

## CHAPTER 64

**AN ACT** concerning electronic medical bills for workers' compensation claims and supplementing Title 34 of the Revised Statutes.

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

C.34:15-143 Definitions relative to electronic medical bills for workers' compensation claims.

1. As used in this act:

"Complete electronic medical bill" means a medical bill that meets all of the following criteria: (1) it is submitted in the correct uniform billing format, with the correct uniform billing code sets, transmitted in compliance with the guidelines; (2) the bill and electronic attachments provide all information required pursuant to this act; and (3) the health care provider, its billing representative, or any company that has purchased the rights to pursue its bill has provided all information that the employer, employer's insurance carrier, or workers' compensation third party administrator requested.

"Electronic bill" means a communication between computerized data exchange systems that complies with the guidelines enumerated.

"Guidelines" means the format established by the Commissioner of Labor and Workforce Development in consultation with the Commissioner of Banking and Insurance pursuant to this act, which shall be based upon the International Association of Industrial Accident Boards and Commissions (IAIABC) Workers' Compensation Electronic Medical Billing Rule and Companion Guide.

C.34:15-144 Rules, regulations.

2. The Commissioner of Labor and Workforce Development shall adopt rules and regulations which:

a. require that all healthcare providers, their billing representative, or any company that has purchased the rights to pursue their bill submit complete electronic medical bills for payment on standardized electronic forms following the guidelines established pursuant to this act;

b. require employers, workers' compensation insurance carriers of employers, or workers' compensation third-party administrators to comply with the guidelines and accept electronic bills for the payment of medical services;

c. ensure confidentiality of medical information submitted on electronic bills for payment of medical services pursuant to the "Workers' Compensation Medical Information Confidentiality Act," sections 5 through 9 of P.L.2001, c.326 (C.34:15-128.1 et seq.);

d. require that employers, workers' compensation insurance carriers of employers, or workers' compensation third party administrators acknowledge receipt of a complete electronic medical bill to the party that sent the complete electronic medical bill in compliance with the guidelines;

e. provide that payment for a complete electronic medical bill deemed by the employer, workers' compensation insurance carrier, or the workers' compensation third-party administrator to be compensable shall be paid within 60 days or less; and

f. ensure that employers, workers' compensation insurance carriers for the employer, and their third party administrators may exchange electronic data and establish payment deadlines through PPO or IPA contracts or agreements with health care providers or their billing representatives in a non-prescribed format or timeline, independent of the guidelines.

C.34:15-145 Jurisdiction vested in division.

3. Exclusive jurisdiction for failure to comply with this act shall be vested in the division pursuant to R.S.34:15-15.

C.34:15-146 Inapplicability of act.

4. This act shall not apply to any provider that:

a. submits less than 25 medical bills per month to employers, workers' compensation insurance carriers, or the workers' compensation third-party administrators;

b. furnishes services only outside of the United States;

c. experiences a disruption in electricity and communication connections that are beyond its control; or

d. demonstrates that a specific and unusual circumstance exists that precludes submission of electronic bills. The Commissioner of Labor and Workforce Development may enumerate or provide examples of unusual circumstances that may preclude electronic submission.

5. This act shall take effect immediately, except that employers, workers' compensation insurance carriers, or their third-party administrators, and health care providers or their billing representatives shall not be required to transmit or accept electronic bills before the first day of the eighteenth month following the adoption of rules by the Department of Labor and Workforce Development in consultation with the Department of Banking and Insurance that are necessary to implement this act. Nothing in this act shall preclude employers, workers' compensation insurance carriers, or their third-party administrators from accepting electronic bill transmissions prior to that date.

Approved November 14, 2016.