

**GOVERNOR'S STATEMENT UPON SIGNING
ASSEMBLY BILL NO. 2280
(SECOND REPRINT)**

Today I am signing Assembly Bill No. 2280 (Second Reprint), which makes it a crime to knowingly remit or receive any payment, fee, commission, or rebate in connection with the referral of patients to substance use disorder treatment facilities regulated by the Division of Mental Health and Addiction Services in the Department of Human Services. The bill also establishes a crime for knowingly assisting, conspiring with, or urging any person to violate a provision of the bill.

The bill provides an exemption for any payment, fee, commission, or rebate that does not vary based on: (1) the number of patients referred to a substance use disorder treatment facility; (2) the duration, level, volume, or nature of the substance use disorder treatment services provided to a patient; or (3) the amount of benefits provided by a carrier to a substance use disorder treatment facility for treatment or services provided to a patient.

I am pleased to take this step forward in protecting our residents from those who would seek to exploit the situations in which they are most vulnerable. The bill largely targets the same activity that is already subject to criminal prosecution at the federal level, and I certainly agree that State officials should also be empowered to prosecute this unacceptable conduct.

I am advised that the exemptions are broader than those contained in the federal statute and could inadvertently condone behavior that should be criminal. While it is important to enact the bill's protections immediately, I look forward to working with my legislative colleagues to evaluate the impact of these exemptions and, if necessary, narrow them in the future. Together, we can help residents suffering from addiction obtain the treatment and support they need to embark on a new path toward sobriety. With this legislation, we can ensure that no one is profiteering from that journey. Therefore, I am pleased to sign Assembly Bill No. 2280 (Second Reprint) into law today.

Date: March 1, 2021

/s/ Philip D. Murphy

Governor

Attest:

/s/ Parimal Garg

Chief Counsel to the Governor