

TO: NJSSA Executive Committee  
FROM: AJ Sabath and Lobbying Team  
DATE: February 2, 2022

**RE: Lobbying Report**

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### **2022-2023 Legislative Session:**

The Legislature has officially begun the new session, with all legislation that hasn't been signed into law needing to be reintroduced to begin the legislative process once again. There have also been significant changes in leadership and staff in the Senate and Assembly that changed the dynamics of the Legislature. The most significant change is the replacement of Steve Sweeney with the new Senate President, Nick Scutari. We are in uncharted territory as we learn the priorities of the new Senate President. In the next few months, it's critical our society engages with Senate leadership and continues relationship-building efforts.

Our legislative update is lighter than usual because the Legislature is just ramping up committee meetings and voting sessions, with tomorrow being the first day of Senate and Assembly Health committee hearings. Below are some bills we're closely tracking this session, as well as an update on the media campaign.

**A223** – “Consumer Access to Health Care Act”; eliminates requirement of joint protocol with physician for advanced practice nurses to prescribe medication.

- **Status:** Introduced and referred to Assembly Health Committee
- **Prime Sponsor:** Assemblywoman Nancy Munoz
- **Co-Prime Sponsors:** Assembly Speaker Craig Coughlin, Assemblywoman Mila Jasey, Assemblyman Dan Benson
- **Description:** This legislation seeks to eliminate joint protocol requirements for APNs to prescribe medication for patients. This bill has been reintroduced every session since 2008 when the NJ State Nurses Association decided to remove joint protocol from APN statutes. As the legislative session ramps up, this legislation is important to highlight because the changes in leadership in the Senate, with the loss of Steve Sweeney as our backstop against scope-related legislation.

**S1177** – Revises out-of-network arbitration process.

- **Status:** Introduced and referred to Senate Commerce Committee
- **Sponsor:** Senator Joe Lagana
- **Description:** As you may recall we were in favor of clean-up legislation last session that made some technical changes to the out-of-network law. This bill is similar to the previous legislation with some differences in the extensions from the previous bill. This legislation would extend the amount of time providers have to negotiate settlement from 30 to 60 days, extends deadline to reach settlement from 30 days to 90 days, and the difference between the carrier and provider's final offers must be \$1,000 or higher for arbitration to be initiated, unless the bill amount is \$2,500. The sponsor has been having conversations with the Governor's office to ensure this legislation doesn't get caught up in attempts to mirror the federal arbitration law.

- **Review of 2021 Actions:** The Governor's office has been looking for ways to mirror what has been occurring at the federal level and attempted to conditionally veto this legislation once it got to the Governor's desk to replace the arbitration section with language that brings parity with the federal regulations. This was against the intentions of the bill sponsor and he fought against these attempts to amend the bill before the end of the legislation session.

### **Media Campaign:**

As previously discussed, NJSSA has financially agreed to work with the Access to Care Coalition in preparation for an attempt by APNs to make independent practice permanent in NJ once the Executive Order relaxing scope of practice is rescinded. The coalition is working on finalizing messaging for the social media content before a press release announces the creation of the website. With the new legislative session and advocacy efforts that the APNs are undertaking, we're anticipating the website going live within the coming weeks.

[Website Link](#)