

INSURANCE

(a)

DEPARTMENT OF BANKING AND INSURANCE

Office of Life and Health

Adopted Amendments: N.J.A.C. 11:4-49.3 and 11:24-5.2

Adopted New Rules: N.J.A.C. 11:22-5.9B, 5.9C, and 5.9D; and 11:24A-2B

Proposed: July 7, 2025, at 57 N.J.R. 1364(a).

Adopted: October 22, 2025, by Justin Zimmerman, Commissioner, Department of Banking and Insurance.

Filed: October 22, 2025, as R.2025 d.145, **without change**.

Authority: N.J.S.A. 17:1-8.1 and 17:1-15.e.

Effective Date: December 1, 2025.

Expiration Dates: March 27, 2026, N.J.A.C. 11:4; March 20, 2026, N.J.A.C. 11:22; November 30, 2028, N.J.A.C. 11:24; and December 19, 2031, N.J.A.C. 11:24A..

Summary of Public Comment and Agency Response:

No timely comments were received.

Federal Standards Statement

As discussed in the notice of proposal Summary, the adopted amendments and new rules are intended to comply with the newly enacted State law, and are not being adopted pursuant to the authority of, or in order to implement, comply with, or participate in, any program established pursuant to Federal law or a State statute that incorporates or refers to Federal law, standards, or requirements as set forth at N.J.A.C. 1:30-5.1(c)4. Accordingly, no Federal standards analysis is required.

Full text of the adoption follows:

CHAPTER 4 ACTUARIAL SERVICES

SUBCHAPTER 49. MANDATED DIABETES BENEFITS

11:4-49.3 Benefits

(a) (No change.)

(b) Coverage for the purchase of a short-acting, intermediate-acting, rapid-acting, long-acting, and pre-mixed insulin product in each category shall not be subject to any deductible, and no copayment or coinsurance for the purchase of insulin shall exceed \$35.00 for a 30-day supply.

1. The limits on copayments or coinsurance extend to any insulin product prescribed as part of a 30-day supply, regardless of the number of prescriptions issued as part of a 30-day supply or the amount or type of insulin needed to fill each prescription. For example, if a covered person is prescribed both a short-acting insulin product and a long-acting insulin product, both prescriptions would be subject to the cost-sharing limitation set forth at (a) above and the copayment or coinsurance cannot exceed \$35.00 per prescription for a 30-day supply.

(c) The benefits required to be provided pursuant to this subchapter shall be provided to the same extent as benefits are provided for services and supplies for any other sickness under the policy or contract. There shall be no separate deductible, coinsurance, or maximum limit applicable to the services and supplies set forth at (a) or (b) above.

CHAPTER 22 HEALTH BENEFIT PLANS

SUBCHAPTER 5. MINIMUM STANDARDS FOR HEALTH BENEFIT PLANS, PRESCRIPTION DRUG PLANS, AND DENTAL PLANS

11:22-5.9B Benefits for coverage of insulin

A health benefits plan or stand-alone prescription drug plan must provide prescription drug benefits for coverage of insulin consistent with N.J.S.A. 26:2J-4.11.

11:22-5.9C Benefits for coverage of prescription asthma inhalers

A health benefits plan or stand-alone prescription drug plan must provide prescription drug benefits for coverage of asthma inhalers consistent with N.J.S.A. 26:2J-4.50.

11:22-5.9D Benefits for coverage of prescription epinephrine auto-injector devices

A health benefits plan or stand-alone prescription drug plan must provide prescription drug benefits for coverage of epinephrine auto-injector devices consistent with N.J.S.A. 26:2J-4.49.

CHAPTER 24 HEALTH MAINTENANCE ORGANIZATIONS

SUBCHAPTER 5. HEALTH CARE SERVICES

11:24-5.2 Basic comprehensive health care services

(a) The HMO shall provide or arrange for the provision of the following basic comprehensive health services as medically necessary:

1.-18. (No change.)

19. Home health services (a minimum of 60 home care visits during any contract year);

20. Hospice services from a Medicare-certified hospice agency;

21. Prescription asthma inhalers, in accordance with N.J.S.A. 26:2J-4.50;

22. Epinephrine auto-injector devices, in accordance with N.J.S.A. 26:2J-4.49;

23. Medically necessary expenses incurred in the purchase of a hearing aid or cochlear implant, in accordance with N.J.S.A. 26:2J-4.32; and

24. Costs of treatment related to cochlear implants, including procedures for the implantation of cochlear devices and costs for any parts, attachments, or accessories of the device, including replacement of obsolete external cochlear implant processors, in accordance with N.J.S.A. 26:2J-4.32.

