

SENATE, No. 1735

STATE OF NEW JERSEY 214th LEGISLATURE

INTRODUCED MARCH 11, 2010

Sponsored by:

Senator JOSEPH F. VITALE

District 19 (Middlesex)

Senator ROBERT M. GORDON

District 38 (Bergen)

Co-Sponsored by:

Senators Scutari, T.Kean, S.Kean, Stack and Singer

SYNOPSIS

Designates Statewide specialized long-term care facility for treatment of Huntington's Disease.

CURRENT VERSION OF TEXT

As introduced.



(Sponsorship Updated As Of: 2/1/2011)

1 AN ACT designating a Statewide specialized long-term care facility
2 for the treatment of Huntington's Disease and supplementing
3 Title 26 of the Revised Statutes.

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

7
8 1. a. The Commissioner of Health and Senior Services shall
9 designate JFK Hartwyck at Cedar Brook, a licensed long-term care
10 facility in the City of Plainfield, Union County, as a Statewide
11 specialized skilled nursing facility for persons requiring specialized
12 long-term care for Huntington's Disease.

13 b. The commissioner shall issue a special care nursing facility
14 license with 30 beds for the current Huntington's Disease unit at
15 JFK Hartwyck at Cedar Brook and shall continue the existing
16 Medicaid participation agreement for specialized care nursing
17 facility services held by the facility. The commissioner shall
18 authorize JFK Hartwyck at Cedar Brook to expand its Huntington's
19 Disease unit license and Medicaid provider agreement, upon
20 submission of a licensure application to the Department of Health
21 and Senior Services, up to a capacity of 60 beds, subject solely to
22 the commissioner's determination that the unit is in substantial
23 compliance with currently adopted Medicaid regulatory standards
24 for operation of a specialized long-term care facility and long-term
25 care facility licensure. Notwithstanding any provision of law to the
26 contrary, the designation and licensure shall not be subject to
27 certificate of need review pursuant to section 7 of P.L.1971, c.136
28 (C.26:2H-7).

29 c. The commissioner shall adopt admission and discharge
30 criteria for a specialized care nursing facility serving persons with
31 Huntington's Disease, which shall also serve as the prior
32 authorization criteria for Medicaid coverage, consistent with the
33 provisions of this section.

34 (1) A person shall be approved for admission to a designated
35 Huntington's Disease specialized long-term care unit in accordance
36 with the following criteria:

37 (a) The person is at least 18 years of age or older, except as
38 otherwise provided by the commissioner on an individual case-by-
39 case basis;

40 (b) The person has been given a formal diagnosis of
41 Huntington's Disease confirmed by a neurologist or other qualified
42 physician specialist in Huntington's Disease in accordance with
43 criteria prescribed by the commissioner in consultation with the
44 Huntington's Disease Society of America;

45 (c) The person's family is unable or unwilling to provide care at
46 home;

47 (d) The person does not require inpatient care in an acute care
48 hospital; and

1 (e) The person meets the existing criteria for admission into a
2 general long term care-facility; or, if the person does not have a
3 need for assistance with activities of daily living, shall have at least
4 one of the following needs:

5 (i) psychiatric care required as a result of severe cognitive
6 deficits and behavior abnormality;

7 (ii) significant physical, occupational, or speech therapy needs;
8 or

9 (iii) swallowing therapy in order to sustain the ability to ingest
10 food.

11 (2) Discharge from a Huntington's Disease unit shall be based
12 upon the clinical judgment of the physician managing the person's
13 treatment.

14 d. The commissioner, pursuant to the "Administrative
15 Procedure Act," P.L.1968, c.410 (C.52:14B-1 et seq.), shall adopt
16 rules and regulations to effectuate the purposes of this act,
17 including, but not limited to, the following:

18 (1) admission and discharge criteria for specialized care nursing
19 facilities serving persons with Huntington's Disease;

20 (2) criteria for the future designation of additional specialized
21 long-term care facility beds to meet the needs of persons with
22 Huntington's Disease, which shall be subject to certificate of need
23 review, and

24 (3) provisions to ensure Medicaid reimbursement of the
25 designated specialized care facility for Huntington's Disease at a
26 rate commensurate with other designated or licensed specialized
27 care nursing facilities located in New Jersey.

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29 2. This act shall take effect immediately.

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STATEMENT

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34 The purpose of this bill is to designate a Statewide specialized
35 long-term care facility for the treatment of the hereditary disorder
36 known as Huntington's Disease.

37 The bill provides specifically as follows:

38 • The Commissioner of Health and Senior Services is to designate
39 JFK Hartwyck at Cedar Brook, a licensed long-term care facility
40 in the City of Plainfield, Union County, as a Statewide
41 specialized skilled nursing facility for persons requiring
42 specialized long-term care for Huntington's Disease.

43 • The commissioner is to:

44 -- issue a special care nursing facility license with 30 beds for
45 the current Huntington's Disease unit at JFK Hartwyck at Cedar
46 Brook and continue the existing Medicaid participation agreement
47 for specialized care nursing facility services held by the facility;
48 and

- 1 -- authorize JFK Hartwyck at Cedar Brook to expand its
2 Huntington's Disease unit license and Medicaid provider
3 agreement, upon submission of a licensure application to the
4 Department of Health and Senior Services, up to a capacity of 60
5 beds, subject solely to the commissioner's determination that the
6 unit is in substantial compliance with currently adopted Medicaid
7 regulatory standards for operation of a specialized long-term care
8 facility and long-term care facility licensure.
- 9 • Notwithstanding any provision of law to the contrary, the
10 designation and licensure will not be subject to certificate of need
11 review pursuant to section 7 of P.L.1971, c.136 (C.26:2H-7).
 - 12 • The commissioner is to adopt admission and discharge criteria for
13 a specialized care nursing facility serving persons with
14 Huntington's Disease, which will also serve as the prior
15 authorization criteria for Medicaid coverage, consistent with the
16 provisions of this bill.
 - 17 • The commissioner is to adopt rules and regulations to effectuate
18 the purposes of the bill, including, but not limited to, the
19 following:
 - 20 -- admission and discharge criteria for specialized care nursing
21 facilities serving persons with Huntington's Disease;
 - 22 -- criteria for the future designation of additional specialized
23 long-term care facility beds to meet the needs of persons with
24 Huntington's Disease, which will be subject to certificate of need
25 review; and
 - 26 -- provisions to ensure Medicaid reimbursement of the
27 designated specialized care facility for Huntington's Disease at a
28 rate commensurate with other designated specialized care nursing
29 facilities located in New Jersey.