

[First Reprint]

**ASSEMBLY, No. 3853**

**STATE OF NEW JERSEY**  
**221st LEGISLATURE**

INTRODUCED FEBRUARY 22, 2024

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**SYNOPSIS**

Extends certain pay parity regarding telemedicine and telehealth until July 1, 2026.

**CURRENT VERSION OF TEXT**

As reported by the Assembly Health Committee on December 16, 2024, with amendments.

**(Sponsorship Updated As Of: 12/19/2024)**

1 AN ACT regarding telemedicine and telehealth and amending  
2 P.L.2021, c.310.

3

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

6

7 1. Section 11 of P.L.2021, c.310 is amended to read as follows:

8 11. a. For the period beginning on the effective date of  
9 P.L.2021, c.310 and ending on <sup>1</sup>**December 31, [2024] 2025** July  
10 1, 2026<sup>1</sup>, a health benefits plan in this State shall provide coverage  
11 and payment for health care services delivered to a covered person  
12 through telemedicine or telehealth at a provider reimbursement rate  
13 that equals the provider reimbursement rate that is applicable, when  
14 the services are delivered through in-person contact and  
15 consultation in New Jersey, provided the services are otherwise  
16 covered by the health benefits plan when delivered through in-  
17 person contact and consultation in New Jersey. The requirements  
18 of this subsection shall not apply to:

19 (1) a health care service provided by a telemedicine or telehealth  
20 organization that does not provide the health care service on an in-  
21 person basis in New Jersey; or

22 (2) a physical health care service that was provided through  
23 real-time, two-way audio without a video component, whether or  
24 not utilized in combination with asynchronous store-and-forward  
25 technology, including through audio-only telephone conversation.  
26 The reimbursement rate for a physical health care service that is  
27 subject to this paragraph shall be determined under the contract  
28 with the provider; provided that the reimbursement rate for a  
29 physical health care service when provided through audio-only  
30 telephone conversation shall be at least 50 percent of the  
31 reimbursement rate for the service when provided in person.

32 (3) The provisions of paragraph (2) of this subsection shall not  
33 apply to a behavioral health service that was provided through real-  
34 time, two-way audio without a video component, whether or not  
35 utilized in combination with asynchronous store-and-forward  
36 technology, including audio-only telephone conversation. A  
37 behavioral health care service described in this paragraph shall be  
38 reimbursed at a rate that equals the provider reimbursement rate for  
39 the service when provided in person.

40 b. For the purposes of this section:

41 “Carrier” means an insurance company, health service  
42 corporation, hospital service corporation, medical service  
43 corporation, or health maintenance organization authorized to issue  
44 health benefits plans in this State.

**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:

<sup>1</sup>Assembly AHE committee amendments adopted December 16, 2024.

1       “Covered person” means the same as that term is defined in  
2 section 2 of P.L.1997, c.192 (C.26:2S-2); a “benefits recipient” as  
3 that term is defined under section 7 of P.L.2017, c.117 (C.30:4D-  
4 6k); and a person covered under a contract purchased by the State  
5 Health Benefits Commission or the School Employees’ Health  
6 Benefits Commission.

7       “Health benefits plan” means a benefits plan which pays hospital  
8 or medical expense benefits for covered services, and is delivered or  
9 issued for delivery in this State by or through a carrier or a contract  
10 purchased by the State Health Benefits Commission or the School  
11 Employees’ Health Benefits Commission. The term shall include  
12 the State Medicaid program established pursuant to P.L.1968, c.410  
13 (C.30:4D-1 et seq.) and the NJ FamilyCare program established  
14 pursuant to P.L.2005, c.156 (C.30:4J-8 et al.).  
15 (cf: P.L.2023, c.199, s.11)

16

17       2. This act shall take effect immediately.