

## CHAPTER 85

**AN ACT** concerning per diem rates for pediatric medical day care services, appropriating funds, and supplementing Title 30 of the Revised Statutes.

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

C.30:4D-7oo Per diem reimbursement rate, pediatric medical day care services, on-site.

1. a. Notwithstanding any other provision of law or regulation to the contrary, the per diem reimbursement rate for pediatric medical day care services delivered by a pediatric medical day care provider offering on-site services shall be as follows:

Beginning July 1, 2023, and annually adjusted in each subsequent fiscal year, the per diem reimbursement rate shall be equal to 45 percent of the average prevailing Medicaid fee-for-service per diem rate for all pediatric skilled care nursing facilities in the State.

b. The provisions of this act shall apply to pediatric medical day care services provided under the Medicaid fee-for-service and managed care delivery systems.

c. As used in this section,

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

“Pediatric medical day care services” means a health care service designed to meet the medical, developmental, educational, nutritional and psycho-social needs of medically complex or technology-dependent children whose medical condition requires treatment and services beyond the scope provided to children with special health care needs by day care centers or preschool programs.

C.30:4D-7pp State plan amendments, waivers, provisions, implementation.

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

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

4. There is appropriated from the General Fund to the Department of Human Services the sum of \$3,600,000 for payment to pediatric medical day care service providers in order to comply with the requirements of this act in State fiscal year 2024.

5. This act shall take effect immediately.

Approved June 30, 2023.