

ASSEMBLY, No. 494

STATE OF NEW JERSEY

Introduced Pending Technical Review by Legislative Counsel

PRE-FILED FOR INTRODUCTION IN THE 1996 SESSION

By Assemblywoman VANDERVALK

1 AN ACT concerning certificate of need and amending P.L.1992,
2 c.160.

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 read
8 as follows:

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

12 Community-based primary care centers;

13 Outpatient drug and alcohol services;

14 Ambulance and invalid coach services;

15 Mental health services which are non-bed related outpatient
16 services;

17 Changes in residential health care facility services;

18 Assisted living residences and comprehensive personal care homes;

19 Mandatory renovations to existing facilities;

20 Mandatory replacement of fixed or moveable equipment;

21 Transfer of ownership interest except in the case of an acute care
22 hospital, or a long-term care facility in which the owner does not
23 satisfy the Department of Health's review of the owner's prior
24 operating experience as well as any requirements established by the
25 federal government pursuant to Titles XVIII and XIX of the Social
26 Security Act;

27 Change of site for approved certificate of need within the same
28 county;

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

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

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

Matter underlined thus is new matter.

1 Acquisition by a hospital of a magnetic resonance imager that is
2 already in operation in the State by another health care provider or
3 entity;
4 Adult day health care facilities;
5 Pediatric day health care facilities; and
6 Chronic renal dialysis facilities.
7 (cf:P.L.1992, c.160, s.19)

8

9 2. This act shall take effect immediately.

10

11

12

STATEMENT

13

14 This bill amends section 19 of P.L.1992, c.160 (C.26:2H-7a) to
15 exempt assisted living residences and comprehensive personal care
16 homes from the requirement of obtaining a certificate of need (CON).

17 Assisted living residences and comprehensive personal care homes
18 promote "aging in place" in a homelike setting, primarily for frail
19 elderly persons. Residents receive supportive health and social
20 services as they are needed to enable them to maintain their
21 independence, individuality, privacy and dignity in an apartment-style
22 living unit.

23 The CON requirement imposes an artificial limitation on the
24 immediate development of what is essentially senior citizen housing,
25 and unnecessarily restricts the right of those persons who need or
26 desire this type of residence to choose where they prefer to live.
27 Because of a lack of these alternative residential settings, many senior
28 citizens in this State are compelled to live in more restrictive nursing
29 facilities at a much higher cost.

30

31

32

33

34 Exempts assisted living residences and comprehensive personal care
35 homes from certificate of need.