New Exception to New Jersey Codey Law Proposed



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Assembly Bill No. 4447, which was passed by the New Jersey State Senate and is before the New Jersey General Assembly for a second reading, would expand the permissible exceptions for a health care practitioner to self-refer. The Codey Law prohibits healthcare practitioners from referring patients for a health care service in which the practitioner or the practitioner's immediate family has a significant beneficial interest. The Codey Law does permit certain exceptions, and if enacted this Bill would add an exception to allow oncology practitioners with a financial interest in a pharmacy integrated with their practice to refer patients to that pharmacy, as long as the pharmacy:

• dispenses medications exclusively to the practice's patients;

• has direct access to the practice's medical records;

• communicates with each patient in person or via telemedicine to review the prescription instructions and assesses the patient for interactions with other drugs and food;

• synchronously consults with the treating physicians as needed; and

• complies with the State Board of Pharmacy requirements for timely delivery of medications, hours of operation, and recordkeeping.

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For more information, contact:

John D. Fanburg, Chair | 973.403.3107 | jfanburg@bracheichler.com
Edward Hilzenrath | 973.403.3114 | ehilzenrath@bracheichler.com
Erika R. Marshall | 973.364.5236 | emarshall@bracheichler.com

Authors

The following attorneys contributed to this insight.



John D. Fanburg

Managing Member
Healthcare Law, Cannabis Industry

973.403.3107 · 973.618.5507 Fax

jfanburg@bracheichler.com



Edward Hilzenrath

Member
Healthcare Law

973.403.3114 · 973.618.5594 Fax

ehilzenrath@bracheichler.com



Erika R. Marshall

Counsel
Healthcare Law

973.364.5236 · 973.618.5954 Fax

emarshall@bracheichler.com