

[First Reprint]

ASSEMBLY, No. 3326

STATE OF NEW JERSEY

219th LEGISLATURE

INTRODUCED FEBRUARY 25, 2020

Sponsored by:

Assemblyman HERB CONAWAY, JR.

District 7 (Burlington)

Assemblywoman VERLINA REYNOLDS-JACKSON

District 15 (Hunterdon and Mercer)

Assemblywoman VALERIE VAINIERI HUTTLE

District 37 (Bergen)

Co-Sponsored by:

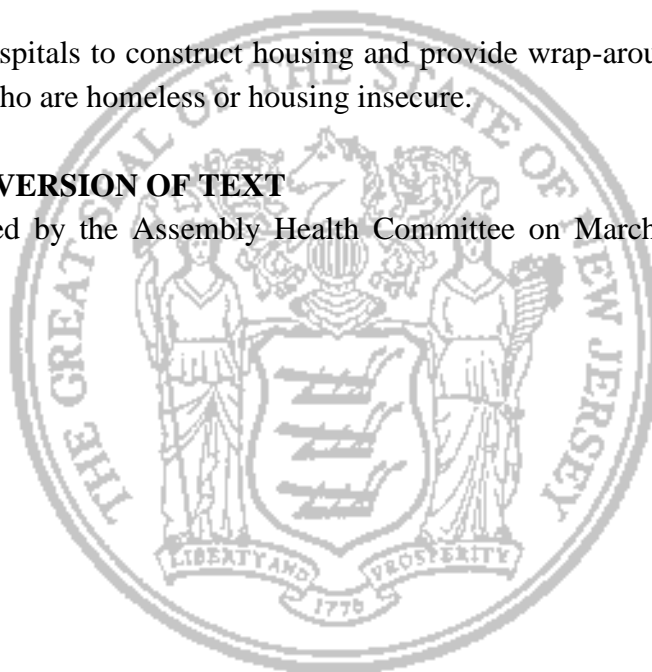
**Assemblywoman Speight, Assemblymen Holley, Greenwald, Stanley,
Assemblywomen McKnight, Jasey, Assemblyman Calabrese,
Assemblywoman Downey, Assemblyman Zwicker, Assemblywoman
Timberlake and Assemblyman Coughlin**

SYNOPSIS

Allows hospitals to construct housing and provide wrap-around services for individuals who are homeless or housing insecure.

CURRENT VERSION OF TEXT

As reported by the Assembly Health Committee on March 8, 2021, with amendments.



(Sponsorship Updated As Of: 3/25/2021)

1 AN ACT concerning hospitals, amending P.L.1992, c.160, and
2 supplementing P.L.1971, c.136 (C.26:2H-1 et seq.).

3
4 **BE IT ENACTED** *by the Senate and General Assembly of the State*
5 *of New Jersey:*

6
7 1. Section 19 of P.L.1992, c.160 (C.26:2H-7a) is amended to
8 read as follows:

9 19. Notwithstanding the provisions of section 7 of P.L.1971,
10 c.136 (C.26:2H-7) to the contrary, the following are exempt from
11 the certificate of need requirement:

12 Community-based primary care centers;
13 Outpatient drug and alcohol services;
14 Hospital-based medical detoxification for drugs and alcohol;
15 Ambulance and invalid coach services;
16 Mental health services which are non-bed related outpatient
17 services;

18 Residential health care facility services;
19 Dementia care homes;
20 Capital improvements and renovations to health care facilities;
21 Additions of medical/surgical, adult intensive care and adult
22 critical care beds in hospitals;

23 Inpatient special psychiatric beds used solely for services for
24 patients with co-occurring mental health and substance use
25 disorders;

26 Housing and wrap-around services for ¹**[the]** individuals who
27 are¹ homeless ¹**[provided]** or housing insecure¹ pursuant to section
28 2 of P.L. , c. (C.) (pending before the Legislature as this
29 bill);

30 Replacement of existing major moveable equipment;
31 Inpatient operating rooms;
32 Alternate family care programs;
33 Hospital-based subacute care;
34 Ambulatory care facilities;
35 Comprehensive outpatient rehabilitation services;
36 Special child health clinics;
37 New technology in accordance with the provisions of section 18
38 of P.L.1998, c.43 (C.26:2H-7d);

39 Transfer of ownership interest except in the case of an acute care
40 hospital;

41 Change of site for approved certificate of need within the same
42 county;

43 Additions to vehicles or hours of operation of a mobile intensive
44 care unit;

EXPLANATION – Matter enclosed in bold-faced brackets **[thus]** in the above bill is
not enacted and is intended to be omitted in the law.

Matter underlined thus is new matter.

Matter enclosed in superscript numerals has been adopted as follows:

¹Assembly AHE committee amendments adopted March 8, 2021.

