SENATE, No. 464

STATE OF NEW JERSEY

209th LEGISLATURE

PRE-FILED FOR INTRODUCTION IN THE 2000 SESSION

Sponsored by:
Senator ROBERT W. SINGER
District 30 (Burlington, Monmouth and Ocean)
Senator NORMAN M. ROBERTSON
District 34 (Essex and Passaic)

SYNOPSIS
Requires at least 10% of residents in new assisted living facilities be Medicaid-eligible.

CURRENT VERSION OF TEXT
Introduced Pending Technical Review by Legislative Counsel.
AN ACT concerning the use of assisted living facilities by Medicaid recipients and supplementing Title 26 of the Revised Statutes.

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

1. An applicant for licensure to operate an assisted living facility established on or after the effective date of this act or to add additional assisted living units to an existing assisted living facility, shall comply with the following utilization requirement: within one year from license issuance, a minimum of 10% of the total assisted living bed complement shall be occupied by direct admission of Medicaid-eligible persons. The assisted living facility shall continue to maintain at least 10% Medicaid-eligible direct admissions in its facility annually thereafter.

   For the purposes of this act, "Medicaid" means the program established pursuant to P.L.1968, c.413 (C.30:4D-1 et seq.), and "Medicaid-eligible" means a person who has received a determination of medical and financial eligibility for Medicaid coverage or a person who qualifies medically and financially for Medicaid but who does not apply for Medicaid coverage.

2. The Commissioner of Health and Senior Services may waive the 10% requirement or reduce the required percentage by regulation for specific regions of the State or Statewide if he determines that sufficient numbers of assisted living beds are available in the State to meet the needs of Medicaid-eligible persons within the limits of the federal waiver to provide assisted living services through the Medicaid program.

3. The Commissioner of Health and Senior Services shall adopt regulations pursuant to the "Administrative Procedure Act," P.L.1968, c.410 (C.52:14B-1 et seq.) necessary to carry out the purposes of this act.

4. This act shall take effect immediately.

STATEMENT

This bill requires, as a condition of licensure for any new assisted living facility licensed on or after the effective date of the bill or any existing facility that seeks to add additional assisted living beds, that the facility agree that within one year from license issuance, a minimum of 10% of the total assisted living bed complement shall be occupied by direct admission of Medicaid-eligible persons. The
assisted living facility shall continue to maintain at least 10% Medicaid-eligible direct admissions annually thereafter. The bill provides, however, that the Commissioner of Health and Senior Services may waive the 10% requirement or reduce the required percentage, by regulation, for specific regions of the State or Statewide if he determines that sufficient numbers of assisted living beds are available in the State to meet the needs of Medicaid-eligible persons within the limits of the State's federal waiver to provide assisted living services through the Medicaid program.