

SENATE, No. 3626

STATE OF NEW JERSEY 220th LEGISLATURE

INTRODUCED FEBRUARY 23, 2023

Sponsored by:

Senator JOSEPH F. VITALE

District 19 (Middlesex)

Senator TROY SINGLETON

District 7 (Burlington)

Co-Sponsored by:

Senator Singer

SYNOPSIS

Establishes "Hospital at Home Act."

CURRENT VERSION OF TEXT

As introduced.



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

1 AN ACT concerning acute hospital care and supplementing Title 26
2 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. This act shall be known and may be cited as the "Hospital at
8 Home Act."

9
10 2. As used in this act:

11 "Carrier," "covered person," and "health benefits plan," shall
12 have the same meaning as provided for those terms under section 2
13 of P.L.1997, c.192 (C.26:2S-2).

14 "Department" means the Department of Health.

15 "Hospital" means a general acute care hospital licensed pursuant
16 to P.L.1971, c.136 (C.26:2H-1 et seq.).

17 "Program" means the hospital at home program established by
18 the department pursuant to section 3 of this act.

19
20 3. a. Notwithstanding any provision of law to the contrary, the
21 department shall establish a program to permit a hospital to provide
22 acute care services to a covered person outside of the hospital's
23 licensed facility and within a private residence designated by the
24 covered person. The program shall be established in a manner that
25 is consistent with the provisions of the Acute Hospital Care at
26 Home Program, as authorized by the federal Centers for Medicare
27 and Medicaid Services.

28 b. Any hospital previously in receipt of a waiver to operate, or
29 otherwise approved to participate in the Centers for Medicare and
30 Medicaid Services's Acute Hospital Care at Home Program prior to
31 the effective date of this act, shall be permitted to operate or to
32 continue to operate the program in the same manner as previously
33 permitted under federal law, and shall be integrated into the
34 program established pursuant to this section.

35
36 4. The NJ FamilyCare and Medicaid programs, and any carrier
37 that offers a health benefits plan in this State, shall provide
38 coverage and payment for acute hospital care services delivered to a
39 covered person through the program established pursuant to section
40 3 of this act, on the same basis as when services are delivered
41 within the facilities of a hospital. Reimbursement payments under
42 this section shall be provided to the hospital, facility, or
43 organization providing the services or the individual practitioner
44 who delivered the reimbursable services, or to the agency, facility,
45 or organization that employs or contracts with the individual
46 practitioner who delivered the reimbursable services, as appropriate.
47 Carriers shall not utilize more stringent utilization management

1 criteria than apply when those services are provided within the
2 facilities of a hospital.

3
4 5. The Commissioner of Human Services shall apply for any
5 State plan amendments or waivers as may be necessary to
6 implement the provisions of this act and to secure federal financial
7 participation for State Medicaid expenditures under the federal
8 Medicaid program.

9
10 6. The Commissioners of Health and Human Services shall
11 jointly or separately adopt rules and regulations, in accordance with
12 the "Administrative Procedure Act," P.L.1968, c.410 (C.52:14B-1
13 et seq.), if necessary to effectuate the provisions of this act. The
14 Commissioners of Health and Human Services shall jointly or
15 separately waive any rules or regulations if necessary to implement
16 the provisions of this act.

17
18 7. This act shall take effect immediately.
19
20

21 STATEMENT

22
23 This bill establishes the "Hospital at Home Act."

24 Under the bill, the Department of Health (department) is to
25 establish a program to permit a hospital to provide acute care
26 services to a covered person outside of the hospital's licensed
27 facility and within a private residence designated by the covered
28 person. The program is to be established in a manner that is
29 consistent with the provisions of the Acute Hospital Care at Home
30 Program, as authorized by the federal Centers for Medicare and
31 Medicaid Services. Any hospital previously in receipt of a waiver
32 to operate, or otherwise approved to participate in the Centers for
33 Medicare and Medicaid Services's Acute Hospital Care at Home
34 Program prior to the bill's effective is to be permitted to operate or
35 to continue to operate the program in the same manner as
36 previously permitted under federal law, and is to be integrated into
37 the program established pursuant to this section.

38 Under the bill, the NJ FamilyCare and Medicaid programs, and
39 any carrier that offers a health benefits plan in this State, is to
40 provide coverage and payment for acute hospital care services
41 delivered to a covered person under the program established
42 pursuant to the bill's provisions, on the same basis as when services
43 are delivered within the facilities of a hospital. Reimbursement
44 payments are to be provided to the hospital, facility, or organization
45 providing the services or the individual practitioner who delivered
46 the reimbursable services, or to the agency, facility, or organization
47 that employs or contracts with the individual practitioner who
48 delivered the reimbursable services. Carriers are not to utilize more

1 stringent utilization management criteria than apply when those
2 services are provided within the facilities of a hospital.

3 Under current law, "carrier" means an insurance company, health
4 service corporation, hospital service corporation, medical service
5 corporation, or health maintenance organization authorized to issue
6 health benefits plans in this State. "Covered person" means a
7 person on whose behalf a carrier offering the plan is obligated to
8 pay benefits or provide services pursuant to the health benefits plan.
9 "Health benefits plan" means a benefits plan which pays or provides
10 hospital and medical expense benefits for covered services, and is
11 delivered or issued for delivery in this State by or through a carrier.
12 Health benefits plan includes, but is not limited to, Medicare
13 supplement coverage and risk contracts to the extent not otherwise
14 prohibited by federal law. For the purposes of this act, health
15 benefits plan shall not include the following plans, policies, or
16 contracts: accident only, credit, disability, long-term care,
17 CHAMPUS supplement coverage, coverage arising out of a
18 workers' compensation or similar law, automobile medical payment
19 insurance, personal injury protection insurance issued pursuant to
20 P.L.1972, c.70 (C.39:6A-1 et seq.), or hospital confinement
21 indemnity coverage.