

ASSEMBLY, No. 214

STATE OF NEW JERSEY

219th LEGISLATURE

PRE-FILED FOR INTRODUCTION IN THE 2020 SESSION

Sponsored by:

Assemblywoman CLEOPATRA G. TUCKER

District 28 (Essex)

Assemblyman RALPH R. CAPUTO

District 28 (Essex)

Assemblyman THOMAS P. GIBLIN

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District 37 (Bergen)

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District 35 (Bergen and Passaic)

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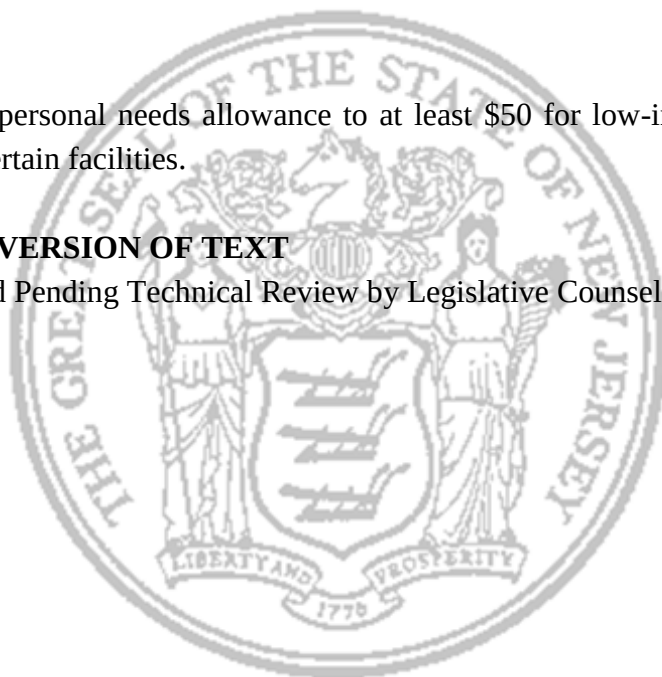
Assemblyman McKeon, Assemblywoman Lampitt, Assemblymen Schaer, Danielsen, Assemblywomen Mosquera, Quijano, McKnight, Assemblymen Chiaravalloti, Coughlin and Assemblywoman Jasey

SYNOPSIS

Increases personal needs allowance to at least \$50 for low-income persons residing in certain facilities.

CURRENT VERSION OF TEXT

Introduced Pending Technical Review by Legislative Counsel.



1 **AN ACT** concerning the personal needs allowance and amending
2 P.L.1985, c.286 and P.L.1973, c.256.

3

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

6

7 1. Section 1 of P.L.1985, c.286 (C.30:4D-6a) is amended to
8 read as follows:

9 1. Any person who is eligible for medical assistance and health
10 services under P.L.1968, c.413 (C.30:4D-1 et seq.) and who
11 receives medical assistance under subparagraph (4)(a) of subsection
12 a. or under paragraph (11), (13) or (14) of subsection b. of section 6
13 of P.L.1968, c.413 (C.30:4D-6), who is not eligible for
14 Supplemental Security Income benefits pursuant to 42 U.S.C.
15 s.1382(e)(1)(B), is entitled to a **[\$35.00]** monthly personal needs
16 allowance of at least \$50. Beginning January 1 of the year next
17 following the date of enactment of P.L. , c. (pending before the
18 Legislature as this bill), the minimum personal needs allowance
19 shall be increased annually by the Commissioner of Human
20 Services pursuant to N.J.A.C.10:123-3.4(b).
21 (cf: P.L.1985, c.286, s.1)

22

23 2. Section 3 of P.L.1973, c.256 (C.44:7-87) is amended to read
24 as follows:

25 3. The commissioner shall:

26 a. Enter into agreements with the government to secure the
27 administration of supplementary payments by the government for
28 such time and upon such conditions as the commissioner may in his
29 discretion deem appropriate.

30 b. Promulgate, alter and amend such rules, regulations and
31 directory orders as are necessary and proper:

32 (1) To implement the terms of the agreement with the
33 government for the administration by the government of
34 supplementary payments; and

35 (2) To secure social services for eligible persons, and for such
36 other aged, blind or disabled persons as the commissioner may
37 designate.

38 c. Transfer State or welfare board funds, or both, currently
39 appropriated for this State's participation in the federal categorical
40 assistance programs of "Old Age Assistance," R.S.44:7-3 to
41 R.S.44:7-37; "Assistance for the Blind," P.L.1962, c.197 (C.44:7-43
42 to 44:7-49) and "Permanent and Total Disability Assistance,"
43 P.L.1951, c.139 (C.44:7-38 to 44:7-42) and any funds which may in
44 the future be appropriated for the payment of supplementary
45 payments, to the government in such amounts and at such times as

EXPLANATION – Matter enclosed in bold-faced brackets **[thus] in the above bill is not enacted and is intended to be omitted in the law.**

Matter underlined thus is new matter.

1 the commissioner shall deem appropriate in order to provide for
2 supplementary payments to eligible persons in this State.

3 d. Pay to the government such funds as are necessary to
4 reimburse the government's expenses in collecting additional
5 information needed for the State to make eligibility determinations
6 for medical assistance under the "New Jersey Medical Assistance
7 and Health Services Act," P.L.1968, c.413 (C.30:4D-1 to 30:4D-
8 19).

9 e. Require welfare boards to perform such eligibility
10 determinations as the commissioner may deem necessary for the
11 continuation of the New Jersey Medical Assistance Program under
12 the "New Jersey Medical Assistance and Health Services Act,"
13 P.L.1968, c.413 (C.30:4D-1 et seq.). The commissioner shall pay to
14 the counties a reasonable amount to reimburse the welfare boards
15 for their expenses in making such eligibility determinations.

16 f. (Deleted by amendment, P.L.1990, c.66.)

17 g. Take appropriate steps to secure maximum federal financial
18 participation in providing assistance to eligible persons residing in
19 residential health care facilities.

20 h. Ensure that any eligible person residing in a rooming or
21 boarding house or residential health care facility has reserved to
22 him a monthly amount, from payments received under the
23 provisions of the act to which this act is a supplement or from any
24 other income, as a personal needs allowance. The personal needs
25 allowance may vary according to the type of facility in which an
26 eligible person resides, **but in no case shall be less than \$25.00 per**
27 **month** as determined by the commissioner. Beginning January 1
28 of the year next following the date of enactment of
29 P.L. , c. (pending before the Legislature as this bill), the personal
30 needs allowance shall be increased annually by the commissioner
31 pursuant to N.J.A.C.10:123-3.4(b).

32 i. Ensure that any eligible person who receives medical
33 assistance under subparagraph (4)(a) of subsection a. or under
34 paragraph (11), (13) or (14) of subsection b. of section 6 of
35 P.L.1968, c.413 (C.30:4D-6) receives **[\$10.00]** at least \$20 per
36 month, in addition to benefits received pursuant to 42 U.S.C.
37 s.1382(e)(1)(B). Beginning January 1 of the year next following
38 the date of enactment of P.L. ,
39 c. (pending before the Legislature as this bill), this minimum
40 amount shall be increased annually by the commissioner pursuant to
41 N.J.A.C.10:123-3.4(b). If the government cannot administer this
42 **[\$10.00]** monthly increase, the commissioner shall administer this
43 increase and shall ensure that this increase is not considered income
44 for Supplemental Security Income program purposes. However, if
45 the government increases the benefit level under 42 U.S.C.
46 s.1382(e)(1)(B), the commissioner shall allow the government to
47 administer this increase and shall reduce its payment to an eligible
48 recipient by an equal amount.

