

# SENATE, No. 58

---

## 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)**

**Senator TROY SINGLETON**

**District 7 (Burlington)**

**SYNOPSIS**

Requires Division of Medical Assistance and Health Services in DHS to accept permanent change of station order for purposes of satisfying residency requirement for provision of home and community based services under certain circumstances.

**CURRENT VERSION OF TEXT**

Introduced Pending Technical Review by Legislative Counsel.



1   **AN ACT** concerning home and community based services and  
2       supplementing P.L.1968, c.43.

3

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

6

7       1.   a.   Notwithstanding any other law to the contrary, the  
8       Division of Medical Assistance and Health Services within the  
9       Department of Human Services shall accept a permanent change of  
10      station order to a duty location located in New Jersey, issued by any  
11      branch of the United States military to the parent or legal guardian  
12      of an applicant, for the purposes of satisfying the residency  
13      requirement for the provision of home and community based  
14      services reimbursed by the Medicaid program.

15      b.   For the purpose of this section:

16       “Legal guardian” means a person who exercises continuing  
17      control over the person or property, or both, of an individual,  
18      pursuant to a court order.

19       “Medicaid program” means the program established pursuant to  
20      P.L.1968, c.413 (C.30:4D-1 et seq.).

21       “Permanent change of station order” means the official  
22      documentation issued by a branch of the United States military to an  
23      active duty member requiring the member’s relocation, along with the  
24      relocation of any dependents living with the member, from one duty  
25      location to another.

26

27       2.   The Commissioner of Human Services, pursuant to the  
28      "Administrative Procedure Act," P.L.1968, c.410 (C.52:14B-1 et  
29      seq.), shall adopt rules and regulations necessary to implement the  
30      provisions of this act.

31

32       3.   This act shall take effect immediately.

33

34

35

STATEMENT

36

37       This bill requires the Division of Medical Assistance and Health  
38      Services within the Department of Human Services to accept a  
39      permanent change of station order to a duty location located in New  
40      Jersey, issued by any branch of the United States military to the  
41      parent or legal guardian of an applicant, for the purposes of  
42      satisfying the residency requirement for the provision of home and  
43      community based services reimbursed by the Medicaid program.

44       Under the bill, “permanent change of station order” means the  
45      official documentation issued by a branch of the United States military  
46      to an active duty member requiring the member’s relocation, along  
47      with the relocation of any dependents living with the member, from  
48      one duty location to another.

**S58 SINGER, SINGLETON**

3

1       The bill codifies provisions found at N.J.A.C 10:46-2.2 which  
2       provides that for individuals applying for home and community based  
3       services, whose guardian is in the United States military, residency  
4       may be established when the guardian can produce a permanent  
5       change of station order to New Jersey.