

# ASSEMBLY HEALTH AND SENIOR SERVICES COMMITTEE

## STATEMENT TO

[First Reprint]

**SENATE, No. 221**

# **STATE OF NEW JERSEY**

DATED: DECEMBER 8, 2008

The Assembly Health and Senior Services Committee reports favorably Senate Bill No. 221 (1R).

This bill requires certain health care facilities to provide information to prospective private pay residents, or other designated individuals on their behalf, about eligibility for certain publicly funded long-term care services.

The bill provides specifically as follows:

- A nursing home and an assisted living residence must provide to a prospective private pay resident, the financially responsible party for the prospective resident, or the prospective resident's legal guardian, as appropriate, a written informational sheet that explains eligibility for long-term care under the Medicaid program or eligibility for participation in a federally approved 1915(c) Medicaid waiver program that provides assisted living services, as appropriate.
- The written informational sheet must be accompanied by a written statement, signed by an authorized representative of the nursing home or assisted living residence, as appropriate, stating that:
  - The nursing home or assisted living residence, as appropriate, is unable to guarantee the availability of a Medicaid bed at the nursing home or assisted living residence at the time that the resident becomes Medicaid-eligible; and
  - If there is no Medicaid bed available at the time the resident becomes Medicaid-eligible, the resident will need to transfer to another nursing home or assisted living residence, as appropriate.
- If a private pay resident of a nursing home or assisted living residence, or the resident's financially responsible party, or legal guardian, as appropriate, provides written notice to the nursing home or assisted living residence that the resident is likely to become Medicaid-eligible within the next six months, the nursing home or assisted living residence, upon receipt of such notice, must inform the resident, financially responsible party, or legal guardian, as appropriate, in writing, of the position at the time of the notice of the resident's placement on any list of residents awaiting a Medicaid bed.

- The Department of Health and Senior Services (DHSS), in consultation with the Division of Medical Assistance and Health Services in the Department of Human Services, is to prepare and update a written informational sheet for nursing homes that explains eligibility for long-term care services under the State Medicaid Program and a written informational sheet for assisted living residences that explains eligibility for participation in a federally approved 1915(c) Medicaid waiver program that provides assisted living services. The informational sheets are to be available on the DHSS website.
- DHSS is to distribute the applicable informational sheets to all licensed nursing homes and assisted living residences in the State.

This bill is identical to Assembly Bill No. 2334 (Angelini/Dancer), which the committee also reported on this date.