ASSEMBLY, No. 4864 STATE OF NEW JERSEY 219th LEGISLATURE

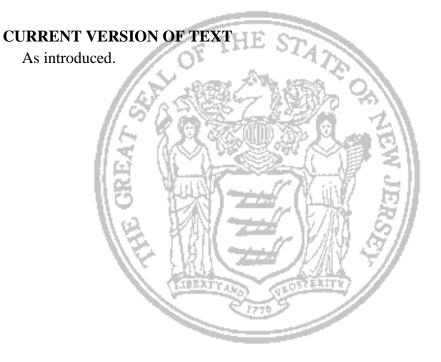
INTRODUCED OCTOBER 22, 2020

Sponsored by: Assemblyman GORDON M. JOHNSON District 37 (Bergen) Assemblywoman VALERIE VAINIERI HUTTLE District 37 (Bergen) Assemblyman WILLIAM W. SPEARMAN District 5 (Camden and Gloucester)

Co-Sponsored by: Assemblymen Chiaravalloti, Tully, Armato, Assemblywomen Downey, Speight, McKnight, Murphy and Assemblyman Mejia

SYNOPSIS

Makes FY 2021 supplemental appropriation of \$210,000 to DHS for temporary 25 percent increase to certain assisted living resident providers in Medicaid.



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

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A SUPPLEMENT to the Fiscal Year 2021 appropriations act, 1 2 P.L.2020, c.97. 3 4 **BE IT ENACTED** by the Senate and General Assembly of the State 5 of New Jersey: 6 7 1. In addition to the amounts appropriated under P.L.2020, 8 c.97, there is appropriated out of the General Fund the following 9 sum for the purpose specified: 10 **54 DEPARTMENT OF HUMAN SERVICES** 20 Physical and Mental Health 24 Special Health Services 7540 Division of Medical Assistance and Health Services **GRANTS-IN-AID** 22-7540 General Medical Services \$210,000 Total Grants-In-Aid Appropriation, Special Health Services \$210,000 Grants-In-Aid: Medical Coverage- Nursing Home 22 (\$210,000) Residents..... 11 2. The following language provision in section 1 of P.L.2020, 12 13 c.97 is amended as follows: 14 15 **54 DEPARTMENT OF HUMAN SERVICES** 20 Physical and Mental Health 16 17 24 Special Health Services 18 7540 Division of Medical Assistance and Health Services 19 **GRANTS-IN-AID** 20 21 Notwithstanding the provisions of any law or regulation to the 22 contrary, the amounts hereinabove appropriated to the General 23 Medical Services program classification are subject to the 24 following condition: assisted living facilities, comprehensive 25 personal care homes, and assisted living programs, shall receive 26 a per diem rate of no less than \$77, \$67, and \$57, respectively, as 27 reimbursement for each NJ FamilyCare beneficiary under their 28 care, provided that the reimbursement rate for assisted living 29 facilities with a Medicaid population in excess of 50 percent of 30 the facility's total population shall be equal to the rate received on September 30, 2020, plus a 25 percent adjustment. Each 31 32 facility that qualifies for such a rate adjustment shall use no less 33 than 60 percent of the rate adjustment for the sole purpose of 34 increasing wages or supplemental pay for certified nurse aides

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.

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1 providing direct care. The remainder of the rate adjustment shall 2 be used for other costs related to coronavirus disease 2019 3 preparedness and response, including enhancing infection control measures, cleaning, reconfiguration of the facility to support 4 5 cohorting, procurement of personal protective equipment, testing, or other staff wages and needs. 6 7 8 3. This act shall take effect immediately. 9 **STATEMENT** 11 13 This bill makes an FY 2021 supplemental appropriation of 14 \$210,000 to Department of Human Services (DHS) for a temporary 15 25 percent increase to the certain assisted living facilities in the 16 Medicaid program, which is anticipated to earn a federal match of Currently, P.L.2020, c.90 and the FY 2021 17 \$528,000. 18 Appropriations Act authorize a 10 percent temporary rate 19 adjustment to nursing facilities. 20 The intent of the existing law is to provide nursing facilities with 21 the financial support to respond to the coronavirus disease 2019 22 (COVID-19) pandemic and to comply with the various federal and 23 State requirements imposed upon such facilities to continue to 24 operate during this public health crisis. Assisted living facilities are 25 subject to many of the same requirements, yet are not included in this temporary rate adjustment. It is the sponsor's intent to ensure 26 27 that all facilities serving the most vulnerable population are 28 provided the same State support as nursing facilities to maintain 29 healthy and safe operations during COVID-19. 30 Specifically, under the bill, the FY 2021 reimbursement rate for 31 assisted living facilities with a Medicaid population in excess of 50 32 percent of the facility's total population is to be equal to the rate 33 received on September 30, 2020, plus a 25 percent adjustment. The 34 current rate, under the NJ FamilyCare program, for assisted living 35 facilities is \$77 per diem. Under the bill, the rate for qualifying 36 facilities would increase by \$19.25 to \$96.25 per day. 37 Each facility is to use no less than 60 percent of the rate adjustment for the sole purpose of increasing wages or 38 39 supplemental pay for certified nurse aides providing direct care. 40 The remainder of the rate adjustment is to be used for other costs 41 related to COVID-19 preparedness and response, including 42 enhancing infection control measures, cleaning, reconfiguration of 43 the facility to support cohorting, procurement of personal protective 44 equipment, testing, or other staff wages and needs.

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