

[First Reprint]

SENATE, No. 2787

STATE OF NEW JERSEY
219th LEGISLATURE

INTRODUCED JULY 30, 2020

Sponsored by:

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District 27 (Essex and Morris)

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SYNOPSIS

Establishes New Jersey Task Force on Long-Term Care Quality and Safety.

CURRENT VERSION OF TEXT

As reported by the Senate Health, Human Services and Senior Citizens Committee on August 25, 2020, with amendments.



(Sponsorship Updated As Of: 8/27/2020)

1 AN ACT establishing the New Jersey Task Force on Long-Term
2 Care Quality and Safety.

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 the New Jersey Task Force on Long-
8 Term Care Quality and Safety, which shall be tasked with
9 developing recommendations to make changes to the long-term
10 system of care to drive improvements in person-centered care,
11 resident and staff safety, improvements in quality of care and
12 services, workforce engagement and sustainability, and any other
13 appropriate aspects of the long-term system of care in New Jersey
14 as the task force elects to review. The task force shall specifically
15 focus on:

16 (1) ¹~~developing~~ factors to optimize the balance of services and
17 supports;

18 (2) ¹~~expanding home and community-based services~~ ¹and
19 recommending strategies to improve the balance between facility-
20 based services and home and community-based services and
21 supports¹;

22 ¹~~[(3)]~~ ¹(2) nursing home reforms, including implementing new
23 care models, optimizing nursing home size and configurations to
24 foster resident wellness and infection control, increasing clinical
25 presence in nursing homes, and identifying appropriate nursing
26 home staffing levels ¹~~and ratios based on~~ ¹for certain resident
27 acuity and special population needs; ¹~~and~~¹

28 ¹~~[(4)]~~ ¹(3) maintaining the objectivity of the nursing home
29 survey inspections and the cited deficiency appeals process;

30 ¹(4) identifying the capital investments needed to support
31 physical plant, technology, and workforce development initiatives
32 in nursing homes; and

33 ¹(5) broader reforms to the long-term system of care, including
34 developing technology requirements to enable enhanced use of
35 telemedicine and telehealth, instituting workforce engagement and
36 advancement models including career laddering options and
37 structures, increasing the use of Medicaid managed care to drive
38 improvements in quality and oversight of nursing homes, and
39 establishing acuity adjustments for Medicaid managed care
40 payments to nursing homes.

41 b. The task force shall comprise ¹~~[21]~~ ¹27 members as
42 follows:

43 (1) the Commissioner of Health, the Commissioner of Human
44 Services, ¹the Commissioner of Military and Veterans' Affairs,¹

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.

Matter enclosed in superscript numerals has been adopted as follows:

¹Senate SHH committee amendments adopted August 25, 2020.

1 and the New Jersey Long-Term Care Ombudsman, or their
2 designees, who shall serve ex officio;

3 (2) ~~‘[Six] seven’~~ public members to be appointed by the
4 Governor, which public members shall include at least one member
5 representing each of the following¹, with at least two members
6 being from urban communities¹: a non-profit nursing home; ~~‘a for-~~
7 ~~profit nursing home;’~~ a ~~‘[for-profit long-term care] not-for-profit~~
8 ~~assisted living’~~ facility; a nurse with significant experience in long-
9 term care; a consumer rights advocate with experience or
10 background related to long-term care; ~~‘[an expert on aging policy;~~
11 ~~and]’~~ a Medicaid managed care organization; ~~‘and a recipient of~~
12 ~~home and community-based services;’~~¹

13 (3) ~~‘[Six] eight’~~ public members to be appointed by the Senate
14 President, which public members shall include at least one member
15 representing each of the following¹, with at least two members
16 being from urban communities¹: a ~~‘medical director of a’~~ for-profit
17 nursing home; a medical director for a non-profit nursing home; a
18 certified nurse assistant; an advocate for worker safety in long-term
19 care facilities; ~~‘[an expert on disability policy] Disability Rights~~
20 ~~New Jersey; a resident of a veterans’ home operated by the State; a~~
21 ~~family member of a resident of a nursing home’~~¹; and a resident of a
22 nursing home or a long-term care facility; and

23 (4) ~~‘[Six] eight’~~ public members to be appointed by the
24 Speaker of the General Assembly, which public members shall
25 include at least one member representing each of the following: ~~‘[a~~
26 ~~non-profit long-term care facility] an adult day care center’~~¹; a
27 ~~‘[medical director for a for-profit nursing]’~~ home ~~‘health agency; a~~
28 ~~home health aide’~~¹; a resident rights advocate; an expert on long-
29 term care policy; an expert on infection control and prevention; ~~‘a~~
30 ~~family member or caregiver of an individual receiving home and~~
31 ~~community-based services;’~~¹ and a family member of a resident of a
32 ~~‘[nursing] veterans’~~ home ~~‘[or a long-term care facility]’~~¹.

33 c. The members of the task force shall be appointed, and the
34 task force shall organize, no later than 45 days after the effective
35 date of ~~‘[P.L. , c. (C.) (pending before the Legislature as~~
36 ~~this bill)] this act’~~¹. The members shall select a chairperson and a
37 vice-chairperson from among the public members. The chairperson
38 may appoint a secretary to the task force, who need not be a
39 member of the task force. The task force shall meet at the call of
40 the chairperson.

41 d. Members of the task force shall serve without compensation,
42 but shall be reimbursed for necessary expenditures incurred in the
43 performance of their duties as members of the task force, within the
44 limits of funds appropriated or otherwise made available to the task
45 force for its purposes.

- 1 e. The Department of Health shall provide administrative and
2 staff support to the task force. The task force shall be entitled to
3 call to its assistance and avail itself of the services of the employees
4 of any State, county, or municipal department, board, bureau,
5 commission, or agency as it may require and as may be available
6 for its purposes.
- 7 f. No later than one year after its organization, the task force
8 shall prepare and submit a report to the Governor and, pursuant to
9 section 2 of P.L.1991, c.164 (C.52:14-19.1), to the Legislature,
10 concerning its recommendations developed pursuant to this section.
11 The task force shall dissolve 30 days following the date on which it
12 submits its report under this subsection.
- 13
- 14 2. This act shall take effect immediately and shall expire 30
15 days after the date the task force submits its report pursuant to
16 subsection f. of section 1 of this act.