

SENATE HEALTH, HUMAN SERVICES AND SENIOR
CITIZENS COMMITTEE

STATEMENT TO

SENATE, No. 1373

STATE OF NEW JERSEY

DATED: OCTOBER 15, 2018

The Senate Health, Human Services and Senior Citizens Committee reports favorably Senate Bill No. 1373.

This bill would permit a government-owned home health agency to contract with a non-governmental entity that is licensed as a home health care agency to provide direct services, administration, and financial services. Current regulations at N.J.A.C.8:42-3.1 require a licensed home health agency to routinely provide nursing services through its own staff, allowing an agency to retain nursing services by contract only (1) temporarily because all available employees have achieved maximum caseloads; or (2) to provide specialized care that is not within either the expertise or scope of practice of existing staff. This bill would allow governmental home health agencies to contract with non-governmental agencies to deliver services on a longer-term basis.

Under the bill, a contract between a governmental home health care agency and a non-governmental contractor must leave ultimate control over key governance responsibilities to the governmental body that is the licensed operator. Any such contractual arrangement would be subject to approval by the Department of Health. Nothing in the bill would supersede any applicable law or regulation concerning public bidding, licensure of non-governmental home health care agencies, or reimbursement for publicly funded health care programs.