

ASSEMBLY CONCURRENT RESOLUTION No. 98

STATE OF NEW JERSEY

INTRODUCED SEPTEMBER 26, 1996

By Assemblywoman QUIGLEY

1 A CONCURRENT RESOLUTION overriding a line-item veto of a language
2 provision concerning the hourly reimbursement rate in the Personal Care
3 Assistant program in the Department of Human Services

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5 BE IT RESOLVED by the General Assembly of the State of New Jersey
6 (the Senate concurring):

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8 1. That the following language provision, on page 123 of Senate Bill No.3
9 of 1996 (P.L.1996, c.42), which was the subject of objection by the
10 Governor in her veto statement of June 28, 1996, be restored to law as
11 follows, the objections thereto of the Governor notwithstanding:

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GRANTS-IN-AID

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54 DEPARTMENT OF HUMAN SERVICES

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20 Physical and Mental Health

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24 Special Health Services

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7540 Division of Medical Assistance and Health Services -- Grants-In-Aid

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20 Notwithstanding any law to the contrary and subject the notice provisions of 42
21 CFR §447.205, Personal Care Assistant services shall be limited to no more
22 than 25 hours per week. Additional hours, up to 40 per week, shall be
23 authorized by the Division of Medical Assistance and Health Services prior to
24 the provision of services not provided by clinics under contract with the
25 Division of Mental Health Services. The hourly rates in effect on June 30,
26 1996 in the Personal Care Assistant program shall remain in effect during fiscal
27 year 1997 except that the hourly weekend rate shall be \$16. Additional savings
28 shall be achieved by an increase in the frequency of the assessments performed
29 to determine the need, scope and duration of Personal Care Assistant services.

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31 2. BE IT FURTHER RESOLVED, that copies of this resolution be
32 delivered to the Governor, the State Treasurer and the Commissioner of the
33 Department of Human Services.

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.

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STATEMENT

This resolution restores a language provision in the annual appropriations act for Fiscal Year 1997 that was the subject of the Governor's line item veto. That language provision established that the hourly rates in effect on June 30, 1996 for reimbursement of Personal Care Assistant services would continue in effect as the hourly rates for non-weekend services provided during fiscal year 1997. The Personal Care Assistant services program provides home health care services to the frail elderly and disabled adults and children. The individuals served in the program are those who would otherwise be placed in nursing homes or who require someone to stay home with the disabled or elderly person.

The provider rate since 1991 has been set at \$14 per hour and was intended by the Legislature in the fiscal year 1997 annual appropriations act to be maintained at that rate. Savings in the program were to be implemented through other efficiency measures as set forth in the language provision. However, the line-item veto message suggests that rate reductions for personal care assistant services, which may be sought by the Department of Human Services through regulatory changes, is a viable means of producing cost savings in the program. The Legislature seeks through this concurrent resolution to prevent the reduction of the reimbursement rate for providers to ensure that the providers of these services are not forced out of business or forced to consider abandoning altogether this vital and beneficial program for such a vulnerable population.

Overrides Governor's line-item veto of a language provision concerning the hourly reimbursement rate in the Personal Care Assistant program in the Department of Human Services.