

SENATE, No. 2033

STATE OF NEW JERSEY
219th LEGISLATURE

INTRODUCED MARCH 16, 2020

Sponsored by:

Senator TROY SINGLETON

District 7 (Burlington)

Senator JOSEPH P. CRYAN

District 20 (Union)

SYNOPSIS

“Uncompensated Pending Medicaid Beneficiary Payment Relief Act”; provides compensation relief to nursing facilities when resident’s Medicaid eligibility determination is delayed more than 90 days.

CURRENT VERSION OF TEXT

As introduced.



1 **AN ACT** providing compensation relief to nursing facilities when
2 Medicaid eligibility determinations are delayed, designated the
3 “Uncompensated Pending Medicaid Beneficiary Payment Relief
4 Act,” and supplementing Title 30 of the Revised Statutes.

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6 **BE IT ENACTED** *by the Senate and General Assembly of the State*
7 *of New Jersey:*

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9 1. The Commissioner of Human Services shall make an
10 advance payment to a nursing facility licensed pursuant to
11 P.L.1971, c.136 (C.26:2H-1 et seq.), at the facility’s request,
12 whenever the facility is providing uncompensated services to one or
13 more residents whose eligibility for Medicaid has not been
14 determined more than 90 days after an application has been filed.
15 Any such advance payment shall not exceed fifty percent of the
16 estimated amount due for the uncompensated services. No later
17 than 30 days after any such application is granted and payment has
18 been made to the facility, or after any such application has been
19 denied, the commissioner shall: provide reimbursement for any
20 balance due to the facility; or recover any advance payments made
21 on behalf of an applicant deemed ineligible for Medicaid by
22 reducing any payments due to the facility.

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24 2. The Commissioner of Human Services shall apply for such
25 State plan amendments or waivers as may be necessary to
26 implement the provisions of this act and to secure federal financial
27 participation for State Medicaid expenditures under the federal
28 Medicaid program.

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30 3. The Commissioner of Human Services shall, in accordance
31 with the “Administrative Procedure Act,” P.L.1968,
32 c.410 (C.52:14B-1 et seq.), adopt any rules and regulations as the
33 commissioner deems necessary to carry out the provisions of this
34 act.

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36 4. This act shall take effect on the first day of the fiscal year
37 next following the date of enactment, except that the Commissioner
38 of Human Services may take such anticipatory administrative action
39 in advance thereof as shall be necessary for the implementation of
40 the act.

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STATEMENT

45 This bill, designated the “Uncompensated Pending Medicaid
46 Beneficiary Payment Relief Act,” would provide payments to
47 certain nursing facilities for residents who have applied for
48 Medicaid but whose eligibility has not been determined more than

1 90 days after the initial application. The bill requires the
2 Commissioner of Human Services to make advance payments to a
3 nursing facility, at the facility's request, whenever the facility is
4 providing uncompensated services to one or more residents whose
5 eligibility for Medicaid has not been determined more than 90 days
6 after an application has been filed. Any such advance payment
7 would not exceed fifty percent of the estimated amount due for the
8 uncompensated services. No later than 30 days after any such
9 application is granted and payment has been made to the facility, or
10 after any such application has been denied, the commissioner would
11 be required to: provide reimbursement for any balance due to the
12 facility; or recover any advance payments made on behalf of an
13 applicant deemed ineligible for Medicaid by reducing any payments
14 due to the facility.

15 This bill will take effect on the first day of the fiscal year next
16 following the date of enactment.