1 Relocation or replacement of a health care facility within the
2 same county, except for an acute care hospital;

3 Continuing care retirement communities authorized pursuant to
4 P.L.1986, c.103 (C.52:27D-330 et seq.);

5 Magnetic resonance imaging;

6 Adult day health care facilities;

7 Pediatric day health care facilities;

8 Chronic or acute renal dialysis facilities; and

9 Transfer of ownership of a hospital to an authority in accordance
10 with P.L.2006, c.46 (C.30:9-23.15 et al.).

11 (cf: P.L.2017, c.94, s.1)

12
13 2. (New section) a. A general acute care hospital licensed
14 pursuant to P.L.1971, c.136 (C.26:2H-1 et seq.) may adopt as part
15 of its mission the goal of addressing issues related to homelessness
16 'and housing insecurity'. A hospital that chooses to address issues
17 related to homelessness 'and housing insecurity' as part of its
18 mission pursuant to '[subsection a. of]' this section shall be
19 authorized to construct 'rehabilitate, or remediate' housing and
20 provide wrap-around services for 'individuals who are' homeless
21 '[persons] and housing insecure' who are treated at the hospital,
22 which wrap-around services may include:

23 (1) referrals to outpatient primary care and behavioral health
24 care services;

25 (2) appropriate follow-up care and treatment management
26 assistance;

27 (3) assistance identifying and procuring sources of health
28 benefits coverage, including, but not limited to, coverage under the
29 State Medicaid and NJ FamilyCare programs pursuant to
30 P.L.1968, c.413 (C.30:4D-1 et seq.) and P.L.2005, c.156
31 '[(C.30:4J-1 et al.)] (C.30:4J-8 et al.)'; and

32 (4) assistance in identifying and accessing appropriate social
33 services, including, but not limited to, food, transportation, housing,
34 employment, and child care assistance.

35 b. 'The number of housing units that are constructed,
36 rehabilitated, or remediated in a particular municipality pursuant to
37 this section shall be subtracted from the total number of affordable
38 housing units that may be required in that municipality by the
39 Council on Affordable Housing in the Department of Community
40 Affairs.' Housing for '[the] individuals who are' homeless 'or
41 housing insecure' constructed 'rehabilitated, or remediated' by a
42 hospital pursuant to subsection a. of this section shall be ':

43 (1) ' deemed a permitted use in all residential and nonresidential
44 districts of a municipality and shall be exempt from local zoning
45 restrictions '; and

46 (2) exempt from the Department of Health's health care facility
47 licensing requirements, provided that, if wrap-around services

1 provided in connection with the housing are provided in a health
2 clinic or other comparable health care facility licensed pursuant to
3 P.L.1971, c.136 (C.26:2H-1 et seq.), the clinic or facility shall
4 comply with the department's health care facility licensing
5 requirements¹.

6 c. Commencing one year after the date a hospital first
7 constructs ¹, rehabilitates, or remediates¹ housing and begins
8 providing wrap-around services for ¹the individuals who are¹
9 homeless ¹or housing insecure¹ pursuant to subsection a. of this
10 section, and annually thereafter, the hospital shall report to the
11 ¹Legislature, pursuant to section 2 of P.L.1991, c.164 (C.52:14-
12 19.1), the Departments of Health and Human Services¹ concerning
13 any reductions in the number of ¹charity care¹ inpatient¹
14 admissions ¹and emergency department visits¹ at the hospital ¹and
15 increased usage of preventative care related to the construction,
16 rehabilitation, or remediation of housing and the provision of wrap-
17 around services by the hospital to individuals who are homeless and
18 housing insecure¹ over the previous year. ¹The report shall include
19 data based on each payer type for inpatient admissions and
20 emergency department visits, including charity care. A health care
21 system shall be permitted to submit the report required under this
22 subsection to the departments on behalf of one or more of the
23 hospitals that are part of the health care system.

24 d. The Departments of Health and Human Services shall
25 annually provide to the Legislature an analysis of the reports
26 submitted to the departments by a hospital or health care system, as
27 applicable, pursuant to subsection c. of this section for five years
28 following the effective date of P.L. , c. (C.) (pending
29 before the Legislature as this bill). Thereafter, the Departments of
30 Health and Human Services shall provide the Legislature the
31 analysis of the reports submitted to the departments by a hospital or
32 health care system quinquennially.

33 e. As used in this section, "individual who is housing insecure"
34 means a person: whose housing costs are more than 30 percent of
35 the person's monthly income; who lives in substandard or poor
36 quality housing which impacts the person's health and safety; who
37 lives in a house or apartment with overcrowded conditions which
38 impact the person's health and safety; who is experiencing housing
39 instability, including, but not limited to, periods of living in shelters
40 or hotels or frequent moves from house to house due to economic
41 reasons; or who experiences periods of homelessness.¹

42
43 3. This act shall take effect immediately.