

ASSEMBLY, No. 5178

STATE OF NEW JERSEY 219th LEGISLATURE

INTRODUCED DECEMBER 21, 2020

Sponsored by:

Assemblywoman CLEOPATRA G. TUCKER

District 28 (Essex)

Assemblywoman VALERIE VAINIERI HUTTLE

District 37 (Bergen)

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District 38 (Bergen and Passaic)

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Assemblyman Scharfenberger

SYNOPSIS

Requires Office of State Long-Term Care Ombudsman submit annual report to veterans' facility oversight boards.

CURRENT VERSION OF TEXT

As introduced.



(Sponsorship Updated As Of: 1/25/2021)

A5178 TUCKER, VAINIERI HUTTLE

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1 AN ACT concerning annual reports of the Office of the State Long-
2 Term Care Ombudsman and amending P.L.1977, c.239.

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

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7 1. Section 9 of P.L.1977, c.239 (C.52:27G-9) is amended to
8 read as follows:

9 9. The office shall acknowledge complaints, report its findings,
10 make recommendations, gather and disseminate information and
11 other material, and publicize its existence, all as herein provided:

12 a. If a complaint identifies the complainant, the office shall
13 acknowledge the receipt of such complaint and advise the
14 complainant of any action taken or opinions and recommendations
15 made by it in connection with the matter complained of.

16 b. Following an investigation the office may report its opinions
17 or recommendations to the party involved. The office may request
18 the party affected by such opinions or recommendations to notify it
19 within a specified time of any action taken by such party on its
20 recommendations. The office, may make public the complaint, the
21 act, practice, policy or procedure of a facility or government agency
22 that does or may adversely affect the health, safety, welfare or civil
23 or human rights of a patient, resident or client, its opinions or
24 recommendations, the response of the facility or government
25 agency to such opinions or recommendations or any further
26 opinions or recommendations of the office.

27 c. The office may recommend to the relevant government
28 agency changes in the rules and regulations adopted or proposed by
29 such government agency, which do or may adversely affect the
30 health, safety, welfare or civil or human rights of any patient,
31 resident or client in a facility.

32 d. The office may propose regulations to and petition any
33 government agency to adopt such regulations, or regulations similar
34 in content, that affect the health, safety, welfare or civil or human
35 rights of any patient, resident or client in a facility.

36 e. The office may recommend to the relevant government
37 agency that a facility shall no longer be permitted to receive
38 patients or residents or payments under the New Jersey Medical
39 Assistance and Health Services Act, P.L.1968, c. 413 (C. 30:4D-
40 1 et seq.).

41 f. The office may recommend to the relevant government
42 agency that it initiate procedures for assessment of penalties,
43 revocation, suspension, the placing on probationary or provisional
44 license or denial of a license against a facility or a proposed facility
45 as appropriate.

EXPLANATION – Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted in the law.

Matter underlined thus is new matter.

1 g. The office may publicize its existence, function and
2 activities through public relations with government and private
3 organizations and groups and the public at large in general and with
4 patients, residents and clients in facilities in particular.

5 h. The office shall report to the Governor and the Legislature
6 on or before September 30 of each year, which report shall
7 summarize its activities for the preceding fiscal year, document the
8 significant problems in the systems of care and services for the
9 elderly, indicate and analyze the trends in such systems of care and
10 services, and set forth any opinions or recommendations which will
11 further the State's capacity in resolving complaints, encouraging
12 quality care and ensuring the health, safety, welfare or civil and
13 human rights of elderly patients, residents and clients of facilities,
14 including suggestions or recommendations for legislative
15 consideration and for changes in the policy or rules and regulations
16 of government agencies. The annual report shall be available to the
17 public.

18 In addition to reporting to the Governor and the Legislature
19 pursuant to this section, the office shall also report to the oversight
20 board of each veterans' facility on or before September 30 of each
21 year, a summary of its activities relating to the care and quality of
22 life at veterans' facilities for the preceding fiscal year, document the
23 significant problems in the system of care and services at veterans'
24 facilities, indicate and analyze trends in the system of care and
25 services at veterans' facilities, and set forth any opinions or
26 recommendations which will further the State's capacity in
27 resolving complaints, encouraging quality care and ensuring the
28 health, safety, welfare or civil and human rights of elderly patients,
29 residents and clients at veterans' facilities, including suggestions or
30 recommendations for legislative consideration and for changes in
31 the policy or rules and regulations of government agencies. The
32 annual report shall be available to the public.

33 For purposes of this section, "veterans' facility" shall have the
34 same meaning as set forth in section 1 of P.L.1989, c.162 (C.38A:3-
35 6.3).

36 (cf: P.L.1977, c.239, s.9)

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38 2. This act shall take effect immediately.

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STATEMENT

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43 This bill would require the Office of the State Long-Term Care
44 Ombudsman to submit an annual report to the oversight board of
45 each veterans' facility. The report would summarize the office's
46 activities relating to the care and quality of life at veterans'
47 facilities for the previous fiscal year, document significant problems
48 in the system of care and services at veterans' facilities, indicate

A5178 TUCKER, VAINIERI HUTTLE

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1 and analyze trends in the system of care and services at veterans'
2 facilities, and set forth any opinions or recommendations which will
3 further the State's capacity in resolving complaints, encouraging
4 quality care and ensuring the health, safety, welfare or civil and
5 human rights of elderly patients, residents and clients at veterans'
6 facilities, including suggestions or recommendations for legislative
7 consideration and for changes in the policy or rules and regulations
8 of government agencies. The report required by this bill would be
9 similar to the annual report currently submitted to the Governor and
10 the Legislature each year concerning all long-term care facilities in
11 the State.