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**CONTACT:**

**Press Office**

(609) 292-7065

**MORIARTY / GREENSTEIN / CONAWAY / GREENWALD /  
CRUZ-PEREZ BILL TO REDUCE SERIOUS MEDICAL ERRORS  
GAINS FINAL LEGISLATIVE APPROVAL**

*Measure Would Prohibit Hospitals from Collecting Payment From Patients & Insurance Companies For Serious Preventable Mistakes*

(TRENTON) – Legislation Assemblymen Paul Moriarty, Linda Greenstein, Lou Greenwald and Nilsa Cruz Perez sponsored to reduce serious and preventable medical errors by prohibiting hospitals from holding patients and their insurance companies liable for medical bills related to these errors and to improve hospital-specific reporting of hospital acquired medical conditions received final legislative approval today.

The Senate voted 39-0 to approve the bill. It was approved 76-1 by the Assembly in May.

“Patients rightly expect that their safety and wellbeing will be protected when they visit a hospital,” said Moriarty (D-Gloucester). “When that expectation is invalidated because of a medical error that should have never occurred, the hospital where the error was made – not the patient – should be on the hook.”

The legislation (A-1264/3371/3633) would require the Department of Health and Senior Services to report hospital-specific data for serious medical mistakes and conditions separate of the New Jersey Hospital Performance report.

“By requiring the state department of health to provide the public with hospital-specific data on conditions acquired within that facility we would increase transparency for consumers to ensure patients are informed about the facility where they seek medical care,” said Greenstein (D-Middlesex/Mercer).

“Hospital-specific reporting would improve patient safety and would be more even-handed for hospitals because it would be limited to truly preventable conditions while providing the state with the means to track incidence rates, transmission and reduction of these conditions,” said Conaway (D-Burlington).

“When preventable medical mistakes occur, hospitals should not be rewarded,” said Greenwald (D-Camden). “Denying payment for these types of errors will send a message loud and clear: when dealing with matters of life and death we will not tolerate any margin of error.”

“Unfortunately, medical mistakes occur but the patient should have peace of mind that they will not have to pay the price for preventable hospital errors that result in serious health conditions,” said Cruz-Perez (D-Camden).

In addition, the measure also would prohibit hospitals from collecting payment from patients and third parties including their medical insurers for any costs associated with any hospital acquired condition.

The sponsors of the legislation said that the requirements of the bill would mirror those used by the federal government to determine when to refuse Medicare reimbursements to hospitals for preventable medical mistakes and conditions.

The bill would prohibit the hospitals from charging patients and or any third party payer for costs associated with any of the following conditions or events subject to the hospital acquired condition:

- Transfusion reaction;
- Air embolism;
- Foreign object left during a procedure;
- Surgery on the wrong side, body part or person; or
- Wrong surgery performed on a patient.

In addition, the measure also would require the state Department of Health and Senior Services to submit a report, separate from the Patient Safety Act, that would provide hospital-specific information for preventable hospital acquired conditions.

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