

[Fifth 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)

Senator JOSEPH F. VITALE

District 19 (Middlesex)

Senator TROY SINGLETON

District 7 (Burlington)

Co-Sponsored by:

**Assemblywomen Jimenez, Murphy, Speight, Reynolds-Jackson,
Assemblyman Freiman, Assemblywomen Lampitt, Jasey, Assemblyman
Wimberly, Assemblywoman Swain, Assemblyman Tully, Assemblywoman
Lopez, Senators Singer, Diegnan, Durr and O'Scanlon**

SYNOPSIS

Establishes "Hospital at Home Act."

CURRENT VERSION OF TEXT

As amended by the Senate on June 30, 2023.



(Sponsorship Updated As Of: 6/30/2023)

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 residence
31 designated by the ¹[covered person] individual¹. The program shall
32 be established in a manner that is consistent with the provisions of the
33 ³federal³ Acute Hospital Care at Home Program ³[, as authorized by
34 the federal Centers for Medicare and Medicaid Services] and shall
35 remain in effect for such time as the federal Acute Hospital Care at
36 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 ⁴[or to continue to operate]⁴ ³under³ the ³federal³

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.

⁴Assembly ABU committee amendments adopted June 27, 2023.

⁵Senate floor amendments adopted June 30, 2023.

1 program ⁴[in the same manner as]⁴ ³[previously] ⁴[is³] to the
2 extent⁴ permitted under ³the³ federal ³[law] program³ ⁴[], and shall be
3 integrated into the ³State³ program established pursuant to this
4 section] for such time as the federal program remains in effect⁴ .
5

6 4. The NJ FamilyCare and Medicaid programs, and any carrier
7 that offers a health benefits plan in this State, shall provide
8 coverage ¹[and payment]¹ for acute hospital care services delivered
9 ⁴[by a credentialed health care provider]⁴ to a covered person
10 through the program established pursuant to section 3 of this act, on
11 the same basis as when services are delivered within the facilities of
12 a hospital. Reimbursement payments under this section shall be
13 ⁵established pursuant to the contract between the carrier and the
14 hospital and shall be⁵ provided to the hospital, facility, or
15 organization providing the services or the individual practitioner
16 who delivered the reimbursable services, or to the agency, facility,
17 or organization that employs or contracts with the individual
18 practitioner who delivered the reimbursable services, as appropriate.
19 Carriers shall not utilize more stringent utilization management
20 criteria than apply when those services are provided within the
21 facilities of a hospital.
22

23 ⁴5. Licensed health care providers providing acute care services to
24 a covered person outside the hospital's licensed space and within a
25 private residence designated by the covered person shall be
26 credentialed by a carrier as a condition of the services being deemed to
27 be network services.⁴
28

29 ⁴[5.] 6.⁴ The Commissioner of Human Services shall apply for
30 any State plan amendments or waivers as may be necessary to
31 implement the provisions of this act and to secure federal financial
32 participation for State Medicaid expenditures under the federal
33 Medicaid program.
34

35 ⁴[6.] 7.⁴ The Commissioners of Health and Human Services
36 shall jointly or separately adopt rules and regulations, in accordance
37 with the "Administrative Procedure Act," P.L.1968, c.410
38 (C.52:14B-1 et seq.), if necessary to effectuate the provisions of this
39 act. The Commissioners of Health and Human Services shall
40 jointly or separately waive any rules or regulations if necessary to
41 implement the provisions of this act.
42

43 ⁴[7.] 8.⁴ This act shall take effect ²[immediately] on the 120th
44 day next following enactment² .