## ASSEMBLY, No. 6057

# STATE OF NEW JERSEY

## 219th LEGISLATURE

INTRODUCED NOVEMBER 15, 2021

**Sponsored by:** 

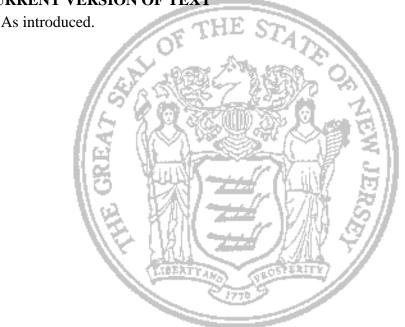
Assemblyman WILLIAM W. SPEARMAN **District 5 (Camden and Gloucester)** Assemblywoman ANGELA V. MCKNIGHT **District 31 (Hudson)** Assemblywoman VALERIE VAINIERI HUTTLE District 37 (Bergen)

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**



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

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

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

- 1. a. Notwithstanding the provisions of any other law or regulation to the contrary:
- (1) commencing upon the effective date of P.L. ,c. (C. ) (pending before the Legislature as this bill), assisted living facilities, comprehensive personal care homes, and assisted living programs shall receive a per diem rate of no less than \$94, \$84, and \$73, respectively, as reimbursement for each Medicaid beneficiary under the facilities care, provided that the facility has a Medicaid population in excess of 50 percent of the facility's bed capacity, as reported to the Department of Health;
- (2) commencing upon July 1, 2022, assisted living facilities, comprehensive personal care homes, and assisted living programs shall receive a per diem rate of no less than \$104, \$92, and \$81, respectively, as reimbursement for each Medicaid beneficiary under the facilities care, provided that the facility has a Medicaid population in excess of 50 percent of the facility's bed capacity, as reported to the Department of Health; and
- (3) commencing upon July 1, 2023 and in each subsequent fiscal year, assisted living facilities, comprehensive personal care homes, and assisted living programs shall receive a per diem rate of no less than \$114, \$104, and \$94, respectively, as reimbursement for each Medicaid beneficiary under the facilities care, provided that the facility has a Medicaid population in excess of 50 percent of the facility's bed capacity, as reported to the Department of Health.
- b. As used in this act, "Medicaid" means the Medicaid program established pursuant to P.L.1968, c.413 (C.30:4D-1 et seq.).

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

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

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

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

5. This act shall take effect immediately.

#### **STATEMENT**

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

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

- 1) commencing upon the effective date of the bill, assisted living facilities, comprehensive personal care homes, and assisted living programs are to receive a per diem rate of no less than \$94, \$84, and \$73, respectively, as reimbursement for each Medicaid beneficiary under the facilities care, provided that the facility has a Medicaid population in excess of 50 percent of the facility's bed capacity, as reported to the Department of Health;
- 2) commencing upon July 1, 2022, assisted living facilities, comprehensive personal care homes, and assisted living programs are to receive a per diem rate of no less than \$104, \$92, and \$81, respectively, as reimbursement for each Medicaid beneficiary under the facilities care, provided that the facility has a Medicaid population in excess of 50 percent of the facility's bed capacity, as reported to the Department of Health; and
- 3) commencing upon July 1, 2023 and in each subsequent fiscal year, assisted living facilities, comprehensive personal care homes, and assisted living programs are to receive a per diem rate of no less than \$114, \$104, and \$94, respectively, as reimbursement for each Medicaid beneficiary under the facilities care, provided that

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- 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.