

## CHAPTER 31

AN ACT concerning referrals to substance use disorder treatment facilities and supplementing Title 2C of the New Jersey Statutes.

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

C.2C:40A-6 Certain payments for referral to certain facilities, fourth degree crime.

1. a. A person is guilty of a crime of the fourth degree if the person makes or receives a payment or otherwise furnishes or receives any fee, commission, or rebate to any person in connection with the referral of patients to a facility licensed in accordance with section 8 of P.L.1975, c.305 (C.26:2B-14) for substance use disorder treatment or services or to a substance use disorder treatment facility issued a certificate of approval pursuant to P.L.1970, c.334 (C.26:2G-21 et seq.).

b. A person is guilty of a crime of the fourth degree if the person knowingly assists, conspires with, or urges any person to make, furnish, or receive a payment, fee, commission, or rebate in violation of subsection a. of this section.

c. It shall not be a violation of subsection a. of this section to make or receive a payment or otherwise furnish or receive any fee, commission, or rebate that does not vary based on:

- (1) the number of patients referred to a substance use disorder treatment facility;
- (2) the duration, level, volume, or nature of the substance use disorder treatment services provided to a patient; or
- (3) the amount of benefits provided by a carrier to a substance use disorder treatment facility for treatment or services provided to a patient.

2. This act shall take effect immediately.

Approved March 1, 2021.