

[Third Reprint]

ASSEMBLY, No. 4914

STATE OF NEW JERSEY

220th LEGISLATURE

INTRODUCED DECEMBER 5, 2022

Sponsored by:

Assemblyman HERB CONAWAY, JR.

District 7 (Burlington)

Assemblyman STERLEY S. STANLEY

District 18 (Middlesex)

Assemblywoman ANGELA V. MCKNIGHT

District 31 (Hudson)

Co-Sponsored by:

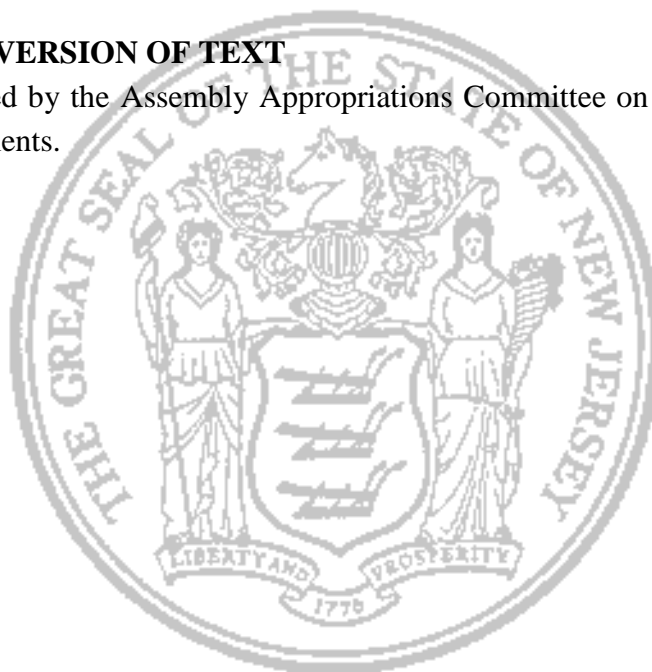
**Assemblywomen Jimenez, Murphy, Speight, Reynolds-Jackson,
Assemblyman Freiman and Assemblywoman Lampitt**

SYNOPSIS

Establishes "Hospital at Home Act."

CURRENT VERSION OF TEXT

As reported by the Assembly Appropriations Committee on June 22, 2023,
with amendments.



(Sponsorship Updated As Of: 6/26/2023)

1 AN ACT concerning acute hospital care and supplementing Title 26
2 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. This act shall be known and may be cited as the "Hospital at
8 Home Act."

9
10 2. As used in this act:

11 "Carrier," "covered person," and "health benefits plan," shall
12 have the same meaning as provided for those terms under section 2
13 of P.L.1997, c.192 (C.26:2S-2).

14 "Department" means the Department of Health.

15 ³"Federal acute Hospital Care at Home Program" or "federal
16 program" means the program established by the federal Centers for
17 Medicare and Medicaid Services under 42 U.S.C. Section 1320b-5
18 and extended by 42 U.S.C 1395cc-7, or any successor program
19 established by an act of Congress or the federal Centers for
20 Medicare and Medicaid Services.³

21 "Hospital" means ¹[a general] an¹ acute care hospital licensed
22 pursuant to P.L.1971, c.136 (C.26:2H-1 et seq.).

23 ³["Program"] "State program"³ means the hospital at home
24 program established by the department pursuant to section 3 of this
25 act.

26
27 3. a. Notwithstanding any provision of law to the contrary, the
28 department shall establish a ³State³ program to permit a hospital to
29 provide acute care services to ¹[a covered person] an individual¹
30 outside of the hospital's licensed facility and within a private
31 residence designated by the ¹[covered person] individual¹. The
32 program shall be established in a manner that is consistent with the
33 provisions of the ³federal³ Acute Hospital Care at Home Program
34 ³[, as authorized by the federal Centers for Medicare and Medicaid
35 Services] and shall remain in effect for such time as the federal
36 Acute Hospital Care at Home Program remains in effect³.

37 b. Any hospital ³[previously in receipt of] issued³ a waiver to
38 operate, or otherwise approved to participate in ^{3, 3}the ³[Centers for
39 Medicare and Medicaid Services's] federal³ Acute Hospital Care at
40 Home Program ³[prior to the effective date of this act,]³ shall be
41 permitted to operate or to continue to operate ³under³ the ³federal³
42 program in the same manner as ³[previously] is³ permitted under

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 AHE committee amendments adopted March 9, 2023.

²Assembly AFI committee amendments adopted June 5, 2023.

³Assembly AAP committee amendments adopted June 22, 2023.

1 ³the³ federal ³**law** program³ , and shall be integrated into the
2 ³State³ program established pursuant to this section.

3
4 4. The NJ FamilyCare and Medicaid programs, and any carrier
5 that offers a health benefits plan in this State, shall provide
6 coverage ¹**and payment**¹ for acute hospital care services delivered
7 ¹by a credentialed health care provider¹ to a covered person through
8 the program established pursuant to section 3 of this act, on the
9 same basis as when services are delivered within the facilities of a
10 hospital. Reimbursement payments under this section shall be
11 provided to the hospital, facility, or organization providing the
12 services or the individual practitioner who delivered the
13 reimbursable services, or to the agency, facility, or organization that
14 employs or contracts with the individual practitioner who delivered
15 the reimbursable services, as appropriate. Carriers shall not utilize
16 more stringent utilization management criteria than apply when
17 those services are provided within the facilities of a hospital.

18
19 5. The Commissioner of Human Services shall apply for any
20 State plan amendments or waivers as may be necessary to
21 implement the provisions of this act and to secure federal financial
22 participation for State Medicaid expenditures under the federal
23 Medicaid program.

24
25 6. The Commissioners of Health and Human Services shall
26 jointly or separately adopt rules and regulations, in accordance with
27 the “Administrative Procedure Act,” P.L.1968, c.410 (C.52:14B-1
28 et seq.), if necessary to effectuate the provisions of this act. The
29 Commissioners of Health and Human Services shall jointly or
30 separately waive any rules or regulations if necessary to implement
31 the provisions of this act.

32
33 7. This act shall take effect ²**immediately** on the 120th day
34 next following enactment².