

# ASSEMBLY, No. 3585

## STATE OF NEW JERSEY 220th LEGISLATURE

INTRODUCED MARCH 14, 2022

**Sponsored by:**

**Assemblywoman PAMELA R. LAMPITT**

**District 6 (Burlington and Camden)**

**Assemblyman ANTHONY S. VERRELLI**

**District 15 (Hunterdon and Mercer)**

**Assemblywoman ANGELA V. MCKNIGHT**

**District 31 (Hudson)**

**SYNOPSIS**

Establishes program for certain individuals to become certified nursing assistants and provide private duty nursing services to certain Medicaid enrollees under increased reimbursement rates.

**CURRENT VERSION OF TEXT**

As introduced.



**(Sponsorship Updated As Of: 5/2/2022)**

1 AN ACT concerning certified nursing assistants and home care  
2 services and supplementing P.L.1968, c.413 (C.30:4D-1 et seq.).  
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4 **BE IT ENACTED** *by the Senate and General Assembly of the State*  
5 *of New Jersey:*  
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7 1. a. No later than six months after the effective date of this  
8 act, the Division of Medical Assistance and Health Services in the  
9 Department of Human Services shall establish a program under  
10 which a family member of an enrollee in Medicaid or NJ  
11 FamilyCare, or a third-party individual approved by the parent or  
12 guardian of an enrollee in Medicaid or NJ FamilyCare, may be  
13 certified as certified nursing assistant and, under the direction of a  
14 registered nurse, provide certified nursing assistant services to the  
15 enrollee through a private duty nursing agency under the  
16 reimbursement rates established pursuant to subsection d. of this  
17 section, provided that the enrollee is under 21 years of age and  
18 qualifies for private duty nursing services under Medicaid or NJ  
19 FamilyCare. The division shall develop an assessment tool that will  
20 allow the division to readily identify enrollees who meet these  
21 eligibility criteria.

22 b. The program established pursuant to this section shall  
23 require the family member or approved third-party individual to  
24 complete all the training, testing, and other qualification criteria as  
25 are required under State and federal law for certification as a  
26 certified nursing assistant. The private duty nursing services  
27 agency that will employ the family member or approved third-party  
28 individual to provide private duty nursing services to the enrollee  
29 shall pay all costs for the family member or approved third-party  
30 individual to become certified as a certified nursing assistant. In no  
31 case shall a family member or approved third-party individual who  
32 becomes a certified nursing assistant under the provisions of this  
33 section be required to repay or reimburse the private duty nursing  
34 services agency for the costs of the family member or approved  
35 third-party individual becoming certified as a certified nursing  
36 assistant under the program.

37 c. The tasks delegated by a registered nurse to a family  
38 member who becomes certified as a certified nursing assistant  
39 pursuant to this section shall be consistent with the tasks that may  
40 be generally delegated to certified nursing assistants pursuant to the  
41 rules of the New Jersey Board of Nursing.

42 d. Certified nursing assistant services provided by a family  
43 member of a Medicaid or NJ FamilyCare enrollee or an approved  
44 third-party individual who becomes certified as a certified nursing  
45 assistant under the program established pursuant to this section  
46 shall be reimbursed at a rate of no less than \$30 per hour for such  
47 time as the enrollee is under 21 years of age.



**A3585 LAMPITT, VERRELLI**

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1 required to apply for State plan amendments and waivers as are  
2 necessary to implement the provisions of the bill and to secure  
3 federal financial participation for State Medicaid expenditures  
4 under the federal Medicaid program.