

[First Reprint]

**SENATE, No. 2118**

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**STATE OF NEW JERSEY**  
**220th LEGISLATURE**

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INTRODUCED MARCH 3, 2022

**Sponsored by:**

**Senator JOSEPH F. VITALE**

**District 19 (Middlesex)**

**Senator RICHARD J. CODEY**

**District 27 (Essex and Morris)**

**SYNOPSIS**

Requires DHS to conduct annual Medicaid eligibility redeterminations.

**CURRENT VERSION OF TEXT**

As reported by the Senate Health, Human Services and Senior Citizens Committee on March 10, 2022, with amendments.



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 <sup>1</sup>the Medicaid <sup>1</sup>program established pursuant to  
10 P.L.1968, c.413 (C.30:4D-1 et seq.)<sup>1</sup> or <sup>1</sup>the NJ FamilyCare  
11 <sup>1</sup>program, established pursuant to P.L.2005, c.156 (C.30:4J-8 et  
12 al.)<sup>1</sup>.

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 <sup>1</sup>the Medicaid or <sup>1</sup>the NJ FamilyCare  
21 <sup>1</sup>programs<sup>1</sup>.

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

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

26 b. The division or a county welfare agency shall conduct an  
27 eligibility redetermination for a beneficiary no less than 365 days  
28 following the date of the beneficiary’s initial enrollment <sup>1</sup>in<sup>1</sup>, or the  
29 date of the beneficiary’s last eligibility redetermination <sup>1</sup>for<sup>1</sup>, <sup>1</sup>in  
30 the Medicaid <sup>1</sup>program, established pursuant to P.L.1968, c.413  
31 (C.30:4D-1 et seq.),<sup>1</sup> or <sup>1</sup>the NJ FamilyCare <sup>1</sup>program,  
32 established pursuant to P.L.2005, c.156 (C.30:4J-8 et al.)<sup>1</sup>. The  
33 commissioner shall determine the means and method by which an  
34 eligibility redetermination shall be conducted.

35 c. <sup>1</sup>The To the extent permitted under federal law and  
36 regulation, the<sup>1</sup> commissioner shall provide for 12 months of  
37 continuous Medicaid eligibility <sup>1</sup>[, without imposing any reporting  
38 requirements regarding changes of income or resources,]<sup>1</sup> for adult  
39 eligibility groups <sup>1</sup>[, without imposing any reporting requirements  
40 regarding changes of income or resources and<sup>1</sup> regardless of the  
41 delivery system through which the beneficiary receives benefits  
42 <sup>1</sup>and to the extent permitted under federal law and regulation]<sup>1</sup>.

43 d. The commissioner shall apply for such State plan  
44 amendments or waivers as may be necessary to implement the

**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:

<sup>1</sup>Senate SHH committee amendments adopted March 10, 2022.

1 provisions of this act and to secure federal financial participation  
2 for State Medicaid expenditures under the federal Medicaid  
3 program.

4

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

9

10 3. This act shall take effect on the first day of the <sup>1</sup>first full<sup>1</sup>  
11 month <sup>1</sup>next<sup>1</sup> following the expiration of the federal public health  
12 emergency declared in response to the SARS-CoV-2 pandemic,  
13 except that the <sup>1</sup>**【commissioner】** Commissioner of Human  
14 Services<sup>1</sup> may take any anticipatory administrative action in  
15 advance thereof as may be necessary for the implementation of this  
16 act.