

ASSEMBLY, No. 5126

STATE OF NEW JERSEY 220th LEGISLATURE

INTRODUCED FEBRUARY 6, 2023

Sponsored by:

Assemblyman STERLEY S. STANLEY

District 18 (Middlesex)

Assemblyman REGINALD W. ATKINS

District 20 (Union)

Assemblywoman ANGELA V. MCKNIGHT

District 31 (Hudson)

Co-Sponsored by:

Assemblywoman Jaffer

SYNOPSIS

Requires Medicaid coverage of social day care services for senior citizens.

CURRENT VERSION OF TEXT

As introduced.



(Sponsorship Updated As Of: 3/23/2023)

1 AN ACT requiring Medicaid coverage of social day care services
2 and supplementing Title 30 of the Revised Statutes.

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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. As used in this section:

8 “Managed Long Term Services and Supports program” means
9 the Medicaid program that provides coordinated, long-term services
10 and supports to Medicaid beneficiaries who reside in the
11 community, but require a nursing home level of care.

12 “Social adult day care services” means a community-based group
13 program designed to meet the non-medical needs of senior citizens
14 with functional impairments through an individualized plan of care;
15 social adult day care services are provided in a protective setting
16 during the day when participants’ caregivers are at work or are
17 otherwise unavailable.

18 b. The Division of Medical Assistance and Health Services in
19 the Department of Human Services shall provide coverage for
20 social adult day care services for Medicaid beneficiaries, regardless
21 of whether the beneficiaries are enrolled in the Medicaid Managed
22 Long Term Services and Supports program.

23 c. Eligibility for Medicaid coverage of social adult day care
24 services, provided pursuant to paragraph b. of this section, is
25 limited to beneficiaries who are aged 60 years or older, and who
26 also meet the clinical, income, and asset requirements established
27 for the Managed Long Term Services and Supports program by the
28 Commissioner of Human Services.

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

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36 3. The Commissioner of Human Services shall adopt rules and
37 regulations, pursuant to the “Administrative Procedure Act,”
38 P.L.1968, c.410 (C.52:14B-1 et seq.), to implement the purposes of
39 this act.

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41 4. This act shall take effect immediately, but shall remain
42 inoperable until the Commissioner of Human Services receives
43 federal approval of any necessary State plan waivers or
44 amendments, pursuant to section 2 of this act.

STATEMENT

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This bill requires the Division of Medical Assistance and Health Services in the Department of Human Services to provide social adult day care services for Medicaid beneficiaries, regardless of whether the beneficiaries are enrolled in the State’s Medicaid Managed Long Term Services and Supports (MLTSS) program. This benefit, however, would be limited to those Medicaid beneficiaries who are aged 60 years or older and who also meet the clinical, income, and asset requirements established for the MLTSS program by the Commissioner of Human Services.

The bill defines social adult day care services as a community-based group program designed to meet the non-medical needs of senior citizens with functional impairments through an individualized plan of care. Social adult day care services are provided in a protective setting when participants’ caregivers are at work or are otherwise unavailable.

Pursuant to the bill, the Commissioner of Human Services is to apply for any federal Medicaid waivers or State plan amendments necessary to secure federal financial participation for State Medicaid expenditures under the federal Medicaid program. The bill additionally stipulates that the provisions therein are to remain inoperable until the Commissioner of Human Services receives federal approval of the requisite federal Medicaid waivers or State plan amendments.

Under current law, only Medicaid beneficiaries enrolled in the MLTSS program are eligible for social adult day care or medical day care services. Beneficiaries enrolled in a medical day care program receive preventive, diagnostic, therapeutic and rehabilitative services under medical and nursing supervision in order to support their ability to live in the community. To qualify for the MLTSS program, individuals must be enrolled in the State Medicaid program, reside in the community, require a nursing home level of care, and meet the program’s income and asset limits.