

SENATE, No. 51

STATE OF NEW JERSEY

219th LEGISLATURE

PRE-FILED FOR INTRODUCTION IN THE 2020 SESSION

Sponsored by:

Senator ROBERT W. SINGER

District 30 (Monmouth and Ocean)

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District 18 (Middlesex)

Co-Sponsored by:

Senators T.Kean and Greenstein

SYNOPSIS

Establishes commission to study impact of certain Medicaid reimbursement rate change on nursing homes.

CURRENT VERSION OF TEXT

Introduced Pending Technical Review by Legislative Counsel.



1 **AN ACT** establishing a commission to study the effects of P.L.2017,
2 c.239 (C.30:4D-7n through 7o) on nursing homes in the State.

3

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

6

7 1. a. There is established a study commission to be known as
8 the “Impact of Medicaid Personal Care Services Reimbursement
9 Change on Nursing Homes Study Commission.” The purpose of
10 the study commission shall be to analyze the effects of the
11 adjustment to the Medicaid hourly reimbursement rate for personal
12 care services within the Medicaid program resulting from the
13 enactment of P.L.2017, c.239 (C.30:4D-7n and 30:4D-7o) and any
14 corresponding appropriations, on nursing homes in the State.
15 Specifically, the commission shall analyze the effects of the
16 increase in the hourly reimbursement rate on the operations, ability
17 to comply with any minimum staffing requirements, employee
18 retention, financial health, resident costs, and related issues on
19 nursing homes in the State, including whether any nursing homes
20 closed following the effective date of P.L.2017, c.239 and the
21 reasons therefor. The commission shall also review the source of
22 State funds used to support the rate increase, and determine, where
23 possible, any reduction in funding of other State budget items that
24 may have resulted from the necessity of funding the rate increase.
25 To this end, the commission shall solicit data or information from
26 nursing homes in the State, or other entities, as necessary to carry
27 out its duties hereunder.

28 b. The Impact of Medicaid Personal Care Services
29 Reimbursement Change on Nursing Homes Study Commission shall
30 consist of nine members as follows: the Commissioner of Human
31 Services, or the commissioner’s designee; the Commissioner of
32 Health, or the commissioner’s designee; five members of the public
33 with significant operational, financial, or managerial expertise in
34 the nursing home industry, three of whom shall be representatives
35 of entities currently operating one or more nursing homes in the
36 State, to be appointed as follows: two members to be appointed by
37 the Speaker of the General Assembly; two members to be appointed
38 by the Minority Leader of the Senate; and one member to be
39 appointed by the Governor; one member of the public with
40 expertise in State Medicaid policy and healthcare finance who shall
41 be appointed by the Minority Leader of the General Assembly, and
42 one member of the public with expertise in State fiscal and
43 budgetary matters, to be appointed by the President of the Senate.

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

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

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

11 e. Not later than 12 months after the initial meeting of the
12 study commission, it shall prepare and submit a written report to the
13 Governor, and to the Legislature pursuant to section 2 of P.L.1991,
14 c.164 (C.52:14-19.1), presenting its analysis of the effect of the
15 enactment of P.L.2017, c.239 (C.30:4D-7n through 30:4D-7o) on
16 nursing homes in the State, as well as any recommendations. The
17 study commission shall expire on the first day of the third month
18 next following submission of its written report to the Governor and
19 the Legislature, as required by this subsection.

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21 2. This act shall take effect immediately upon enactment.
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24 STATEMENT

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26 This bill establishes the “Impact of Medicaid Personal Care
27 Services Reimbursement Change on Nursing Homes Study
28 Commission,” to analyze the effects of the adjustment to the
29 Medicaid hourly reimbursement rate for personal care services
30 within the Medicaid program, resulting from the enactment of
31 P.L.2017, c.239 (C.30:4D-7n and 30:4D-7o) and any corresponding
32 appropriations, on nursing homes in the State. Specifically, the
33 commission is to analyze the effects of the increase in the hourly
34 reimbursement rate on the operations, ability to comply with any
35 minimum staffing requirements, employee retention, financial
36 health, resident costs, and related issues on nursing homes in the
37 State, including whether any nursing homes closed following the
38 effective date of P.L.2017, c.239 and the reasons for any closures.
39 The bill requires that the commission solicit data or information
40 from nursing homes in the State, or other entities, as is necessary to
41 carry out its duties.

42 The study commission is to consist of nine members as follows:
43 the Commissioner of Human Services, or the commissioner’s
44 designee; the Commissioner of Health, or the commissioner’s
45 designee; five members of the public with significant operational,
46 financial, or managerial expertise in the nursing home industry,
47 three of whom are to be representatives of entities currently
48 operating one or more nursing homes in the State, to be appointed

1 as follows: two members to be appointed by the Speaker of the
2 General Assembly; two members to be appointed by the Minority
3 Leader of the Senate; and one member to be appointed by the
4 Governor; one member of the public with expertise in State
5 Medicaid policy and healthcare finance who is to be appointed by
6 the Minority Leader of the General Assembly, and one member of
7 the public with expertise in State fiscal and budgetary matters, who
8 is to be appointed by the President of the Senate.

9 The bill requires that the study commission prepare and submit a
10 written report to the Governor and Legislature not later than 12
11 months after its initial meeting. The report is to present the
12 commission's analysis of the effect of the enactment of P.L.2017,
13 c.239 (C.30:4D-7n through 30:4D-7o) on nursing homes in the
14 State, as well as any recommendations. The bill provides that the
15 study commission is to expire on the first day of the third month
16 following submission of its written report to the Governor and the
17 Legislature.