

SENATE, No. 3495

STATE OF NEW JERSEY

220th LEGISLATURE

INTRODUCED JANUARY 19, 2023

Sponsored by:

Senator JOSEPH F. VITALE

District 19 (Middlesex)

Senator GORDON M. JOHNSON

District 37 (Bergen)

Co-Sponsored by:

Senators Gill, Diegnan, Singer, Stanfield, Thompson, Turner and Ruiz

SYNOPSIS

Provides for presumptive eligibility for home and community-based services under Medicaid.

CURRENT VERSION OF TEXT

As introduced.



(Sponsorship Updated As Of: 5/11/2023)

1 AN ACT concerning presumptive eligibility for Medicaid home and
2 community-based services and supplementing Title 30 of the
3 Revised Statutes.

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

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8 1. a. The Department of Human Services shall provide for the
9 presumptive eligibility for home and community-based services
10 under Medicaid for an individual who is: seeking home and
11 community-based services; awaiting an eligibility determination for
12 Medicaid and any applicable Medicaid waiver program offering
13 home and community-based services; and likely to be financially
14 and clinically eligible for Medicaid and any applicable Medicaid
15 waiver program offering home and community-based services, as
16 determined by the department.

17 b. The department shall provide Medicaid coverage for eligible
18 home and community-based services to an individual who is
19 granted presumptive eligibility pursuant to this section. Coverage
20 provided under this subsection shall begin upon the receipt of an
21 individual's request for services, pursuant to subsection c of this
22 section, and shall be terminated if the individual is determined
23 clinically or financially ineligible for home and community-based
24 services under Medicaid during the eligibility determination
25 process.

26 c. An individual seeking presumptive eligibility for home and
27 community-based services under Medicaid shall submit a request to
28 the department in a manner and form as determined by the
29 commissioner.

30 d. An individual granted presumptive eligibility pursuant to
31 this section shall be required to submit a completed application for
32 Medicaid and any applicable Medicaid waiver program offering
33 home and community-based services no later than the end of the
34 month following the month in which presumptive eligibility is
35 granted.

36 e. The department shall provide each individual granted
37 presumptive eligibility pursuant to this section a written notice
38 explaining the terms and conditions of presumptive eligibility and
39 the home and community-based services the individual will be
40 eligible to receive.

41 f. The commissioner shall apply for such State plan
42 amendments or waivers as may be necessary to implement the
43 provisions of this section and to secure federal financial
44 participation for State Medicaid expenditures under the federal
45 Medicaid program.

46 g. As used in this section:

47 "Commissioner" means the Commissioner of Human Services.

48 "Department" means Department of Human Services.

S3495 VITALE, JOHNSON

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1 and conditions of presumptive eligibility and the home and
2 community-based services the individual will be eligible to receive.

3 The commissioner will apply for such State plan amendments or
4 waivers as may be necessary to implement the provisions of this bill
5 and to secure federal financial participation for State Medicaid
6 expenditures under the federal Medicaid program.