

[First Reprint]

SENATE, No. 2191

STATE OF NEW JERSEY
219th LEGISLATURE

INTRODUCED MARCH 16, 2020

Sponsored by:

Senator LORETTA WEINBERG

District 37 (Bergen)

Senator KRISTIN M. CORRADO

District 40 (Bergen, Essex, Morris and Passaic)

SYNOPSIS

Establishes minimum Medicaid reimbursement rates for private duty nursing services.

CURRENT VERSION OF TEXT

As reported by the Senate Health, Human Services and Senior Citizens Committee on January 14, 2021, with amendments.



(Sponsorship Updated As Of: 12/10/2020)

1 AN ACT concerning Medicaid reimbursement for private duty
2 nursing services and supplementing Title 30 of the Revised
3 Statutes.

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

7

8 1. a. The hourly reimbursement rate for private duty nursing
9 services under the Medicaid program established pursuant to
10 P.L.1968, c.413 (C.30:4D-1 et seq.), whether the services are
11 provided in the Medicaid fee-for-service delivery system or through
12 a managed care delivery system, shall be no less than \$60 per hour
13 when a registered professional nurse provides the services and no
14 less than \$48 per hour when a licensed practical nurse provides the
15 services. ¹**[The Division of Medical Assistance and Health Services**
16 **in the Department of Human Services shall establish criteria**
17 **indicating the portion of the hourly reimbursement rate that shall be**
18 **used by providers for wages of workers who directly provide**
19 **private duty nursing services.]¹**

20 b. Every provider that receives reimbursement for private duty
21 nursing services pursuant to a Medicaid managed care contract shall
22 annually provide a report to the Division of Medical Assistance and
23 Health Services in the Department of Human Services regarding the
24 use of funds received as reimbursement for private duty nursing
25 services, including the prior salary, current salary, and other
26 changes to the salary of the workers who directly provide personal
27 care services, in order to ensure compliance with subsection a. of
28 this section.

29

30 2. Within 180 days after the enactment of this act, the
31 Commissioner of Human Services shall apply for such State plan
32 amendments or waivers as may be necessary to implement the
33 provisions of this act and secure federal financial participation for
34 State Medicaid expenditures under the federal Medicaid program.

35

36 3. The Commissioner of Human Services shall adopt rules and
37 regulations, pursuant to the “Administrative Procedure Act,”
38 P.L.1968, c.410 (C.52:14B-1 et seq.), to effectuate the purposes of
39 this act.

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41 4. This act shall take effect immediately, except that the
42 provisions of section 1 shall remain inoperable until the
43 commissioner receives approval, from the United States Secretary

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:

¹Senate SHH committee amendments adopted January 14, 2021.

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1 of Health and Human Services, of the State plan amendments or
2 waivers that are necessary to obtain federal financial participation
3 for the State Medicaid expenditures that are to be made pursuant to
4 that section.