

[First Reprint]

SENATE, No. 1676

STATE OF NEW JERSEY
219th LEGISLATURE

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Sponsored by:

Senator BOB SMITH

District 17 (Middlesex and Somerset)

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District 19 (Middlesex)

SYNOPSIS

Allows hospitals to construct housing and provide wrap-around services for individuals who are homeless or housing insecure.

CURRENT VERSION OF TEXT

As reported by the Senate Health, Human Services and Senior Citizens Committee on September 14, 2020, with amendments.



1 AN ACT concerning hospitals, amending P.L.1992, c.160, and
2 supplementing P.L.1971, c.136 (C.26:2H-1 et seq.).

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 Hospital-based medical detoxification for drugs and alcohol;
15 Ambulance and invalid coach services;
16 Mental health services which are non-bed related outpatient
17 services;

18 Residential health care facility services;
19 Dementia care homes;
20 Capital improvements and renovations to health care facilities;
21 Additions of medical/surgical, adult intensive care and adult
22 critical care beds in hospitals;

23 Inpatient special psychiatric beds used solely for services for
24 patients with co-occurring mental health and substance use disorders;

25 Housing and wrap-around services for ¹~~the~~ individuals who are¹
26 homeless ¹or housing insecure¹ provided pursuant to section 2 of
27 P.L. , c. (C.) (pending before the Legislature as this bill);

28 Replacement of existing major moveable equipment;
29 Inpatient operating rooms;
30 Alternate family care programs;
31 Hospital-based subacute care;
32 Ambulatory care facilities;
33 Comprehensive outpatient rehabilitation services;
34 Special child health clinics;

35 New technology in accordance with the provisions of section 18 of
36 P.L.1998, c.43 (C.26:2H-7d);

37 Transfer of ownership interest except in the case of an acute care
38 hospital;

39 Change of site for approved certificate of need within the same
40 county;

41 Additions to vehicles or hours of operation of a mobile intensive
42 care unit;

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

45 Continuing care retirement communities authorized pursuant to
46 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 is intended to be omitted in the law.

Matter underlined **thus** is new matter

Matter enclosed in superscript numerals has been adopted as follows:

¹Senate SHH committee amendments adopted September 14, 2020.

1 Magnetic resonance imaging;
2 Adult day health care facilities;
3 Pediatric day health care facilities;
4 Chronic or acute renal dialysis facilities; and
5 Transfer of ownership of a hospital to an authority in accordance
6 with P.L.2006, c.46 (C.30:9-23.15 et al.).
7 (cf: P.L.2017, c.94, s.1)
8

9 2. (New section) a. A general acute care hospital licensed
10 pursuant to P.L.1971, c.136 (C.26:2H-1 et seq.) may adopt as part
11 of its mission the goal of addressing issues related to homelessness
12 'and housing insecurity'. A hospital that chooses to address issues
13 related to homelessness 'and housing insecurity' as part of its
14 mission pursuant to '[subsection a. of]' this section shall be
15 authorized to construct 'rehabilitate, or remediate' housing and
16 provide wrap-around services for 'individuals who are' homeless
17 '[persons] and housing insecure' who are treated at the hospital,
18 which wrap-around services may include:

19 (1) referrals to outpatient primary care and behavioral health
20 care services;

21 (2) appropriate follow-up care and treatment management
22 assistance;

23 (3) assistance identifying and procuring sources of health
24 benefits coverage, including, but not limited to, coverage under the
25 State Medicaid and NJ FamilyCare programs pursuant to
26 P.L.1968, c.413 (C.30:4D-1 et seq.) and P.L.2005, c.156
27 '[(C.30:4J-1 et al.)] (C.30:4J-8 et al.)'; and

28 (4) assistance in identifying and accessing appropriate social
29 services, including, but not limited to, food, transportation, housing,
30 employment, and child care assistance.

31 b. Housing for '[the] individuals who are' homeless 'or
32 housing insecure' constructed 'rehabilitated, or remediated' by a
33 hospital pursuant to subsection a. of this section shall be ':

34 (1)' deemed a permitted use in all residential and nonresidential
35 districts of a municipality and shall be exempt from local zoning
36 restrictions '; and

37 (2) exempt from the Department of Health's health care facility
38 licensing requirements, provided that, if wrap-around services
39 provided in connection with the housing are provided in a health
40 clinic or other comparable health care facility licensed pursuant to
41 P.L.1971, c.136 (C.26:2H-1 et seq.), the clinic or facility shall
42 comply with the department's health care facility licensing
43 requirements'.

44 c. Commencing one year after the date a hospital first constructs ',
45 rehabilitates, or remediates' housing and begins providing wrap-
46 around services for '[the] individuals who are' homeless 'or housing

1 insecure¹ pursuant to subsection a. of this section, and annually
2 thereafter, the hospital shall report to the ¹【Legislature, pursuant to
3 section 2 of P.L.1991, c.164 (C.52:14-19.1),】 the Departments of
4 Health and Human Services¹ concerning any reductions in the number
5 of ¹【charity care】 inpatient¹ admissions ¹and emergency department
6 visits¹ at the hospital ¹and increased usage of preventative care related
7 to the construction, rehabilitation, or remediation of housing and the
8 provision of wrap-around services by the hospital to individuals who
9 are homeless and housing insecure¹ over the previous year. ¹The
10 report shall include data based on each payer type for inpatient
11 admissions and emergency department visits, including charity care.
12 A health care system shall be permitted to submit the report required
13 under this subsection to the departments on behalf of one or more of
14 the hospitals that are part of the health care system.

15 d. The Departments of Health and Human Services shall annually
16 provide to the Legislature an analysis of the reports submitted to the
17 departments by a hospital or health care system, as applicable,
18 pursuant to subsection c. of this section.

19 e. As used in this section, “individual who is housing insecure”
20 means a person: whose housing costs are more than 50 percent of the
21 person’s monthly income; who lives in substandard or poor quality
22 housing; who lives in a house or apartment with overcrowded
23 conditions which impact the person’s health and safety; who lives in a
24 house or apartment with other individuals or families in order to share
25 housing costs; who is experiencing housing instability, including, but
26 not limited to, periods of living in shelters or hotels or frequent moves
27 from house to house due to economic reasons; or who experiences
28 periods of homelessness.¹

29
30 3. This act shall take effect immediately.