

# SENATE, No. 1041

## STATE OF NEW JERSEY 219th LEGISLATURE

INTRODUCED JANUARY 30, 2020

**Sponsored by:**  
**Senator VIN GOPAL**  
**District 11 (Monmouth)**

### **SYNOPSIS**

Increases number of home health aide service hours provided to individual with disabilities residing on post-secondary school campus following initial assessment; Requires reassessment every six months.

### **CURRENT VERSION OF TEXT**

As introduced.



S1041 GOPAL

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1 AN ACT concerning the determination of home health aide services  
2 for certain individuals with disabilities and supplementing Title  
3 30 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. Any initial determination of eligibility for home health aide  
9 services provided by the Division of Developmental Disabilities in  
10 the Department of Human Services to a person with intellectual and  
11 developmental disabilities who is attending a post-secondary  
12 educational institution and residing on that institution's campus  
13 shall:

14 a. include in the applicant's individualized budget for  
15 necessary services, as established through an assessment  
16 implemented by the division, the funds equivalent to two hours of  
17 home health aide services per day in addition to the funds provided  
18 for daily home health aide services that are deemed necessary for  
19 the applicant according to the assessment; and

20 b. be reassessed every six months, pursuant to a procedure  
21 established by the Assistant Commissioner of the division, in which  
22 the beneficiary's individualized budget for necessary services shall  
23 be modified to reflect the number of actual hours the beneficiary  
24 received home health aide services per day or the number of hours  
25 the beneficiary required home health aide services per day but did  
26 not receive, as indicated by documentation presented by the  
27 beneficiary.

28  
29 2. The Commissioner of Human Services, pursuant to the  
30 "Administrative Procedure Act," P.L.1968, c.410 (C.52:14B-1 et  
31 seq.), shall adopt rules and regulations necessary to implement the  
32 provisions of this act.

33  
34 3. This act shall take effect immediately.

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37 STATEMENT

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39 This bill increases the number of home health aide service hours  
40 provided to an individual with disabilities residing on a post-  
41 secondary school campus following the individual's initial  
42 assessment, and requires the Division of Development Disabilities  
43 (DDD) to perform a reassessment every six months.

44 Specifically, this bill requires that any initial determination of  
45 eligibility for home health aide services provided by the DDD in the  
46 Department of Human Services to a person with intellectual and  
47 developmental disabilities who is attending a post-secondary  
48 educational institution and residing on that institution's campus

**S1041 GOPAL**

1 shall: 1) include in the applicant's individualized budget for  
2 necessary services, as established through an assessment  
3 implemented by the division, the funds equivalent to two hours of  
4 home health aide services per day in addition to the funds provided  
5 for daily home health aide services that are deemed necessary for  
6 the applicant according to the assessment; and 2) be reassessed  
7 every six months, pursuant to a procedure established by the  
8 Assistant Commissioner of the division, in which the beneficiary's  
9 individualized budget for necessary services is to be modified to  
10 reflect the number of actual hours the beneficiary received home  
11 health aide services per day or the number of hours the beneficiary  
12 required home health aide services per day but did not receive, as  
13 indicated by documentation presented by the beneficiary.

14 Currently, DDD staff use the NJ Comprehensive Assessment  
15 Tool (NJCAT) to determine an individual's eligibility to receive  
16 division services. Each eligible individual is assigned a tier (ie: A,  
17 B, C, D, or E) based on the NJCAT, which equates to a dollar  
18 amount for the service. A is the lowest tier, translating to the lowest  
19 need and the lowest reimbursement rate, while E is the highest tier,  
20 translating to the highest need and the largest reimbursement rate.  
21 Not all DDD services are tier adjusted. Service and tier rates are  
22 then used to establish an individual's annual budget for services.  
23 Individuals are reassessed through completion of a new NJ CAT  
24 every five years.