

SENATE BUDGET AND APPROPRIATIONS COMMITTEE

STATEMENT TO

[First Reprint]

SENATE, No. 2891

with committee amendments

STATE OF NEW JERSEY

DATED: MAY 11, 2023

The Senate Budget and Appropriations Committee reports favorably and with committee amendments Senate Bill No. 2891 (1R).

As amended by the committee, this bill expands the scope of the Office of the State Long-Term Care Ombudsman (ombudsman) to provide that the office of the ombudsman will oversee all long-term care facility residents, not just the elderly. The bill updates certain statutory references to reflect this change, and additionally removes references to “patients” and “clients” of a facility.

Current law provides that, upon completing an investigation, the ombudsman’s findings and recommended action are to be submitted to the Commissioner of Health or the Commissioner of Human Services, as appropriate, as well as to any other governmental agency that regulates or operates the facility. The bill revises this requirement to provide that the report be furnished to these entities upon request, and upon substantiation of the report or complaint. The bill further provides that the report may also be provided to the complainant, if the resident or the resident’s legal representative consents to the complainant receiving a copy of the report. The bill provides that, in addition to obtaining the name and address of a person on a consent form, the ombudsman is to make reasonable efforts to obtain the person’s phone number and email address.

As amended, the bill removes a requirement for the ombudsman to provide notice before inspecting the premises, books, files, medical records, or other records of a facility or government agency during the course of an investigation.

The bill revises a requirement for the Legislature to review the development, administration, and operation of the office through certain standing reference committees to instead make the Legislature directly responsible for the review.

The bill makes various technical and stylistic changes to the current statutory law involving grammar and citation.

COMMITTEE AMENDMENTS:

The committee amendments remove an appropriation from the bill and update the title and synopsis of the bill to reflect this change.

FISCAL IMPACT:

The Office of Legislative Services concludes that the Office of the State Long-Term Care Ombudsman (LTCO) will incur an expenditure increase of between \$500,000 and \$1 million annually. The LTCO will incur additional annual expenditures due to the provisions of the bill that: 1) expand the scope of the ombudsman's office to include services to long-term care residents under the age of 60; and 2) mandate staff members employed at long-term care facilities to report to the ombudsman that a resident, under the age of 60, is being or has been abused or exploited. Generally, these provisions will increase the number of annual complaints made by or on behalf of long-term care residents and received by the LTCO, thereby requiring the LTCO to hire more staff and recruit more volunteers to investigate and resolve those complaints.