

[First Reprint]

SENATE, No. 2792

STATE OF NEW JERSEY
220th LEGISLATURE

INTRODUCED JUNE 6, 2022

Sponsored by:

Senator M. TERESA RUIZ

District 29 (Essex)

Senator JOSEPH F. VITALE

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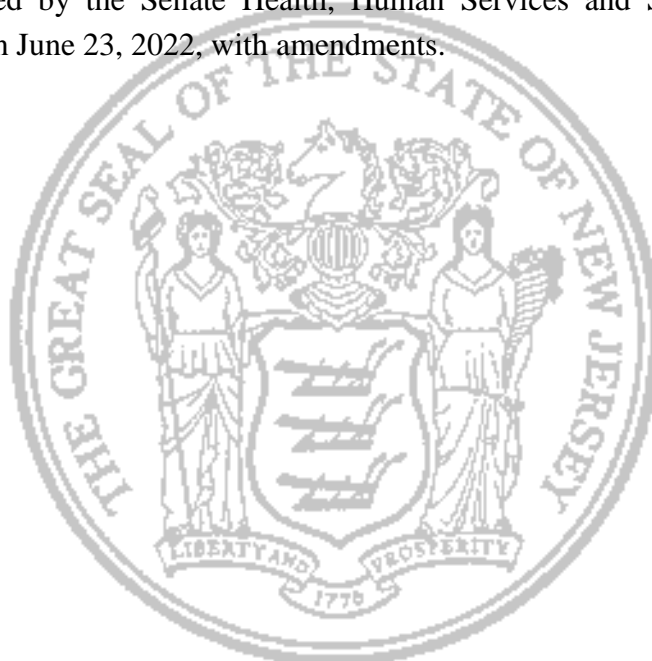
Senators Cruz-Perez and Gopal

SYNOPSIS

Increases Medicaid reimbursement rates for primary care and mental health services according to Medicare payment rates for same services.

CURRENT VERSION OF TEXT

As reported by the Senate Health, Human Services and Senior Citizens Committee on June 23, 2022, with amendments.



(Sponsorship Updated As Of: 5/8/2023)

1 AN ACT concerning primary care and mental health services
2 reimbursed under Medicaid and supplementing Title 30 of the
3 Revised Statutes.

4
5 **BE IT ENACTED** by the Senate and General Assembly of the State
6 of New Jersey:

7
8 1. a. Commencing on July 1, 2022, and annually thereafter, the
9 Medicaid reimbursement rate for primary care and mental health
10 services shall be no less than 100 percent of the payment rate that
11 applies to such services under part B of Medicare.

12 b. Primary care services as used in subsection a. of this section
13 shall include those services furnished by:

14 (1) a physician with a primary specialty designation of family
15 medicine, general internal medicine, general pediatric medicine, or
16 obstetrics and gynecology;

17 (2) a health care professional, including but not limited to an
18 advance practice nurse or a physician assistant, who is working in
19 the area of family medicine, general internal medicine, general
20 pediatric medicine, or obstetrics and gynecology; or

21 (3) a ¹**[certified nurse-midwife]** midwife¹.

22 c. Mental health services as used in subsection a. of this
23 section shall include those services furnished by a provider listed in
24 paragraphs (1), (2), or (3) of subsection b. of this section or a health
25 care provider with one of the following specialty designations:
26 licensed clinical social worker, psychologist, licensed professional
27 counselor, licensed marriage and family therapist, or psychiatrist.

28 d. The provisions of this section shall not be construed to
29 require any decrease in the Medicaid reimbursement rate for a
30 primary care or mental health service from the previous fiscal
31 year's reimbursement level for the same service.

32 e. The provisions of this section shall apply to primary care
33 and mental health services:

34 (1) reimbursed under the Medicaid fee-for-service delivery
35 system or through the Medicaid managed care delivery system, and

36 (2) delivered by an approved Medicaid provider.

37 f. No later than July 1, 2024, the Commissioner of Human
38 Services shall submit a report to the Governor and to the
39 Legislature, pursuant to section 2 of P.L.1991, c.164 (C.52:14-
40 19.1), providing information on the implementation of this section,
41 including data indicating any changes regarding access to primary
42 care and mental health services, as well as ¹the¹ quality of care of
43 these services, for Medicaid beneficiaries following any rate
44 increases required under this section. The report shall also include

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:

¹Senate SHH committee amendments adopted June 23, 2022.

1 any recommendations for further enhancements to the Medicaid
2 rates for these services to improve provider access and quality of
3 care for Medicaid beneficiaries in underserved areas of the State.

4 g. As used in this section:

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

7 “Medicare” means the federal program established pursuant to
8 Pub.L.89-97 (42 U.S.C. s.1395 et seq.) as amended, or its successor
9 plan or plans.

10 “Mental health services” means procedures or services rendered
11 by a health care provider, in a traditional setting as well in an
12 integrated behavioral health setting or via a collaborative care
13 program, for the treatment of mental illness, emotional disorders, or
14 drug or alcohol abuse.

15 ¹“Midwife” means a midwife licensed by the State Board of
16 Medical Examiners as a certified midwife, a certified nurse
17 midwife, or a certified professional midwife.¹

18 “Primary care services” means the same as defined in section
19 1202 of the federal “Health Care and Education Reconciliation Act
20 of 2010,” Pub.L. 111-152.

21

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

27

28 3. The Commissioner of Human Services, pursuant to the
29 "Administrative Procedure Act," P.L.1968, c.410 (C.52:14B-
30 1 et seq.), shall adopt rules and regulations necessary to implement
31 the provisions of this act.

32

33 4. This act shall take effect immediately.