

SENATE, No. 3351

STATE OF NEW JERSEY 219th LEGISLATURE

INTRODUCED JANUARY 12, 2021

Sponsored by:

Senator LORETTA WEINBERG

District 37 (Bergen)

Senator DAWN MARIE ADDIEGO

District 8 (Atlantic, Burlington and Camden)

Co-Sponsored by:

Senator Cryan

SYNOPSIS

Makes FY 2021 supplemental appropriation of \$210,000 to DHS for temporary 25 percent increase to certain assisted living resident providers in Medicaid.

CURRENT VERSION OF TEXT

As introduced.



(Sponsorship Updated As Of: 4/19/2021)

1 **A SUPPLEMENT** to the Fiscal Year 2021 appropriations act,
 2 P.L.2020, c.97.

3
 4 **BE IT ENACTED** by the Senate and General Assembly of the State
 5 of New Jersey:

6
 7 1. In addition to the amounts appropriated under P.L.2020, c.97,
 8 there is appropriated out of the General Fund the following sum for
 9 the purpose specified:

10

54 DEPARTMENT OF HUMAN SERVICES

20 Physical and Mental Health

24 Special Health Services

7540 Division of Medical Assistance and Health Services

GRANTS-IN-AID

22-7540 General Medical Services	\$210,000
Total Grants-In-Aid Appropriation,	
Special Health Services	\$210,000

Grants-In-Aid:

22 Medical Coverage– Nursing Home (\$210,000)
 Residents.....

11

12 2. The following language provision in section 1 of P.L.2020,
 13 c.97 is amended as follows:

14

54 DEPARTMENT OF HUMAN SERVICES

20 Physical and Mental Health

24 Special Health Services

7540 Division of Medical Assistance and Health Services

GRANTS-IN-AID

20

21 Notwithstanding the provisions of any law or regulation to the
 22 contrary, the amounts hereinabove appropriated to the General
 23 Medical Services program classification are subject to the
 24 following condition: assisted living facilities, comprehensive
 25 personal care homes, and assisted living programs, shall receive
 26 a per diem rate of no less than \$77, \$67, and \$57, respectively, as
 27 reimbursement for each NJ FamilyCare beneficiary under their
 28 care, provided that the reimbursement rate for assisted living
 29 facilities with a Medicaid population in excess of 50 percent of
 30 the facility's total population shall be equal to the rate received
 31 on September 30, 2020, plus a 25 percent adjustment. Each
 32 facility that qualifies for such a rate adjustment shall use no less
 33 than 60 percent of the rate adjustment for the sole purpose of
 34 increasing wages or supplemental pay for certified nurse aides
 35 providing direct care. The remainder of the rate adjustment shall
 36 be used for other costs related to coronavirus disease 2019
 37 preparedness and response,including enhancing infection control

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 measures, cleaning, reconfiguration of the facility to support
2 cohorting, procurement of personal protective equipment,
3 testing, or other staff wages and needs.

4
5 3. This act shall take effect immediately.
6
7

8 STATEMENT
9

10 This bill makes an FY 2021 supplemental appropriation of
11 \$210,000 to Department of Human Services (DHS) for a temporary
12 25 percent increase to the certain assisted living facilities in the
13 Medicaid program, which is anticipated to earn a federal match of
14 \$528,000. Currently, P.L.2020, c.90 and the FY 2021
15 Appropriations Act authorize a 10 percent temporary rate
16 adjustment to nursing facilities.

17 The intent of the existing law is to provide nursing facilities with
18 the financial support to respond to the coronavirus disease 2019
19 (COVID-19) pandemic and to comply with the various federal and
20 State requirements imposed upon such facilities to continue to
21 operate during this public health crisis. Assisted living facilities are
22 subject to many of the same requirements, yet are not included in
23 this temporary rate adjustment. It is the sponsor's intent to ensure
24 that all facilities serving the most vulnerable population are
25 provided the same State support as nursing facilities to maintain
26 healthy and safe operations during COVID-19.

27 Specifically, under the bill, the FY 2021 reimbursement rate for
28 assisted living facilities with a Medicaid population in excess of 50
29 percent of the facility's total population is to be equal to the rate
30 received on September 30, 2020, plus a 25 percent adjustment. The
31 current rate, under the NJ FamilyCare program, for assisted living
32 facilities is \$77 per diem. Under the bill, the rate for qualifying
33 facilities would increase by \$19.25 to \$96.25 per day.

34 Each facility is to use no less than 60 percent of the rate
35 adjustment for the sole purpose of increasing wages or
36 supplemental pay for certified nurse aides providing direct care.
37 The remainder of the rate adjustment is to be used for other costs
38 related to COVID-19 preparedness and response, including
39 enhancing infection control measures, cleaning, reconfiguration of
40 the facility to support cohorting, procurement of personal protective
41 equipment, testing, or other staff wages and needs.