CHAPTER 24A HEALTH CARE QUALITY ACT APPLICATION TO INSURANCE COMPANIES, HEALTH SERVICE CORPORATIONS, HOSPITAL SERVICE CORPORATIONS, AND MEDICAL SERVICE CORPORATIONS

SUBCHAPTER 2B. COVERAGE FOR INSULIN, EPINEPHRINE AUTO-INJECTOR DEVICES, AND ASTHMA INHALERS

11:24A-2B.1 Purpose and scope

(a) The purpose of this subchapter is to implement P.L. 2023, c. 105, which limits cost sharing for epinephrine auto-injector devices, asthma inhalers, and insulin and provides coverage for equipment and supplies needed for the treatment of diabetes.

(b) This subchapter shall apply to all policies and contracts providing hospital or medical services or benefits that are delivered, issued, executed, or renewed in this State in the individual, small-group, and large-group markets as follows: all hospital service corporation contracts, medical service corporation contracts, health service corporation contracts, and health insurance policies.

11:24A-2B.2 Required benefits; diabetes treatment

(a) A carrier shall provide coverage for diabetes benefits set forth in this section.

1. All equipment and supplies for the treatment of diabetes, if recommended or prescribed by a physician or nurse practitioner/clinical nurse specialist, as follows:

- i. Blood glucose monitors and blood glucose monitors for the legally blind;
- ii. Test strips for glucose monitors and visual reading and urine testing strips;
- iii. Insulin;
- iv. Injection aids;
- v. Cartridges for the legally blind;
- vi. Syringes;
- vii. Insulin pumps and appurtenances thereto;
- viii. Insulin infusion devices; and
- ix. Oral agents for controlling blood sugar.

2. All expenses incurred for diabetes self-management education, including information on proper diet. "Diabetes self-management education," as used in this paragraph, means education to ensure that a person with diabetes is educated as to the proper self-management and treatment of their diabetic condition, including information on a proper diet.

i. All self-management and diet education shall be provided by a dietitian registered by a nationally recognized professional association of dietitians, a health care professional recognized as a Certified Diabetes Educator by the American Association of Diabetes Educators, or a registered pharmacist in the State qualified with regard to management education for diabetes by any institution recognized by the Board of Pharmacy of the State of New Jersey.

ii. Benefits for self-management education related to diet shall be limited to visits medically necessary upon the diagnosis of diabetes, upon diagnosis by a State-licensed physician or nurse practitioner/clinical nurse specialist, of a significant change in the subscriber's or other covered person's symptoms or conditions that necessitate changes in that person's self-management, and upon determination of a State-licensed physician or nurse practitioner/clinical nurse specialist that re-education or refresher education is necessary.

(b) Coverage for the purchase of a short-acting, intermediate-acting, rapid-acting, long-acting, and pre-mixed insulin product in each category shall not be subject to any deductible, and no copayment or coinsurance for the purchase of insulin shall exceed \$35.00 for a 30-day supply.

i. The limits on copayments or coinsurance extend to any insulin product prescribed as part of a 30-day supply, regardless of the number of prescriptions issued as part of a 30-day supply or the amount or type of insulin needed to fill each prescription. For example, if a covered person is prescribed both a short-acting insulin product and a long-acting insulin product, both prescriptions would be subject to the cost-sharing limitation set forth at (a) above and the copayment or coinsurance cannot exceed \$35.00 per prescription for a 30-day supply.

(c) The benefits set forth at (a) above shall be provided to the same extent as benefits are provided for services and supplies for any other sickness in the policy or contract. There shall be no separate deductible, coinsurance, or maximum limit applicable to the services and supplies set forth at (a) above.

11:24A-2B.3 Required benefit; epinephrine auto-injector device

(a) A carrier shall provide coverage for at least one epinephrine auto-injector device, if recommended or prescribed by a participating physician or participating nurse practitioner/clinical nurse specialist.

