

[Second Reprint]

SENATE, No. 1676

STATE OF NEW JERSEY
219th LEGISLATURE

INTRODUCED FEBRUARY 13, 2020

Sponsored by:

Senator BOB SMITH

District 17 (Middlesex and Somerset)

Senator JOSEPH F. VITALE

District 19 (Middlesex)

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SYNOPSIS

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

CURRENT VERSION OF TEXT

As amended by the Senate on October 29, 2020.



(Sponsorship Updated As Of: 11/5/2020)

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;

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.

²Senate floor amendments adopted October 29, 2020.

1 Continuing care retirement communities authorized pursuant to
2 P.L.1986, c.103 (C.52:27D-330 et seq.);
3 Magnetic resonance imaging;
4 Adult day health care facilities;
5 Pediatric day health care facilities;
6 Chronic or acute renal dialysis facilities; and
7 Transfer of ownership of a hospital to an authority in accordance
8 with P.L.2006, c.46 (C.30:9-23.15 et al.).
9 (cf: P.L.2017, c.94, s.1)

10
11 2. (New section) a. A general acute care hospital licensed
12 pursuant to P.L.1971, c.136 (C.26:2H-1 et seq.) may adopt as part
13 of its mission the goal of addressing issues related to homelessness
14 ¹and housing insecurity¹ . A hospital that chooses to address issues
15 related to homelessness ¹and housing insecurity¹ as part of its
16 mission pursuant to ¹**【subsection a. of】**¹ this section shall be
17 authorized to construct ¹rehabilitate, or remediate¹ housing and
18 provide wrap-around services for ¹individuals who are¹ homeless
19 ¹**【persons】** and housing insecure¹ who are treated at the hospital,
20 which wrap-around services may include:

21 (1) referrals to outpatient primary care and behavioral health
22 care services;

23 (2) appropriate follow-up care and treatment management
24 assistance;

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

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

33 b. Housing for ¹**【the】** individuals who are¹ homeless ¹or
34 housing insecure¹ constructed ¹rehabilitated, or ²【remediated¹】
35 remediated² by a hospital pursuant to subsection a. of this section
36 shall be ¹;

37 (1)¹ deemed a permitted use in all residential and nonresidential
38 districts of a municipality and shall be exempt from local zoning
39 restrictions ¹; and

40 (2) exempt from the Department of Health's health care facility
41 licensing requirements, provided that, if wrap-around services
42 provided in connection with the housing are provided in a health
43 clinic or other comparable health care facility licensed pursuant to
44 P.L.1971, c.136 (C.26:2H-1 et seq.), the clinic or facility shall
45 comply with the department's health care facility licensing
46 requirements¹ .

1 c. Commencing one year after the date a hospital first constructs ¹,
2 rehabilitates, or remediates¹ housing and begins providing wrap-
3 around services for ¹~~["the"]~~ individuals who are¹ homeless ¹or housing
4 insecure¹ pursuant to subsection a. of this section, and annually
5 thereafter, the hospital shall report to the ¹~~["Legislature, pursuant to~~
6 section 2 of P.L.1991, c.164 (C.52:14-19.1),] the Departments of
7 Health and Human Services¹ concerning any reductions in the number
8 of ¹~~["charity care"]~~ inpatient¹ admissions ¹and emergency department
9 visits¹ at the hospital ¹and increased usage of preventative care related
10 to the construction, rehabilitation, or remediation of housing and the
11 provision of wrap-around services by the hospital to individuals who
12 are homeless and housing insecure¹ over the previous year. ¹The
13 report shall include data based on each payer type for inpatient
14 admissions and emergency department visits, including charity care.
15 A health care system shall be permitted to submit the report required
16 under this subsection to the departments on behalf of one or more of
17 the hospitals that are part of the health care system.

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

22 e. As used in this section, "individual who is housing insecure"
23 means a person: whose housing costs are more than ²~~["50"]~~ 30² percent
24 of the person's monthly income; who lives in substandard or poor
25 quality housing ²which impacts the person's health and safety² ; who
26 lives in a house or apartment with overcrowded conditions which
27 impact the person's health and safety; ²~~["who lives in a house or~~
28 apartment with other individuals or families in order to share housing
29 costs;]² who is experiencing housing instability, including, but not
30 limited to, periods of living in shelters or hotels or frequent moves
31 from house to house due to economic reasons; or who experiences
32 periods of homelessness.¹

33

34 3. This act shall take effect immediately.