

ASSEMBLY, No. 4050

STATE OF NEW JERSEY 219th LEGISLATURE

INTRODUCED MAY 7, 2020

Sponsored by:

Assemblywoman CAROL A. MURPHY

District 7 (Burlington)

Assemblywoman VALERIE VAINIERI HUTTLE

District 37 (Bergen)

Assemblyman DANIEL R. BENSON

District 14 (Mercer and Middlesex)

Co-Sponsored by:

Assemblymen Dancer, Armato and Assemblywoman Dunn

SYNOPSIS

Establishes “Nursing Home Emergency Preparedness Study Commission.”

CURRENT VERSION OF TEXT

As introduced.



(Sponsorship Updated As Of: 7/20/2020)

1 AN ACT concerning nursing home emergency preparedness.

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

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6 1. a. There is established a study commission to be known as
7 the "Nursing Home Emergency Preparedness Study Commission."
8 The purpose of the study commission shall be to analyze the ability
9 of nursing homes to respond to public health emergencies.
10 Specifically, the commission shall analyze whether nursing homes
11 generally maintain traditional nursing home environments or
12 whether nursing homes generally maintain assisted living
13 environments; examine policies and procedures established by
14 nursing homes in the event of a declared state of emergency or a
15 public health emergency; analyze whether nursing homes have a
16 sufficient number of staff to meet residents' needs during a declared
17 state of emergency or a public health emergency; examine whether
18 nursing homes are sufficiently funded to meet residents' needs
19 during a declared state of emergency or a public health emergency;
20 and make recommendations as to how nursing homes may better
21 meet residents' needs in the event of a declared state of emergency
22 or a public health emergency.

23 b. The Nursing Home Emergency Preparedness Study
24 Commission shall consist of 15 members as follows:

25 (1) the Commissioner of Human Services, or the
26 commissioner's designee;

27 (2) the Commissioner of Health, or the commissioner's
28 designee;

29 (3) a representative from the New Jersey Hospital Association;

30 (4) eight members of the public with significant operational,
31 financial, or managerial expertise in the nursing home industry, five
32 of whom shall be representatives of entities currently operating one
33 or more nursing homes in the State, to be appointed as follows: two
34 members to be appointed by the Speaker of the General Assembly;
35 two members to be appointed by the President of the Senate; two
36 members to be appointed by the Minority Leader of the General
37 Assembly; and two members to be appointed by the Minority
38 Leader of the Senate; and

39 (5) and four members of the public to be appointed by the
40 Governor, who have a family member residing in a nursing home,
41 and with at least one member from the northern, central, and
42 southern regions of the State.

43 c. The study commission shall organize as soon as practicable
44 after the appointment of its members. Upon its organization, the
45 study commission shall select a chairperson from among its
46 members. The study commission may meet and holding meetings
47 at the times and places it may designate. A majority of the
48 authorized members shall constitute a quorum. Vacancies shall be

1 filled in the same manner as the original appointments were made.
2 The members shall serve without remuneration, but shall be eligible
3 for reimbursement for necessary and reasonable expenses incurred
4 in the performance of their duties on the commission, within the
5 limits of funds appropriated or otherwise made available to the
6 study commission for its purposes.

7 d. The study commission is entitled to receive assistance and
8 services from any State, county, or municipal department, board,
9 commission, or agency, as may be available to it for its purposes.

10 e. Not later than 12 months after the initial meeting of the
11 study commission, it shall prepare and submit a written report to the
12 Governor, and to the Legislature pursuant to section 2 of
13 P.L.1991, c.164 (C.52:14-19.1), presenting its analysis of the
14 current state of nursing homes in the State. The study commission
15 shall expire on the first day of the third month next following
16 submission of its written report to the Governor and the Legislature,
17 as required by this subsection.

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19 2. This act shall take effect immediately and shall expire upon
20 the submission of the report as required pursuant to subsection e. of
21 section 1.

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STATEMENT

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26 This bill establishes the Nursing Home Emergency Preparedness
27 Study Commission (commission). The purpose of the study
28 commission is to analyze the ability of nursing homes to respond to
29 public health emergencies. Specifically, the commission is to
30 analyze whether nursing homes generally maintain traditional
31 nursing home environments or whether nursing homes generally
32 maintain assisted living environments; examine policies and
33 procedures established by nursing homes in the event of a declared
34 state of emergency or a public health emergency; analyze whether
35 nursing homes have a sufficient number of staff to meet residents'
36 needs during a declared state of emergency or a public health
37 emergency; examine whether nursing homes are sufficiently funded
38 to meet residents' needs during a declared state of emergency or a
39 public health emergency; and make recommendations as to how
40 nursing homes may better meet residents' needs in the event of a
41 declared state of emergency or a public health emergency.

42 The bill provides that the commission is to consist of consist of
43 15 members as follows: (1) the Commissioner of Human Services,
44 or the commissioner's designee; (2) the Commissioner of Health, or
45 the commissioner's designee; (3) a representative from the New
46 Jersey Hospital Association; (4) eight members of the public with
47 significant operational, financial, or managerial expertise in the
48 nursing home industry, five of whom are to be representatives of

A4050 MURPHY, VAINIERI HUTTLE

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1 entities currently operating one or more nursing homes in the State,
2 to be appointed as follows: two members to be appointed by the
3 Speaker of the General Assembly; two members to be appointed by
4 the President of the Senate; two members to be appointed by the
5 Minority Leader of the General Assembly; and two members to be
6 appointed by the Minority Leader of the Senate; and (5) and four
7 members of the public to be appointed by the Governor, who have a
8 family member residing in a nursing home, and with at least one
9 member from the northern, central, and southern regions of the
10 State.

11 Not later than 12 months after the initial meeting of the
12 commission, it is to prepare and submit a written report to the
13 Governor, and to the Legislature presenting its analysis of the
14 current state of nursing homes in the State. The commission is to
15 expire on the first day of the third month following the submission
16 of its written report to the Governor and Legislature.