

ASSEMBLY, No. 1406

STATE OF NEW JERSEY

219th LEGISLATURE

PRE-FILED FOR INTRODUCTION IN THE 2020 SESSION

Sponsored by:

Assemblywoman YVONNE LOPEZ

District 19 (Middlesex)

Assemblywoman LINDA S. CARTER

District 22 (Middlesex, Somerset and Union)

Assemblyman DANIEL R. BENSON

District 14 (Mercer and Middlesex)

Co-Sponsored by:

**Assemblywomen Chaparro, McKnight, Assemblymen Calabrese, Johnson,
Spearman and Assemblywoman Vainieri Huttie**

SYNOPSIS

Establishes minimum Medicaid reimbursement rates for private duty nursing services.

CURRENT VERSION OF TEXT

Introduced Pending Technical Review by Legislative Counsel.



(Sponsorship Updated As Of: 3/25/2021)

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

2. Within 180 days after the enactment of this act, the Commissioner of Human Services shall apply for such State plan amendments or waivers as may be necessary to implement the provisions of this act and secure federal financial participation for State Medicaid expenditures under the federal Medicaid program.

27 4. This act shall take effect immediately.

32 This bill would establish minimum Medicaid reimbursement
33 rates for private duty nursing (PDN) services. PDN services are
34 individualized nursing services that are provided by licensed nurses,
35 on a continuous and non-intermittent basis, to certain beneficiaries
36 in the home setting. The bill provides that the minimum Medicaid
37 reimbursement rate for such services is to be no less than \$60 per
38 hour when a registered professional nurse provides the services, and
39 no less than \$48 per hour when a licensed practical nurse provides
40 the services.

Existing State regulation, at N.J.A.C.10:60-11.2, establishes a maximum Medicaid reimbursement rate for PDN services. Specifically, the regulation provides for reimbursement of PDN services at a rate of not more than \$40 per hour when a registered professional nurse provides the services, and not more than \$28 when a licensed practical nurse provides the services. These maximum reimbursement rates, however, are insufficient to cover

1 the costs of service provision, and may effectively dissuade nurses
2 from providing PDN services in the State.

3 The bill would require the Commissioner of Human Services to
4 apply for such State plan amendments or waivers as may be
5 necessary to implement the bill's provisions and secure federal
6 financial participation for State Medicaid expenditures under the
7 federal Medicaid program.