

CHAPTER 84

AN ACT concerning home and community based services and supplementing P.L.1968, c.43.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

C.30:4D-3b1 Permanent change of station order, residency requirement, Division of Medical Assistance and Health Services; definitions.

1. a. Notwithstanding any other law to the contrary, the Division of Medical Assistance and Health Services within the Department of Human Services shall accept a permanent change of station order to a duty location located in New Jersey, issued by any branch of the United States military to the parent or legal guardian of an applicant, for the purposes of satisfying the residency requirement for the provision of home and community based services reimbursed by the Medicaid program.

b. For the purpose of this section:

“Legal guardian” means a person who exercises continuing control over the person or property, or both, of an individual, pursuant to a court order.

“Medicaid program” means the program established pursuant to P.L.1968, c.413 (C.30:4D-1 et seq.).

“Permanent change of station order” means the official documentation issued by a branch of the United States military to an active duty member requiring the member’s relocation, along with the relocation of any dependents living with the member, from one duty location to another.

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

3. This act shall take effect immediately.

Approved August 2, 2022.