ASSEMBLY, No. 2546

STATE OF NEW JERSEY

219th LEGISLATURE

INTRODUCED FEBRUARY 13, 2020

Sponsored by:
Assemblyman GARY S. SCHAER
District 36 (Bergen and Passaic)
Assemblywoman VALERIE VAINIERI HUTTLE
District 37 (Bergen)

SYNOPSIS

"Uncompensated Pending Medicaid Beneficiary Payment Relief Act"; provides compensation relief to nursing facilities when resident's Medicaid eligibility determination is delayed more than 90 days.

CURRENT VERSION OF TEXT

As introduced.

(Sponsorship Updated As Of: 2/13/2020)

AN ACT providing compensation relief to nursing facilities when Medicaid eligibility determinations are delayed, designated the "Uncompensated Pending Medicaid Beneficiary Payment Relief Act," and supplementing Title 30 of the Revised Statutes.

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

1. The Commissioner of Human Services shall make an advance payment to a nursing facility licensed pursuant to P.L.1971, c.136 (C.26:2H-1 et seq.), at the facility's request, whenever the facility is providing uncompensated services to one or more residents whose eligibility for Medicaid has not been determined more than 90 days after an application has been filed. Any such advance payment shall not exceed fifty percent of the estimated amount due for the uncompensated services. No later than 30 days after any such application is granted and payment has been made to the facility, or after any such application has been denied, the commissioner shall: provide reimbursement for any balance due to the facility; or recover any advance payments made on behalf of an applicant deemed ineligible for Medicaid by reducing any payments due to the facility.

2. 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 to secure federal financial participation for State Medicaid expenditures under the federal Medicaid program.

3. The Commissioner of Human Services shall, in accordance with the "Administrative Procedure Act," P.L.1968, c.410 (C.52:14B-1 et seq.), adopt any rules and regulations as the commissioner deems necessary to carry out the provisions of this act.

4. This act shall take effect on the first day of the fiscal year next following the date of enactment, except that the Commissioner of Human Services may take such anticipatory administrative action in advance thereof as shall be necessary for the implementation of the act.

STATEMENT

This bill, designated the "Uncompensated Pending Medicaid Beneficiary Payment Relief Act," would provide payments to certain nursing facilities for residents who have applied for Medicaid but whose eligibility has not been determined more than

90 days after the initial application. The bill requires the Commissioner of Human Services to make advance payments to a nursing facility, at the facility's request, whenever the facility is providing uncompensated services to one or more residents whose eligibility for Medicaid has not been determined more than 90 days after an application has been filed. Any such advance payment would not exceed fifty percent of the estimated amount due for the uncompensated services. No later than 30 days after any such application is granted and payment has been made to the facility, or after any such application has been denied, the commissioner would be required to: provide reimbursement for any balance due to the facility; or recover any advance payments made on behalf of an applicant deemed ineligible for Medicaid by reducing any payments due to the facility.

This bill will take effect on the first day of the fiscal year next following the date of enactment.