ASSEMBLY APPROPRIATIONS COMMITTEE

STATEMENT TO

[First Reprint]

ASSEMBLY, No. 3110

STATE OF NEW JERSEY

DATED: MARCH 17, 2021

The Assembly Appropriations Committee reports favorably Assembly Bill No. 3110 (1R).

This bill requires that the temperature within rooming and boarding houses, dementia care homes, nursing homes, and residential health care facilities be maintained within a range of 65 through 81 degrees Fahrenheit. This standard would not apply to nursing facilities, or to residential health care facilities that are owned by a licensed health care facility and licensed by the Department of Health, that are in compliance with applicable federal regulations.

The temperature requirements under this bill would be restricted to areas of the facilities that are used by the residents or patients. The temperature requirements would not apply to rooms designated for activities requiring physical exertion, or rooms where residents can individually control the temperature in their own living units, independent from other areas.

In the case of nursing homes and residential health care facilities, current law permits the Commissioner of Health to waive certain air conditioning requirements if compliance with the requirements would cause serious financial hardship, or if the nursing home or residential health care facility has not been constructed or expanded since August 17, 1989. This bill does not remove these existing exceptions to temperature control requirements.

As reported by the committee, Assembly Bill No. 3110 (1R) is identical to Senate Bill No. 537 (1R), which was reported by the committee on this date.

FISCAL IMPACT:

The Office of Legislative Services (OLS) concludes that nursing homes and rooming and boarding houses operated by the Department of Military and Veterans Affairs (DMAVA) and certain counties may incur marginal costs to maintain temperatures within the range of 65 through 81 degrees Fahrenheit, as required under this bill.

The OLS also finds that the Departments of Health, Human Services, Community Affairs, Military and Veterans Affairs, Children and Families, and certain counties may experience a marginal increase in costs to ensure that the facilities under their licensing and regulatory

purview comply with the temperature requirements established pursuant to this bill. However, these departments and the affected counties would likely include temperature measures as part of the periodic facility inspections conducted pursuant to current statute or regulation.