Legislative Update – February 2021

2/26/2021

New Law Requires Health Care Facilities to Report COVID-19 Data – On February 4, 2021, Governor Phil Murphy signed into law [Bill S2384/A4129](#) to require healthcare facilities to report certain coronavirus disease 2019 (COVID-19) data related to healthcare workers and certain first responders. Specifically, general acute care hospitals, special hospitals, ambulatory care facilities, ambulatory surgical centers, assisted living facilities, home health agencies, nursing homes, and hospice programs are required to report to the Department of Health (DOH) either directly or through a non-profit trade association, on a bi-monthly basis, de-identified data on the number of healthcare professionals, ancillary healthcare workers, and emergency medical services personnel employed by the facility who tested positive for COVID-19 and who died from COVID-19. The DOH will be required to issue a report concerning the occupational data received pursuant to the new law no later than 12 months after the end of both the state of emergency and public health emergency declared in response to the COVID-19 pandemic.

Executive Order Creates Interagency Health Care Affordability Working Group – On January 28, 2021, Governor Phil Murphy signed [Executive Order 217](#) to create the Interagency Health Care Affordability Working Group. The Working Group will serve in an advisory capacity and report directly to the Office of the Governor. It will be chaired by the Director of the Office of Health Care Affordability and Transparency in the Office of the Governor. The other members of the Working Group will be the Commissioner or other agency head of the following departments and agencies: (i) the Department of Banking and Insurance; (ii) the Department of Human Services; (iii) the Department of Health; (iv) the Division of Consumer Affairs; and (v) the Department of the Treasury.

Key objectives of the Working Group include the following:

- Developing and recommending policies to improve health care affordability, accessibility, and transparency for New Jersey residents;
- Recommending the development and coordination of programs and policies of the participating departments to support health equity for New Jersey residents; and
- Leveraging the State's existing data resources and identifying strategies for enhancing and integrating State data resources to develop cost-growth benchmarks to foster accountability and contain health care costs and to utilize the data to identify cost drivers to inform strategic and collaborative action by members of the Working Group and other relevant stakeholders throughout the State.

Within nine months following the organization of the Working Group, the Department of Banking and Insurance is to deliver to the Working Group a final report containing proposals for the development and implementation of cost growth benchmarks and health insurance affordability standards that will be applicable to both insurers and providers operating in the State's health care market. The report will be made available to the public at the same time. It will include a plan under which the State can implement cost growth benchmarks and health insurance affordability standards by January 1, 2022, and will identify all policy and legislative changes needed to effectuate cost growth benchmarks and health insurance affordability standards.