

CHAPTER 213

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

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

C.30:4D-6w Division of Medical Assistance and Health Services, managed care organization, NJ FamilyCare beneficiaries, reimbursement, claims, conditions.

1. a. Notwithstanding any law, rule, or regulation to the contrary, the Division of Medical Assistance and Health Services within the Department of Human Services, or a managed care organization that contracts with the division to provide medical services to beneficiaries of the NJ FamilyCare program, shall:

(1) accept and reimburse claims for services under the NJ FamilyCare program when submitted by a clinical social worker, a professional counselor, or a marriage and family therapist provided that:

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

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

(c) the provider holds a current, valid license issued pursuant to P.L.1991, c.134 (C.45:15BB-1 et seq.) if a clinical social worker, P.L.1993, c.340 (C.45:8B-34 et seq.) if a professional counselor, and P.L.1968, c.401 (C.45:8B-1 et seq.) if a marriage and family therapist; and

(d) the provider is an approved provider of services under the NJ FamilyCare program; and

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

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

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

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

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

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

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

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

(e) the provider's supervising practitioner is an approved provider of services under the NJ FamilyCare program and serves as the rendering practitioner for the purposes of the claim.

b. Nothing in this section shall be construed to allow a licensed social worker, licensed associate counselor, or licensed associate marriage and family therapist to practice within the scope of their license without a supervising practitioner or to require NJ FamilyCare to reimburse a claim for covered services submitted by a licensed social worker, licensed associate counselor, or licensed associate marriage and family therapist.

c. For the purpose of this section, "NJ FamilyCare" means the program established pursuant to P.L.2005, c.156 (C.30:4J-8 et al.).

C.30:4D-6x Commissioner of Human Services, State plan amendments, waivers, apply as may be necessary.

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

3. 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.

4. This act shall take effect immediately.

Approved January 8, 2024.