

SENATE BUDGET AND APPROPRIATIONS COMMITTEE

STATEMENT TO

[First Reprint]

ASSEMBLY, No. 4238

with committee amendments

STATE OF NEW JERSEY

DATED: DECEMBER 16, 2021

The Senate Budget and Appropriations Committee reports favorably Assembly Bill No. 4238 (1R), with committee amendments.

This bill establishes a minimum Medicaid reimbursement rate for a provider of adult medical day care services. As defined under the bill, “provider of adult medical day care services” means an adult day health services facility licensed by the Department of Health, which provides preventive, diagnostic, therapeutic, and rehabilitative services under medical and nursing supervision to meet the needs of functionally impaired adult participants for a period of time that does not exceed 12 hours during any calendar day.

Under the bill, whether the services are provided in the Medicaid fee-for-service (FFS) delivery system or through a managed care delivery system, the per diem reimbursement rate is required to be no less than the established State Medicaid FFS rate. Currently, the FY 2020 annual Appropriations Act (P.L.2019, c.150) sets forth the FFS rate at \$78.50 per day.

The bill also prohibits a managed care organization contracted to provide benefits under the Medicaid program from terminating or modifying an existing provider network contract solely due to a change of provider ownership or ownership structure.

The bill would take effect on July 1, 2022 and apply to services provided on or after the effective date of the bill and to any Medicaid managed care contract executed or renewed on or after the effective date of the bill, except that the provisions of the bill prohibiting a Medicaid managed care organization from terminating or modifying an existing provider network contract under certain circumstances would take effect immediately.

As amended and reported, Assembly Bill No. 4238 (2R) is identical to Senate Bill No. 2561 (2R), which was also amended and reported by the committee on this date.

COMMITTEE AMENDMENTS:

The committee amended the bill to delay its effective date to July 1, 2022.

FISCAL IMPACT:

This bill is not certified as requiring a fiscal note.