

P.L. 2023, CHAPTER 213, *approved January 8, 2024*
Senate, No. 2716 (*Second Reprint*)

1 AN ACT concerning reimbursement under NJ FamilyCare and
2 supplementing P.L.1968, c.413 (C.30:4D-1 et seq.).
3

4 **BE IT ENACTED** by the Senate and General Assembly of the State
5 of New Jersey:
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7 1. a. Notwithstanding any law, rule, or regulation to the
8 contrary, the Division of Medical Assistance and Health Services
9 within the Department of Human Services, or a managed care
10 organization that contracts with the division to provide medical
11 services to beneficiaries of the NJ FamilyCare program, shall ¹:

12 (1)¹ accept and reimburse claims for services ¹under the NJ
13 FamilyCare program when¹ submitted by a clinical social worker ¹,
14 a professional counselor, or a marriage and family therapist¹
15 provided that:

16 ¹**[(1)] (a)**¹ the services are rendered to a NJ FamilyCare
17 beneficiary;

18 ¹**[(2)] (b)**¹ the services rendered are covered under the NJ
19 FamilyCare program;

20 ¹**[(3)] (c)**¹ the ¹**[clinical social worker] provider¹** holds a
21 current, valid license issued pursuant to P.L.1991, c.134
22 (C.45:15BB-1 et seq.) ¹if a clinical social worker, P.L.1993, c.340
23 (C.45:8B-34 et seq.) if a professional counselor, and P.L.1968,
24 c.401 (C.45:8B-1 et seq.) if a marriage and family therapist¹; and

25 ¹**[(4)] (d)**¹ the ¹**[clinical social worker] provider¹** is an approved
26 provider of services under the NJ FamilyCare program¹; and

27 (2) expand eligibility for reimbursable services under the NJ
28 FamilyCare program to include those services provided by a social
29 worker, an associate counselor, or an associate marriage and family
30 therapist provided that:

31 (a) the services are rendered to a NJ FamilyCare beneficiary;

32 (b) the services rendered are covered under the NJ FamilyCare
33 program;

34 (c) the provider holds a current, valid license issued pursuant to
35 P.L.1991, c.134 (C.45:15BB-1 et seq.) if a social worker, P.L.1993,
36 c.340 (C.45:8B-34 et seq.) if an associate counselor, and P.L.1968,
37 c.401 (C.45:8B-1 et seq.) and P.L.2017, c.350 (C.45:8B-18.1 et al.)
38 if an associate marriage and family therapist;

EXPLANATION – Matter enclosed in bold-faced brackets **[thus]** in the above bill is not enacted and is intended to be omitted in the law.

Matter underlined thus is new matter.

Matter enclosed in superscript numerals has been adopted as follows:

¹Senate SHH committee amendments adopted November 30, 2023.

²Assembly AHE committee amendments adopted December 18, 2023.

1 (d) the claim is submitted by a licensed clinical social worker, a
2 licensed professional counselor, or a licensed marriage and family
3 therapist who serves as the provider’s supervising practitioner, as
4 approved by:

5 (i) the State Board of Social Work Examiners pursuant to
6 subsection d. of section 4 of P.L.1991, c.134 (C.45:15BB-4) in the
7 case of a social worker;

8 (ii) the State Board of Marriage and Family Therapy Examiners
9 pursuant to section 17 of P.L.1993, c.340 (C.45:8B-50) in the case
10 of an associate counselor; or

11 (iii) the State Board of Marriage and Family Therapy Examiners
12 pursuant to section 10 of P.L.2017, c.350 (C.45:8B-18.2) in the case
13 of an associate marriage and family therapist; and

14 (e) the provider’s supervising practitioner is an approved
15 provider of services under the NJ FamilyCare program and serves
16 as the rendering practitioner for the purposes of the claim¹.

17 b. ¹Nothing in this section shall be construed to allow a
18 licensed social worker, licensed associate counselor, or licensed
19 associate marriage and family therapist to practice within the scope
20 of their license without a supervising practitioner or to require NJ
21 ²Family FamilyCare² to reimburse a claim for covered services
22 submitted by a licensed social worker, licensed associate counselor,
23 or licensed associate marriage and family therapist.

24 c.¹ For the purpose of this section, “NJ FamilyCare” means the
25 program established pursuant to P.L.2005, c.156 ²[(C.30:4J]
26 (C.30:4J-8 et al.).²
27

28 2. The Commissioner of Human Services shall apply for such
29 State plan amendments or waivers as may be necessary to
30 implement the provisions of this act and to secure federal financial
31 participation for State Medicaid expenditures under the federal
32 Medicaid program.
33

34 3. The Commissioner of Human Services, pursuant to the
35 "Administrative Procedure Act," P.L.1968, c.410 (C.52:14B-1 et seq.),
36 shall adopt rules and regulations necessary to implement the
37 provisions of this act.
38

39 4. This act shall take effect immediately.
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44 Requires NJ FamilyCare to reimburse claims for covered
45 services submitted by clinical social workers, professional
46 counselors, and marriage and family therapists under certain
47 circumstances.