

SENATE, No. 464

STATE OF NEW JERSEY
209th LEGISLATURE

PRE-FILED FOR INTRODUCTION IN THE 2000 SESSION

Sponsored by:

Senator ROBERT W. SINGER

District 30 (Burlington, Monmouth and Ocean)

Senator NORMAN M. ROBERTSON

District 34 (Essex and Passaic)

SYNOPSIS

Requires at least 10% of residents in new assisted living facilities be Medicaid-eligible.

CURRENT VERSION OF TEXT

Introduced Pending Technical Review by Legislative Counsel.



1 AN ACT concerning the use of assisted living facilities by Medicaid
2 recipients and supplementing Title 26 of the Revised Statutes.

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

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7 1. An applicant for licensure to operate an assisted living facility
8 established on or after the effective date of this act or to add additional
9 assisted living units to an existing assisted living facility, shall comply
10 with the following utilization requirement: within one year from
11 license issuance, a minimum of 10% of the total assisted living bed
12 complement shall be occupied by direct admission of Medicaid-eligible
13 persons. The assisted living facility shall continue to maintain at least
14 10% Medicaid-eligible direct admissions in its facility annually
15 thereafter.

16 For the purposes of this act, "Medicaid" means the program
17 established pursuant to P.L.1968, c.413 (C.30:4D-1 et seq.), and
18 "Medicaid-eligible" means a person who has received a determination
19 of medical and financial eligibility for Medicaid coverage or a person
20 who qualifies medically and financially for Medicaid but who does not
21 apply for Medicaid coverage.

22
23 2. The Commissioner of Health and Senior Services may waive the
24 10% requirement or reduce the required percentage by regulation for
25 specific regions of the State or Statewide if he determines that
26 sufficient numbers of assisted living beds are available in the State to
27 meet the needs of Medicaid-eligible persons within the limits of the
28 federal waiver to provide assisted living services through the Medicaid
29 program.

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31 3. The Commissioner of Health and Senior Services shall adopt
32 regulations pursuant to the "Administrative Procedure Act," P.L.1968,
33 c.410 (C.52:14B-1 et seq.) necessary to carry out the purposes of this
34 act.

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36 4. This act shall take effect immediately.

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STATEMENT

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41 This bill requires, as a condition of licensure for any new assisted
42 living facility licensed on or after the effective date of the bill or any
43 existing facility that seeks to add additional assisted living beds, that
44 the facility agree that within one year from license issuance, a
45 minimum of 10% of the total assisted living bed complement shall be
46 occupied by direct admission of Medicaid-eligible persons. The

1 assisted living facility shall continue to maintain at least 10%
2 Medicaid-eligible direct admissions annually thereafter.

3 The bill provides, however, that the Commissioner of Health and
4 Senior Services may waive the 10% requirement or reduce the
5 required percentage, by regulation, for specific regions of the State or
6 Statewide if he determines that sufficient numbers of assisted living
7 beds are available in the State to meet the needs of Medicaid-eligible
8 persons within the limits of the State's federal waiver to provide
9 assisted living services through the Medicaid program.