

SENATE HEALTH, HUMAN SERVICES AND SENIOR
CITIZENS COMMITTEE

STATEMENT TO

SENATE, No. 2894

with committee amendments

STATE OF NEW JERSEY

DATED: OCTOBER 6, 2022

The Senate Health, Human Services and Senior Citizens Committee reports favorably and with committee amendments Senate Bill No. 2894.

As amended, this bill provides for the establishment of Mission Critical Long-Term Care Teams, which will be responsible for identifying long-term care facilities for which progressive levels of oversight and direct intervention may be necessary to prevent the decline of health and safety at the facility or the disruption of necessary health care services at the facility. Each Mission Critical Long-Term Care Team will work collaboratively with long-term care facilities to improve the financial and operating results of the facility with a focus on resident health and safety.

Each Mission Critical Long-Term Care Team established by the Commissioner of Health is to comprise four individuals with relevant expertise in long-term care administration and management, financial management, nursing care, infection prevention, social work, quality improvement, safety, and continuing professional education.

The commissioner will establish specific indicators by which a long-term care facility may be evaluated for: operational and financial soundness, and the thresholds at which it may be considered to be in operational or financial distress or at risk of operational or financial distress; and the facility's capacity to ensure the rights afforded by State law to residents and to deliver the quality of care required by applicable licensing standards for the facility.

When a survey or inspection conducted, or complaint received, by the Division of Health Facility Survey and Field Operations in the Department of Health (DOH), or by any other individual in the DOH, identifies a facility at risk based on any of the indicators established by the commissioner, the commissioner may dispatch a Mission Critical Long-Term Care Team to evaluate the facility and advise the facility as to any corrective measures it should take to resolve any identified issues. The commissioner may also dispatch a Mission Critical Long-Term Care Team at the request of facility management.

The bill requires that any facility to which a Mission Critical Long-Term Care Team is dispatched cooperate with the team, and that the facility grant both the Mission Critical Long-Term Care Team and the DOH access to all physical plant operations and locations and to all financial, operational, and programmatic information requested thereby.

COMMITTEE AMENDMENTS:

The committee amendments provide that each Mission Critical Long-Term Care Team is to work collaboratively with long term care facilities to improve the financial and operating results of the facility with a focus on resident health and safety.

The committee amendments expand the scope of relevant expertise required of members of each team to include expertise in financial management and safety.

The committee amendments expand the specific indicators that will be used to evaluate a long-term care facility to include the evaluation of the facility's capacity to ensure the rights afforded by State law to residents, and to deliver the quality of care required by applicable licensing standards for the facility.

The committee amendments remove language specifying that Mission Critical Long-Term Care Teams review and investigate to determine whether a facility is at risk of operational or financial distress; as amended, the bill indicates that the review and investigation is to identify facilities at risk, without reference to the nature of the risk.

The committee amendments provide that the Commissioner of Health may also dispatch a Mission Critical Long-Term Care Team at the request of facility management.