(b) Coverage for the purchase of an epinephrine auto-injector device shall not be subject to any deductible, and no copayment or coinsurance for the purchase of an epinephrine auto-injector device shall exceed \$25.00 per 30-day supply.

11:24A-2B.4 Required benefit; asthma inhaler

(a) A carrier shall provide coverage for a prescription asthma inhaler, if recommended or prescribed by a participating physician or participating nurse practitioner/clinical nurse specialist.

(b) Coverage for the purchase of a covered prescription asthma inhaler shall not be subject to any deductible, and no copayment or coinsurance for the purchase of an asthma inhaler device shall exceed \$50.00 per 30-day supply.

LAW AND PUBLIC SAFETY

(a)

DIVISION OF CONSUMER AFFAIRS

Notice of Readoption

Administrative Rules of the Division of Consumer Affairs

Readoption: N.J.A.C. 13:45A

Authority: N.J.S.A. 56:8-4.

Authorized By: Elizabeth Harris, Acting Director, Division of Consumer Affairs

Effective Date: October 23, 2025.

New Expiration Date: October 23, 2032.

Take notice that pursuant to N.J.S.A. 52:14B-5.1, the rules at N.J.A.C. 13:45A were scheduled to expire on January 16, 2026. The rules set forth standards for diverse areas regulated by the Division of Consumer Affairs (Division).

Subchapter 1 identifies specific practices in the mail order or catalog businesses that are unlawful. Subchapter 2 is reserved. Subchapter 3 regulates the sale of meat at retail. Subchapter 4 defines the term "consumer product" and makes it an unconscionable commercial practice pursuant to the Consumer Fraud Act to manufacture, distribute, or sell a consumer product contrary to any order of the Consumer Product Safety Commission, or that is illegal to possess or use in this State. Subchapter 5 sets forth requirements for the delivery of household furniture and furnishings. Subchapter 6 imposes disclosure requirements on Internet dating services that conduct criminal background screenings. Subchapter 7 is reserved. Subchapter 8 sets forth rules governing the issuance, sale, and distribution of prepaid calling cards. Subchapter 9 addresses general advertising practices. Subchapter 10 details the requirements for servicing and repairing home appliances.

Subchapter 11 is reserved. Subchapter 12 sets forth requirements for the sale of animals by pet dealers. Subchapter 13 details the powers exercised by county and municipal consumer protection agencies. Subchapter 14 details the requirements for unit pricing of consumer commodities in retail establishments. Subchapter 15 is reserved. Subchapter 16 sets forth standards for home improvement contractors. Subchapter 17 implements P.L. 2004, c. 16 by providing procedures for the registration and regulation of home improvement contractors. Subchapter 17A effectuates P.L. 2014, c. 34, which established a registration program for home improvement contractors engaged in the business of selling or making home elevations in New Jersey. Subchapter 18 provides for review of consumer contracts by the Division to determine compliance with the Plain Language Act, N.J.S.A. 56:12-1 et seq., and states the fee for such review. Subchapter 19 sets forth the requirements for filing petitions for rulemaking with the Division. Subchapter 20 details the requirements for the resale of tickets for places of entertainment.

Subchapter 21 sets forth rules concerning the sale of food represented as kosher. Subchapter 22 sets forth rules for dealers representing food as halal. Subchapter 23 sets forth deceptive practices concerning watercraft repair. Subchapter 24 sets forth standards for toy and bicycle safety. Subchapter 24A sets forth flame resistance standards for tents and sleeping bags. Subchapter 25 regulates health clubs. Subchapter 26 sets forth lemon law rules for new vehicles. Subchapter 26A sets forth rules relating to motor vehicle advertising practices, Subchapter 26B sets forth rules governing automotive sales, and Subchapter 26C sets forth rules for automotive repairs. Subchapter 26D regulates sales practices of tire distributors and dealers. Subchapter 26E establishes the dispute resolution program for motorized wheelchairs. Subchapter 26F sets forth lemon law rules for used motor vehicles. Subchapter 27 implements the New Jersey Uniform Prescription Blanks program. Subchapter 28 sets forth requirements for motor vehicle leasing. Subchapter 29, implementing P.L. 1999, c. 76, addresses property condition disclosure requirements for real estate licensees. Subchapter 30 implements P.L. 2007, c. 166, which requires warrantors of vehicle protection products sold or offered for sale