Sponsored by:
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District 6 (Burlington and Camden)
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SYNOPSIS
Requires hourly reimbursement rate for home health aide services provided through Statewide Respite Care Program and Jersey Assistance for Community Caregiving Program to be no less than Medicaid fee-for-service rate for personal care services; makes appropriation.

CURRENT VERSION OF TEXT
As introduced.
AN ACT concerning reimbursement levels for certain community
based senior program services, amending P.L.1987, c.119 and
supplementing Title 30 of the Revised Statutes, and making an
appropriation.

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

1. Section 6 of P.L.1987, c.119 (C.30:4F-12) is amended to
read as follows:

6. The commissioner shall promulgate rules and regulations in
accordance with the "Administrative Procedure Act," P.L.1968,
c.410 (C.52:14B-1 et seq.) necessary to effectuate the purposes of
this act. The rules and regulations shall include, but not be limited
to, the following:
   a. Standards for eligibility for respite care services;
   b. Target populations and situations to be given priority in
      receiving services;
   c. Qualifications and requirements of sponsors and providers;
   d. Provider reimbursement and payment levels for respite care
      services, provided that:
      (1) the hourly reimbursement rate for home health aide services,
      personal care services, and homemaker services, in which the
      services are provided on a weekday, shall be no less than the hourly
      State Medicaid fee-for-service reimbursement rate for personal care
      services, and that the hourly reimbursement rate for home health
      aide services, personal care services, and homemaker services, in
      which the services are provided on a weekend and on a State or
      federal holiday, shall be no less than the amount of the hourly State
      Medicaid fee-for-service reimbursement rate for personal care
      services plus $1; and
      (2) each eligible person shall receive up to $6,088 of respite
      services in a calendar year;
      e. Service and cost limitations for eligible persons;
      f. A sliding scale fee schedule for co-payments; and
      g. Procedures for reporting on implementation of the program.
      (cf: P.L.1987, c.119, s.6)

2. (New section) There shall be appropriated each fiscal year
from the General Fund to the Department of Human Services an
amount sufficient to carry out the provisions of section 1 of P.L.
, c.
   (pending before the Legislature as this bill).

3. (New section) a. The hourly reimbursement rate for home
health aide services, personal care services, and homemaker

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.
services provided under the Jersey Assistance for Community Caregiving (JACC) Program, as administered by the Division of Aging Services in the Department of Human Services, in which the services are provided on a weekday, shall be no less than the hourly State Medicaid fee-for-service reimbursement rate for personal care services, and the hourly reimbursement rate for home health aide services, personal care services, and homemaker services provided under the JACC Program, in which the services are provided on a weekend and on a State or federal holiday, shall be no less than the amount of the hourly State Medicaid fee-for-service reimbursement rate for personal care services plus $1.

b. Each applicant determined to be eligible for the JACC Program, pursuant to criteria implemented by the Division of Aging Services, shall receive, in addition to the cost of any monthly case management fee, up to $10,733 of JACC Program services in a calendar year.

c. There shall be appropriated each fiscal year from the General Fund to the Department of Human Services an amount sufficient to carry out the provisions of this section.

d. The commissioner shall promulgate rules and regulations in accordance with the "Administrative Procedure Act," P.L.1968, c.410 (C.52:14B-1 et seq.) necessary to effectuate the purposes of this section.

4. This act shall take effect immediately.

STATEMENT

This bill requires that the hourly reimbursement rate for home health aide services, as well as personal care services and homemaker services, provided through the Statewide Respite Care Program and the Jersey Assistance for Community Caregiving (JACC) Program, in which the services are provided on a weekday, are no less than the Medicaid fee-for-service reimbursement rate for personal care services. When the same services provided through these programs are provided on a weekend and on a State or federal holiday, the reimbursement rate is required to be no less than the amount of the Medicaid fee-for-service reimbursement rate for personal care services plus $1. In addition, the bill increases the current monetary cap each program will reimburse an eligible participant in a calendar year. In order to fulfill these provisions, the bill also requires that an amount sufficient to carry out these provisions be appropriated each fiscal year from the General Fund to the Department of Human Services.

The Statewide Respite Care Program, established pursuant to P.L.1987, c.119 (C.30:4F-7 et seq.), provides relief and support to family or other uncompensated caregivers from the demands of the
daily care of functionally impaired persons, including the frail elderly. The JACC Program, as established and implemented per Medicaid Communication 00-10, provides services and supports to certain eligible senior citizens to supplement and strengthen the capacity of caregivers. The goal of the both programs is to delay the placement of New Jersey residents in costly institutional facilities.

Currently, pursuant to N.J.A.C.10:164B-7.1, home health aide services, personal care services, and homemaker services provided under the Statewide Respite Care Program are reimbursed at $17 per hour for services provided on a weekday and $18 per hour for services provided on a weekend or a State or federal holiday. According to Department of Human Services documents, the same services provided under the JACC Program are reimbursed at $15.50 per hour for services provided on a weekday and $17 per hour for services provided on a weekend or a State or federal holiday.

This bill would require those reimbursement rates to reflect the current Medicaid fee-for-service reimbursement rate for personal care services, which, pursuant to the Fiscal Year 2022 Appropriations Act, is $22 in FY 2022. As such, under the bill, the reimbursement rate for home health aide services, personal care services, and homemaker services provided through the Statewide Respite Care Program and the JACC Program would be $22 per hour for services provided on a weekday and $23 per hour for services provided on a weekend or a State or federal holiday.

In order to ensure that no participant experiences a decrease in services due to the increased reimbursement rates, the bill also increases the calendar year funding caps per eligible participant. For the Statewide Respite Care Program, the cap increases from $4,500 per calendar year to $6,088. For the JACC Program, the cap increases from $7,200 per calendar year to $10,733. This cap does not include any additional costs associated with a monthly case management fee.