

ASSEMBLY, No. 2329

STATE OF NEW JERSEY 219th LEGISLATURE

INTRODUCED FEBRUARY 3, 2020

Sponsored by:

Assemblywoman CAROL A. MURPHY

District 7 (Burlington)

SYNOPSIS

Requires Division of Medical Assistance and Health Services in DHS to accept permanent change of station order for purposes of satisfying residency requirement for provision of home and community based services under certain circumstances.

CURRENT VERSION OF TEXT

As introduced.



1 AN ACT concerning home and community based services and
2 supplementing P.L.1968, c.43.

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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. a. Notwithstanding any other law to the contrary, the
8 Division of Medical Assistance and Health Services within the
9 Department of Human Services shall accept a permanent change of
10 station order to a duty location located in New Jersey, issued by any
11 branch of the United States military to the parent or legal guardian
12 of an applicant, for the purposes of satisfying the residency
13 requirement for the provision of home and community based
14 services reimbursed by the Medicaid program.

15 b. For the purpose of this section:

16 “Legal guardian” means a person who exercises continuing
17 control over the person or property, or both, of an individual,
18 pursuant to a court order.

19 “Medicaid program” means the program established pursuant to
20 P.L.1968, c.413 (C.30:4D-1 et seq.).

21 “Permanent change of station order” means the official
22 documentation issued by a branch of the United States military to an
23 active duty member requiring the member’s relocation, along with the
24 relocation of any dependents living with the member, from one duty
25 location to another.

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27 2. The Commissioner of Human Services, pursuant to the
28 "Administrative Procedure Act," P.L.1968, c.410 (C.52:14B-
29 1 et seq.), shall adopt rules and regulations necessary to implement
30 the provisions of this act.

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32 3. This act shall take effect immediately.

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STATEMENT

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37 This bill requires the Division of Medical Assistance and Health
38 Services within the Department of Human Services to accept a
39 permanent change of station order to a duty location located in New
40 Jersey, issued by any branch of the United States military to the
41 parent or legal guardian of an applicant, for the purposes of
42 satisfying the residency requirement for the provision of home and
43 community based services reimbursed by the Medicaid program.

44 Under the bill, “permanent change of station order” means the
45 official documentation issued by a branch of the United States military
46 to an active duty member requiring the member’s relocation, along
47 with the relocation of any dependents living with the member, from
48 one duty location to another.

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1 The bill codifies provisions found at N.J.A.C 10:46-2.2 which
2 provides that for individuals applying for home and community based
3 services, whose guardian is in the United States military, residency
4 may be established when the guardian can produce a permanent
5 change of station order to New Jersey.