CHAPTER 24

HEALTH MAINTENANCE ORGANIZATIONS

Authority

N.J.S.A. 26:2J-21 and 26:2S-18.

Source and Effective Date

R.2002 d.265, effective August 19, 2002.
See: 34 N.J.R. 885(a), 34 N.J.R. 3014(a).

Chapter Expiration Date

Chapter 24, Health Maintenance Organizations, expires on August 19, 2007.

Chapter Historical Note

Chapter 38, Health Maintenance Organizations, was adopted as R.1974. d.320, effective November 20, 1974. See: 6 N.J.R. 8(b), 6 N.J.R. 473(a).

Pursuant to Executive Order No. 66(1978), Chapter 38 expired on April 3, 1994.

Chapter 38, Health Maintenance Organizations, was adopted as R.1994 d.365, effective July 18, 1994. See: 26 N.J.R. 1624(a), 26 N.J.R. 2896(a).

Subchapter 14, Indemnity Benefits Offered by a Health Maintenance Organization, was adopted as R.1996 d.194, effective April 15, 1996. See: 27 N.J.R. 4981(a), 28 N.J.R. 1981(c).

Pursuant to Executive Order No. 66(1978), Subchapter 14, Indemnity Benefits Offered by a Health Maintenance Organization, of Chapter 38, was readopted as R.1997 d.68, effective January 17, 1997. See: 28 N.J.R. 2456(a), 28 N.J.R. 3118(b), 29 N.J.R. 625(a).

As a part of R.1997 d.68, effective February 18, 1997, Subchapter 1, General Provisions, was repealed and a new Subchapter 1, Scope and Definitions, was adopted; Subchapter 2, Establishment of Health Maintenance Organizations, was repealed and a new Subchapter 2, Establishment of Health Maintenance Organizations, was adopted; Subchapter 3, Issuance of Certificate of Authority, was repealed and a new Subchapter 3, General Requirements, was adopted; and Subchapter 4, Medical Director, Subchapter 5, Health Care Services, Subchapter 6, Provider Network, Subchapter 7, Continuous Quality Improvement, Subchapter 8, Utilization Management, Subchapter 9, Member Rights and Responsibilities, Subchapter 10, Medical Records, Subchapter 11, Financial Standards and Reporting, Subchapter 12, Rehabilitation, Conservation and Liquidation, Subchapter 13, Licensing of Representatives and Advertising, and Subchapter 15, Provider Agreements and Risk Transference, were adopted as new rules. All repeals, amendments, and other new rules became operative July 1, 1997. See: 28 N.J.R. 2456(a), 28 N.J.R. 3118(b), 29 N.J.R. 625(a).

Subchapter 17, Plan Documents for Group Contracts, was adopted as new rules by R.2000 d.183, effective May 1, 2000. See 31 N.J.R. 953(a), 32 N.J.R. 1544(a).

Subchapter 18, Drug Formularies, was adopted as new rules by R.2001 d.8, effective January 2, 2001, (operative July 1, 2001). See 32 N.J.R. 211(a), 33 N.J.R. 46(a).

Chapter 38, Health Maintenance Organizations, expired on July 16, 2002.

Chapter 38, Health Maintenance Organizations, was adopted as new rules by R.2002 d.265, effective August 19, 2002. See: Source and Effective Date. See, also, section annotations.

Pursuant to Reorganization Plan No. 005-2005, Chapter 38 of Title 8, Health Maintenance Organizations, was recodified as Chapter 24 of Title 11, effective October 6, 2006. See: 37 N.J.R. 2737(a), 38 N.J.R. 4721(a).

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SUBCHAPTER 1. SCOPE AND DEFINITIONS

11:24-1.1 Scope

(a) The rules in this chapter were developed by the Commissioner of Health and Senior Services in collaboration with the Commissioner of Banking and Insurance and govern the establishment and operation of health maintenance organizations in New Jersey pursuant to the authority set forth in N.J.S.A. 26:2J-1 et seq. These rules are only applicable to managed care plans that constitute a health maintenance organization as defined herein and in N.J.S.A. 26:2J-1 et seq.

(b) The provisions of these rules shall apply, except where in conflict with:

1. Any individual contract issued by a health maintenance organization (HMO) to the extent that the contract is formulated in accordance with the provisions of the New Jersey Individual Health Coverage Program established pursuant to N.J.S.A. 17B:27A-1 et seq.; or

2. Any contract issued to a small employer by a HMO to the extent that the contract is formulated in accordance with the provisions of the New Jersey Small Employer Health Coverage Program established pursuant to N.J.S.A. 17B:27A-17 et seq.

(c) The provisions of these rules shall apply to any services of the HMO which are subcontracted to other entities.