

**ASSEMBLY, No. 6057**

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**STATE OF NEW JERSEY**

**219th LEGISLATURE**

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INTRODUCED NOVEMBER 15, 2021

**Sponsored by:**

**Assemblyman WILLIAM W. SPEARMAN**

**District 5 (Camden and Gloucester)**

**Assemblywoman ANGELA V. MCKNIGHT**

**District 31 (Hudson)**

**Assemblywoman VALERIE VAINIERI HUTTLE**

**District 37 (Bergen)**

**Co-Sponsored by:**

**Assemblyman Mukherji**

**SYNOPSIS**

Increases, over three years, Medicaid per diem rate for certain assisted living residences, comprehensive care homes, and assisted living programs; makes appropriation.

**CURRENT VERSION OF TEXT**

As introduced.



**(Sponsorship Updated As Of: 12/2/2021)**

1 AN ACT concerning the Medicaid per diem rate for assisted living  
2 programs, supplementing Title 30 of the Revised Statutes, and  
3 making an appropriation.  
4

5 **BE IT ENACTED** *by the Senate and General Assembly of the State*  
6 *of New Jersey:*  
7

8 1. a. Notwithstanding the provisions of any other law or  
9 regulation to the contrary:

10 (1) commencing upon the effective date of P.L. ,c. (C. )  
11 (pending before the Legislature as this bill), assisted living  
12 facilities, comprehensive personal care homes, and assisted living  
13 programs shall receive a per diem rate of no less than \$94, \$84, and  
14 \$73, respectively, as reimbursement for each Medicaid beneficiary  
15 under the facilities care, provided that the facility has a Medicaid  
16 population in excess of 50 percent of the facility's bed capacity, as  
17 reported to the Department of Health;

18 (2) commencing upon July 1, 2022, assisted living facilities,  
19 comprehensive personal care homes, and assisted living programs  
20 shall receive a per diem rate of no less than \$104, \$92, and \$81,  
21 respectively, as reimbursement for each Medicaid beneficiary under  
22 the facilities care, provided that the facility has a Medicaid  
23 population in excess of 50 percent of the facility's bed capacity, as  
24 reported to the Department of Health; and

25 (3) commencing upon July 1, 2023 and in each subsequent fiscal  
26 year, assisted living facilities, comprehensive personal care homes,  
27 and assisted living programs shall receive a per diem rate of no less  
28 than \$114, \$104, and \$94, respectively, as reimbursement for each  
29 Medicaid beneficiary under the facilities care, provided that the  
30 facility has a Medicaid population in excess of 50 percent of the  
31 facility's bed capacity, as reported to the Department of Health.

32 b. As used in this act, "Medicaid" means the Medicaid program  
33 established pursuant to P.L.1968, c.413 (C.30:4D-1 et seq.).  
34

35 2. The Commissioner of Human Services shall apply for such  
36 State plan amendments or waivers as may be necessary to  
37 implement the provisions of this act and to secure federal financial  
38 participation for State Medicaid expenditures under the federal  
39 Medicaid program.  
40

41 3. The Commissioner of Human Services shall adopt rules and  
42 regulations pursuant to the "Administrative Procedure Act"  
43 P.L.1968, c.410 (C.52:14B-1 et seq.) to effectuate the purposes of  
44 this act.  
45

46 4. There is appropriated from the General Fund to the  
47 Department of Human Services such an amount as is necessary, as

1 determined by the Commissioner of Human Services, to effectuate  
2 the provisions of this act.

3  
4 5. This act shall take effect immediately.

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6  
7 STATEMENT

8  
9 This bill increases, over three years, the Medicaid per diem rate  
10 for assisted living facilities, comprehensive personal care homes,  
11 and assisted living programs, provided that the facility has a  
12 Medicaid population in excess of 50 percent of the facility's bed  
13 capacity, as reported to the Department of Health. Assisted living  
14 communities are a unique option for older adults who need  
15 assistance with daily living activities, but who do not require the  
16 intensive medical care of more costly nursing home facilities.  
17 However, the services provided at assisted living communities are  
18 still essential to the health and well-being of the resident. The most  
19 common assisted living services offered include medication  
20 management and assistance with using the bathroom, dressing and  
21 grooming. Housekeeping, meals, laundry and transportation  
22 services, as well as social programs and activities, are also typically  
23 included. It is the sponsor's goal to ensure that these programs are  
24 supported adequately under the Medicaid program; thereby  
25 providing the State's low-income seniors with a cost-effective  
26 approach to long-term care that meets their service needs.

27 Specifically, this bill provides, notwithstanding the provisions of  
28 any other law or regulation to the contrary, that:

29 1) commencing upon the effective date of the bill, assisted  
30 living facilities, comprehensive personal care homes, and assisted  
31 living programs are to receive a per diem rate of no less than \$94,  
32 \$84, and \$73, respectively, as reimbursement for each Medicaid  
33 beneficiary under the facilities care, provided that the facility has a  
34 Medicaid population in excess of 50 percent of the facility's bed  
35 capacity, as reported to the Department of Health;

36 2) commencing upon July 1, 2022, assisted living facilities,  
37 comprehensive personal care homes, and assisted living programs  
38 are to receive a per diem rate of no less than \$104, \$92, and \$81,  
39 respectively, as reimbursement for each Medicaid beneficiary under  
40 the facilities care, provided that the facility has a Medicaid  
41 population in excess of 50 percent of the facility's bed capacity, as  
42 reported to the Department of Health; and

43 3) commencing upon July 1, 2023 and in each subsequent fiscal  
44 year, assisted living facilities, comprehensive personal care homes,  
45 and assisted living programs are to receive a per diem rate of no  
46 less than \$114, \$104, and \$94, respectively, as reimbursement for  
47 each Medicaid beneficiary under the facilities care, provided that

- 1 the facility has a Medicaid population in excess of 50 percent of the
- 2 facility's bed capacity, as reported to the Department of Health.