

Governor Phil Murphy

Governor Murphy Signs Important Telehealth Legislation

12/22/2021

TRENTON – Governor Murphy yesterday signed legislation (S-2559) that extends for the next two years the requirement adopted at the outset of the COVID-19 pandemic that health benefits plans reimburse health care providers for telehealth and telemedicine services at the same rate as in-person services, with limited exceptions. At the same time, the legislation charges the Department of Health with conducting an in-depth study of the utilization of telehealth and telemedicine and its effects on patient outcomes, quality and satisfaction, and access to care in order to inform future decisions on payment structure for these services. This legislation will provide critical support to patients and providers while the State continues to address the challenges posed by the pandemic, and while the Department of Health evaluates how to best leverage payment and telemedicine to improve access to affordable care and maintain the highest quality of care possible.

“Telehealth and telemedicine services have been critical during the COVID-19 pandemic and will stay with us long after the pandemic is over,” **said Governor Murphy**. “New Jerseyans have greater access to the health care they need with the proliferation and expansion of these services, and with this legislation, we are ensuring that this new technology can remain viable as we emerge from the pandemic while also ensuring that New Jersey remains at the forefront of innovative health care policy that serves all New Jerseyans.”

“Throughout this pandemic, telemedicine has been a lifeline to vital health care services for many—especially those in underserved communities,” **said Department of Health Commissioner Judith Persichilli**. “The Department will thoroughly assess the impact of pay parity in telehealth and telemedicine services and make thoughtful recommendations for the future.”

“In response to the pandemic, the state put in place measures to increase access to telehealth to ensure patients could visit a doctor or other medical provider remotely to receive care,” **said Department of Banking and Insurance Commissioner Marlene Caride**. “Telehealth remains a vital access point for health care, and this law continues to provide that access to residents while creating a process for the state to assess how the policy is working and to allow for any needed changes. This is a meaningful change that will assist residents in getting the health care they need, with the flexibility to visit a health care provider remotely from their own homes.”

“Telehealth and telemedicine have proven invaluable during the pandemic, providing flexibility and expanding access for vital services ranging from routine care to mental health services,” **said Department of Human Services Commissioner Sarah Adelman**. “We’re pleased that the current telehealth services will continue through the end of 2023 to benefit NJ FamilyCare beneficiaries, patients seeking mental health services and providers alike. We look forward to assisting with the upcoming assessment in any way possible and look forward to its recommendations as we all work toward our shared goal of ensuring continuity of care for patients and support for providers.”

Primary sponsors of S-2559 include Senators Vin Gopal and Nia Gill, and Assemblymembers Joann Downey, Herb Conaway, Daniel Benson, Eric Houghtaling, and Robert Karabinchak.


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"As of now, the pay parity for Telehealth is to remain in effect until 12/31/2023. However, throughout the COVID-19 pandemic, we have seen the many benefits of Telehealth, with virtual appointments having been crucial in ensuring patients receive the proper care they need," **said Senator Vin Gopal**. "Telehealth has proved to be cost-effective and it works, but it is important that we continue to guarantee that these virtual appointments are equal to those that are held in person."

"In the last year, we have all witnessed how hard-hit the state of New Jersey has been by the COVID-19 pandemic," **said Senator Nia Gill**. "With that, health disparities among communities have come to light, highlighting how access to healthcare can greatly vary across the state. We have seen though that telehealth technology and services have allowed for greater access to healthcare for all residents throughout the state. These virtual health care appointments have expanded access for those who might not have been able to receive it or might not otherwise seek care. Ensuring that reimbursement for telehealth services is equal to in-person appointments for the duration of the pandemic and the Department of Health's study will ease the stress and issues that currently exist."

"If a doctor can provide the same quality of services virtually that they can in person, we should make it easy for them to do. Telehealth and telemedicine technology provides ease of access to care for countless New Jerseyans who certainly deserve it," **said Assemblywoman Joann Downey**. "We've seen throughout the COVID-19 pandemic that many services can be provided equally well through virtual means, often at lower cost and greater convenience to all parties involved."

"Our COVID-responsive expansions of telehealth and telemedicine were significant in spurring the implementation of remote care technologies," **said Assemblyman Herb Conaway**. "Ensuring we can take advantage of this proliferation beyond the pandemic will be critical to providing better, well-rounded care."

"This law paves the way for New Jersey to innovate and better address the broad spectrum of healthcare needs that exist," **said Assemblyman Dan Benson**.

"The challenge to successful delivery of virtual care has always been its expense," **said Assemblyman Eric Houghtaling**. "Telehealth and telemedicine are invaluable tools in caring for the health and well-being of New Jersey residents. Ensuring more people have access to these options is a win for everyone."

"Expanding access to different modes of care is critical to raising the quality of care provided in New Jersey," **said Assemblyman Robert Karabinchak**. "That is particularly true when it comes to underserved and aging communities, who may be especially challenged by the need to travel for an in-person doctor's appointment."

In addition to extending the reimbursement pay parity requirement for the next two years, S-2559 includes a number of provisions that will improve access to telehealth in both the short and the long term. Under the legislation, the extension of pay parity for the next two years will include a requirement that audio-only behavioral health care services are reimbursed at the same rate as if those services are provided in person. The legislation also permanently prohibits insurance carriers from imposing geographic or technological restrictions on the provision of telehealth services, as long as the services being provided meet the same standard of care as if the services were delivered in person.

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