

ASSEMBLY, No. 4406

STATE OF NEW JERSEY 219th LEGISLATURE

INTRODUCED JULY 16, 2020

Sponsored by:

Assemblywoman ANGELA V. MCKNIGHT

District 31 (Hudson)

Assemblywoman JOANN DOWNEY

District 11 (Monmouth)

Assemblyman DANIEL R. BENSON

District 14 (Mercer and Middlesex)

SYNOPSIS

Requires each nursing home to employ patient advocate.

CURRENT VERSION OF TEXT

As introduced.



(Sponsorship Updated As Of: 8/10/2020)

1 **AN ACT** concerning nursing homes and supplementing Title 26 of
2 the Revised Statutes.

3

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

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7 1. a. As used in this section, "nursing home" means a long-term
8 care facility licensed pursuant to P.L.1971, c.136 (C.26:2H-1 et
9 seq.), as well as the distinct part of another health care facility or
10 continuing care retirement community that is licensed to provide
11 skilled nursing care services pursuant to P.L.1971, c.136 (C.26:2H-
12 1 et seq.). For the purposes of this section, nursing home shall not
13 include: an acute care hospital; assisted living facility;
14 comprehensive personal care home; residential health care facility;
15 adult day health care facility; alternate family care program; adult
16 family care program; home health care agency; State psychiatric
17 hospital; county health care facility, including, but not limited to,
18 county geriatric center, county nursing home or other county long-
19 term care facility; the New Jersey Firemen's Home; or a health care
20 facility operated by the Department of Military and Veterans'
21 Affairs.

22 b. Each nursing home shall employ a patient advocate on a full-
23 time or part-time basis who is a health care professional or social
24 worker with previous employment in a nursing home. At the
25 request of a nursing home resident or the family member of a
26 nursing home resident, the patient advocate shall advocate for
27 nursing home residents and negotiate with the nursing home on
28 behalf of nursing home residents.

29 c. A patient advocate shall notify the Office of the State Long-
30 Term Care Ombudsman if a nursing home violates the rights of a
31 nursing home resident.

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33 2. The Commissioner of Health and the Commissioner of
34 Human Services shall adopt rules and regulations, in accordance
35 with the "Administrative Procedure Act," P.L.1968, c.410
36 (C.52:14B-1 et seq.), as are necessary to effectuate the provisions of
37 this act.

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39 3. This act shall take effect immediately.

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STATEMENT

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44 This bill requires each nursing home to employ a patient
45 advocate.

46 Under the bill, each nursing home is to employ a patient
47 advocate on a full-time or part-time basis who is a health care
48 professional or social worker with previous employment in a

1 nursing home. At the request of a nursing home resident or the
2 family member of a nursing home resident, the patient advocate is
3 to advocate for nursing home residents and negotiate with the
4 nursing home on behalf of nursing home residents.

5 The bill provides that a patient advocate is to notify the Office of
6 the State Long-Term Care Ombudsman if a nursing home violates
7 the rights of a nursing home resident.