

ASSEMBLY HUMAN SERVICES COMMITTEE

STATEMENT TO

ASSEMBLY, No. 3110

with committee amendments

STATE OF NEW JERSEY

DATED: MAY 12, 2022

The Assembly Human Services Committee reports favorably and Assembly Bill No. 3110 with committee amendments

As amended by the committee, this bill establishes minimum Medicaid reimbursement rates for brain injury services. Under this bill, the term “brain injury” includes both a traumatic brain injury and a non-traumatic brain injury. “Traumatic brain injury” means an injury to the brain caused by a blow or jolt to the head or a penetrating head injury or neuro-trauma that disrupts the normal brain function, where continued impairment can be demonstrated. “Non-traumatic brain injury” means an injury to the brain caused by internal factors, such as stroke, aneurysm, tumor, infectious disease, or anoxia, where continued impairment can be demonstrated. Neither term includes brain dysfunction caused by congenital or degenerative disorders, birth trauma, or injuries caused by other circumstances. Brain injury services include community-based services, residential services, day care services, and home care services, regardless of whether the services are provided through the Medicaid fee-for-service delivery system or the managed care delivery system.

Specifically, the bill requires that the Medicaid per diem or encounter reimbursement rates for eligible brain injury services, when such services are provided by an approved brain injury services provider to a Medicaid beneficiary requiring treatment for a brain injury, are to be, at minimum, as follows:

(1) The reimbursement rate for Community Residential Services – Low Supervision provided to a Medicaid beneficiary eligible for brain injury services, currently at \$140 a day, is to be equal to the reimbursement rate for Individuals Supports Services Tier - C provided to a Medicaid beneficiary eligible for services provided by the Division of Developmental Disabilities in the Department of Human Services (DHS), currently at \$283.20 per day;

(2) The reimbursement rate for Community Residential Services – Moderate Supervision provided to a Medicaid beneficiary eligible for brain injury services, currently at \$190 a day, is to be equal to the reimbursement rate for Individuals Supports Services Tier - D provided to a Medicaid beneficiary eligible for services provided by

the Division of Developmental Disabilities in the DHS, currently at \$396.48 a day;

(3) The reimbursement rate for Community Residential Services – High Supervision provided to a Medicaid beneficiary eligible for brain injury services, currently at \$220 a day, is to be equal to the reimbursement rate for Individuals Supports Services - Tier E provided to a Medicaid beneficiary eligible for services provided by the Division of Developmental Disabilities in the DHS, currently at \$509.96 a day; and

(4) The reimbursement rate for Structured Day Program Services provided to a Medicaid beneficiary eligible for brain injury services, currently at \$3.65 for every 15 minutes of services, is to be equal to the reimbursement rate for Day Habilitation Services - Tier D provided to a Medicaid beneficiary eligible for services provided by the Division of Developmental Disabilities in the DHS, currently at \$6.91 for every 15 minutes of service.

As amended and reported by the committee, Assembly Bill No. 3110 is identical to Senate Bill No. 2049 (1R) which is pending in the Senate Budget and Appropriations Committee.

COMMITTEE AMENDMENTS:

The committee amendments make various technical changes to address grammatical, stylistic, and typographical issues.