

CHAPTER 86

AN ACT concerning reimbursement levels for certain community based senior program services, amending P.L.1987, c.119 and supplementing Title 30 of the Revised Statutes, and making an appropriation.

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

1. Section 6 of P.L.1987, c.119 (C.30:4F-12) is amended to read as follows:

C.30:4F-12 Rules, regulations.

6. The commissioner shall promulgate rules and regulations in accordance with the "Administrative Procedure Act," P.L.1968, c.410 (C.52:14B-1 et seq.) necessary to effectuate the purposes of this act. The rules and regulations shall include, but not be limited to, the following:

- a. Standards for eligibility for respite care services;
- b. Target populations and situations to be given priority in receiving services;
- c. Qualifications and requirements of sponsors and providers;
- d. Provider reimbursement and payment levels for respite care services, provided that:

(1) the hourly reimbursement rate for home health aide services, personal care services, and homemaker services, in which the services are provided on a weekday, shall be no less than the hourly State Medicaid fee-for-service reimbursement rate for personal care services, and that the hourly reimbursement rate for home health aide services, personal care services, and homemaker services, in which the services are provided on a weekend or on a State or federal holiday, shall be no less than the amount of the hourly State Medicaid fee-for-service reimbursement rate for personal care services plus \$1; and

(2) each eligible person shall receive up to \$6,559.63, or a higher amount which the Commissioner of Human Services may approve, of respite services in a calendar year;

- e. Service and cost limitations for eligible persons;
- f. A sliding scale fee schedule for co-payments; and
- g. Procedures for reporting on implementation of the program.

2. There shall be appropriated each fiscal year from the General Fund to the Department of Human Services an amount sufficient to carry out the provisions of section 6 of P.L.1987, c.119 (C.30:4F-12), as amended by section 1 of P.L.2023, c.86.

C.30:4F-16 Hourly reimbursement rate, home health aide, personal care, homemaker services; rules, regulations.

3. a. The hourly reimbursement rate for home health aide services, personal care services, and homemaker services provided under the Jersey Assistance for Community Caregiving (JACC) Program, as administered by the Division of Aging Services in the Department of Human Services, in which the services are provided on a weekday, shall be no less than the hourly State Medicaid fee-for-service reimbursement rate for personal care services, and the hourly reimbursement rate for home health aide services, personal care services, and homemaker services provided under the JACC Program, in which the services are provided on a weekend or on a State or federal holiday, shall be no less than the amount of the hourly State Medicaid fee-for-service reimbursement rate for personal care services plus \$1.

b. Each applicant determined to be eligible for the JACC Program, pursuant to criteria implemented by the Division of Aging Services, shall receive, in addition to the cost of any

monthly case management fee, up to \$11,158.56, or a higher amount which the Commissioner of Human Services may approve, of JACC Program services in a calendar year.

c. There shall be appropriated each fiscal year from the General Fund to the Department of Human Services an amount sufficient to carry out the provisions of this section.

d. The commissioner shall promulgate rules and regulations in accordance with the "Administrative Procedure Act," P.L.1968, c.410 (C.52:14B-1 et seq.) necessary to effectuate the purposes of this section.

4. This act shall take effect immediately.

Approved June 30, 2023.