

New Exception to New Jersey Codey Law Proposed

Healthcare Law Update

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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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