

[Second Reprint]

ASSEMBLY, No. 3678

STATE OF NEW JERSEY

220th LEGISLATURE

INTRODUCED MARCH 21, 2022

Sponsored by:

Assemblyman STERLEY S. STANLEY

District 18 (Middlesex)

Assemblyman HERB CONAWAY, JR.

District 7 (Burlington)

Assemblywoman ANGELA V. MCKNIGHT

District 31 (Hudson)

Co-Sponsored by:

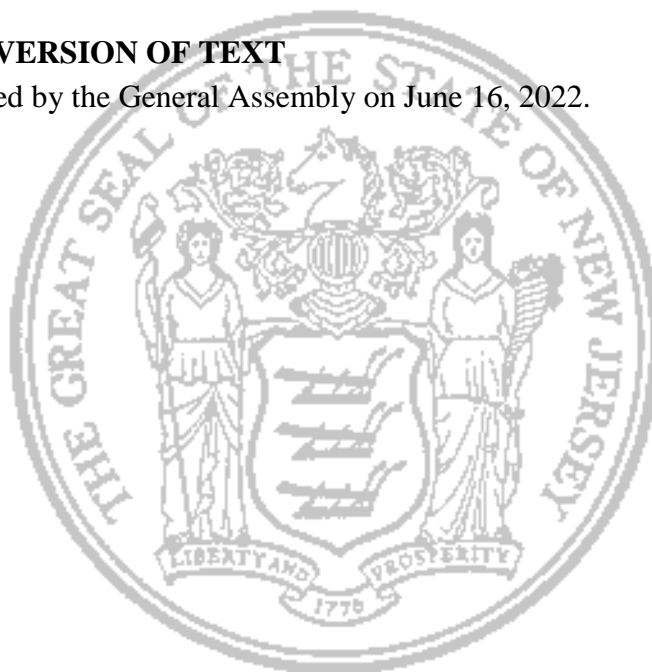
**Assemblywoman Park, Assemblyman Mukherji, Assemblywomen Jimenez
and Reynolds-Jackson**

SYNOPSIS

Requires DHS to conduct annual Medicaid eligibility redeterminations.

CURRENT VERSION OF TEXT

As amended by the General Assembly on June 16, 2022.



(Sponsorship Updated As Of: 10/3/2022)

1 AN ACT providing for annual Medicaid eligibility redeterminations
2 and supplementing Title 30 of the Revised Statutes.

3
4 **BE IT ENACTED** *by the Senate and General Assembly of the State*
5 *of New Jersey:*

6
7 1. a. As used in this section:

8 “Beneficiary” means an individual eligible for medical assistance
9 through ¹the Medicaid ¹program established pursuant to
10 P.L.1968, c.413 (C.30:4D-1 et seq.)¹ or ¹the NJ FamilyCare
11 ¹program, established pursuant to P.L.2005, c.156 (C.30:4J-8 et
12 al.)¹.

13 “Commissioner” means the Commissioner of Human Services.

14 “Division” means the Division of Medical Assistance and Health
15 Services in the Department of Human Services.

16 “Eligibility redetermination” means the administrative process
17 by which the division or a county welfare agency reviews a
18 beneficiary’s income, financial resources, and circumstances
19 relating to the beneficiary’s application for continuation of benefits
20 received under ¹the Medicaid or ¹the NJ FamilyCare
21 ¹programs¹.

22 ¹“Medicaid” means the Medicaid program established pursuant
23 to P.L.1968, c.413 (C.30:4D-1 et seq.).

24 “NJ FamilyCare” means the NJ FamilyCare program established
25 pursuant to P.L.2005, c.156 (C.30:4J-8 et al.).¹

26 b. ²The No later than the first day of the fourteenth month
27 next following the expiration of the federal public health emergency
28 declared in response to the SARS-CoV-2 pandemic, the
29 commissioner shall direct the² division or a county welfare agency
30 shall to² conduct an eligibility redetermination for a beneficiary
31 no less than 365 days following the date of the beneficiary’s initial
32 enrollment ¹in¹, or the date of the beneficiary’s last eligibility
33 redetermination ¹for¹, ¹in the Medicaid ¹program, established
34 pursuant to P.L.1968, c.413 (C.30:4D-1 et seq.),¹ or ¹the NJ
35 FamilyCare ¹program, established pursuant to P.L.2005, c.156
36 (C.30:4J-8 et al.)¹. The commissioner shall determine the means
37 and method by which an eligibility redetermination shall be
38 conducted.

39 c. ¹The To the extent permitted under federal law and
40 regulation, the¹ commissioner ², not later than the first day of the
41 fourteenth month next following the expiration of the federal public
42 health emergency declared in response to the SARS-CoV-2
43 pandemic,² shall provide for ²at least² 12 months of continuous

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:

¹Assembly AHU committee amendments adopted June 9, 2022.

²Assembly floor amendments adopted June 16, 2022.

1 Medicaid eligibility ¹~~],~~ without imposing any reporting
2 requirements regarding changes of income or resources,¹ for adult
3 eligibility groups ¹~~],~~ without imposing any reporting requirements
4 regarding changes of income or resources and¹ regardless of the
5 delivery system through which the beneficiary receives benefits
6 ¹~~and to the extent permitted under federal law and regulation]~~¹ .

7 d. The commissioner shall apply for such State plan
8 amendments or waivers as may be necessary to implement the
9 provisions of this act and to secure federal financial participation
10 for State Medicaid expenditures under the federal Medicaid
11 program.

12
13 2. The Commissioner of Human Services shall adopt rules and
14 regulations ²~~pursuant to]~~ as shall be necessary to implement the
15 provisions of this act, which rules and regulations shall be effective
16 immediately upon filing with the Office of Administrative Law for
17 a period not to exceed 18 months and may, thereafter, be amended,
18 adopted, or readopted in accordance with² the “Administrative
19 Procedure Act” P.L.1968, c.410 (C.52:14B-1 et seq.).

20
21 3. This act shall take effect on the first day of the ¹first full¹
22 month ¹next¹ following the expiration of the federal public health
23 emergency declared in response to the SARS-CoV-2 pandemic,
24 except that the ¹~~commissioner]~~ Commissioner of Human
25 Services¹ may take any anticipatory administrative action in
26 advance thereof as may be necessary for the implementation of this
27 act.