

SENATE, No. 4087

STATE OF NEW JERSEY
219th LEGISLATURE

INTRODUCED NOVEMBER 12, 2021

Sponsored by:

Senator THOMAS H. KEAN, JR.

District 21 (Morris, Somerset and Union)

Senator KRISTIN M. CORRADO

District 40 (Bergen, Essex, Morris and Passaic)

SYNOPSIS

Requires Director of Division of Developmental Disabilities to align rates for self-directed employees with maximum service provider rates.

CURRENT VERSION OF TEXT

As introduced.



1 directed employee rates, regarding approved services funded by the
2 division and provided to eligible individuals. Under the bill: “self-
3 directed employee” means a person who is recruited and offered
4 employment directly by an individual who is eligible to receive
5 services funded by the division, or the individual’s authorized
6 representative, to perform approved services, for which the self-
7 directed employee is qualified; and “service provider” means an
8 entity or individual who enters into a contract with the division to
9 provide approved services to individuals who are eligible to receive
10 services funded by the division.

11 The director’s efforts are to include, at a minimum, setting the
12 rates contracted between the division and a service provider as the
13 maximum self-directed employee rates, provided that the rates are
14 for the same service, duration of time, and level of care.

15 Currently, under the self-direction service model, the individual,
16 or the individual’s authorized representative, offering employment
17 to the self-directed employee determines the employee’s hourly
18 rate, within a “reasonable and customary” framework. The
19 individual’s service budget must be able to support this rate. The
20 comparable service provider rates are specific by amount and are
21 generally much higher. For example, the hourly base rate for high
22 acuity community based supports provided by a service provider is
23 approximately \$51.00, while the hourly rate for the same service
24 provided by a self-directed employee is “reasonable and
25 customary.” The current threshold for “reasonable and customary”
26 is between approximately \$20 and \$25 per hour. Under this bill, the
27 maximum hourly rate for a self-directed employee providing
28 community based supports would be equal to the hourly service
29 provider rate of approximately \$51.00, provided that the level of
30 care is identical for both services.