

# ASSEMBLY, No. 590

## STATE OF NEW JERSEY 220th LEGISLATURE

PRE-FILED FOR INTRODUCTION IN THE 2022 SESSION

**Sponsored by:**

**Assemblyman WILLIAM W. SPEARMAN**

**District 5 (Camden and Gloucester)**

**Assemblywoman ANGELA V. MCKNIGHT**

**District 31 (Hudson)**

**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**

Introduced Pending Technical Review by Legislative Counsel.



A590 SPEARMAN, MCKNIGHT

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

1       5. This act shall take effect immediately.

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STATEMENT

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

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

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

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

40       3) commencing upon July 1, 2023 and in each subsequent fiscal  
41 year, assisted living facilities, comprehensive personal care homes,  
42 and assisted living programs are to receive a per diem rate of no  
43 less than \$114, \$104, and \$94, respectively, as reimbursement for  
44 each Medicaid beneficiary under the facilities care, provided that  
45 the facility has a Medicaid population in excess of 50 percent of the  
46 facility's bed capacity, as reported to the Department of Health.