

ASSEMBLY, No. 3556

STATE OF NEW JERSEY

221st LEGISLATURE

INTRODUCED FEBRUARY 5, 2024

Sponsored by:

Assemblywoman TENNILLE R. MCCOY

District 14 (Mercer and Middlesex)

Assemblywoman JESSICA RAMIREZ

District 32 (Hudson)

SYNOPSIS

Requires DOT to establish paratransit brokerage program to consolidate provision of paratransit services under State Medicaid program and NJT Access Link.

CURRENT VERSION OF TEXT

As introduced.



(Sponsorship Updated As Of: 2/12/2024)

A3556 MCCOY, RAMIREZ

2

1 AN ACT concerning the provision of paratransit services,
2 supplementing Title 27 of the Revised Statutes, and revising
3 various parts of the statutory law.

4

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

7

8 1. (New section) As used in sections 1 through 7 of P.L. ,
9 c. (C.) (pending before the Legislature as this bill):

10 “ADA paratransit service” means the paratransit service that the
11 corporation is required to provide, whether directly or indirectly
12 through contract, to comply with the requirements of the federal
13 “Americans with Disabilities Act of 1990” (42 U.S.C. s.12101 et
14 seq.).

15 “Community organization” means an organization that provides
16 programs and services to persons with disabilities.

17 “Corporation” means the New Jersey Transit Corporation.

18 “County transit agency” means a transportation service
19 organized under or in conjunction with a county government to
20 provide trips to senior citizens and residents with disabilities under
21 the “Senior Citizen and Disabled Resident Transportation
22 Assistance Act,” P.L.1983, c.578 (C.27:25-25 et seq.).

23 “Covered medical service” means a physical or behavioral health
24 care service that is provided to a Medicaid beneficiary and is
25 eligible for reimbursement under the Medicaid program.

26 “Livery vehicle” means a chauffeured vehicle, other than a
27 mobility assistance vehicle, which is used to transport ambulatory
28 Medicaid beneficiaries to and from health care providers to receive
29 covered medical services. The term includes, but is not limited to, a
30 clinic van, a paratransit van, or a wheelchair van.

31 “Medicaid program” or “Medicaid” means the State Medicaid
32 program established pursuant to P.L.1968, c.413 (C.30:4D-1 et
33 seq.).

34 “Medicaid transportation service” means the non-emergency
35 medical transport of a beneficiary of the Medicaid program, which
36 service is provided through the use of a mobility assistance vehicle
37 or livery vehicle, is necessary for the beneficiary to receive covered
38 medical services, and is provided in compliance with Title XIX of
39 the federal Social Security Act (42 U.S.C. s.1396 et seq.), P.L.1968,
40 c.413 (C.30:4D-1 et seq.), P.L.1981, c.134 (C.30:4D-6.2 et seq.),
41 and any rules or regulations adopted thereunder.

42 “Mobility assistance vehicle” means a chauffeured vehicle that is
43 staffed by certified trained personnel, and which is used to transport
44 a non-ambulatory Medicaid beneficiary who is sick, has an
45 infirmity, or has a disability, and is under the care and supervision

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.

1 of a physician, and whose medical condition is not of sufficient
2 magnitude or gravity to require transportation by ambulance, but is
3 of sufficient magnitude or gravity to require transportation from
4 place to place for medical care, and whose use of an alternate form
5 of transportation, such as a taxicab, bus, livery vehicle, private
6 vehicle, or public conveyance might create a serious risk to the
7 beneficiary's life or health.

8 "Paratransit brokerage program" or "program" means the
9 program, established pursuant to section 2 of P.L. , c. (C.)
10 (pending before the Legislature as this bill), which is managed by a
11 transportation broker that administers the provision of paratransit
12 services, including Medicaid transportation services and ADA
13 paratransit services, by paratransit providers in the State.

14 "Paratransit provider" or "provider" means any organization or
15 entity that provides paratransit service, including, but not limited to,
16 Medicaid transportation service and ADA paratransit service,
17 subject to any applicable provisions of State or federal law or
18 regulation.

19 "Paratransit service" means any transportation service other than
20 fixed route transportation service, including, but not limited to,
21 Medicaid transportation service and ADA paratransit service,
22 except not including private or charter services provided by
23 taxicabs, limousines, or transportation network companies.

24 "Transportation broker" or "broker" means the organization or
25 entity that is contracted by the Department of Transportation
26 pursuant to section 5 of P.L. , c. (C.) (pending before the
27 Legislature as this bill) to manage the paratransit brokerage
28 program.

29 "Transportation brokerage contract" means the contract that is
30 executed between the Department of Transportation and the
31 transportation broker for the management of the paratransit
32 brokerage program.

33

34 2. (New section) a. After the execution of the first
35 transportation brokerage contract following the effective date of
36 P.L. , c. (C.) (pending before the Legislature as this bill),
37 the Department of Transportation shall oversee the implementation
38 of a paratransit brokerage program, through which a transportation
39 broker shall manage the provision of paratransit service, including
40 Medicaid transportation service and ADA paratransit service, by
41 participating paratransit providers to eligible passengers, which
42 services shall be requested and fulfilled through an interactive
43 brokerage software.

44 b. The purpose of the paratransit brokerage program shall be to
45 realize cost savings and operational efficiencies in the provision of
46 paratransit services by enabling participating paratransit providers
47 to voluntarily compete to fulfill each request for Medicaid
48 transportation service and ADA paratransit service, respectively,

1 scheduled by an eligible passenger of such service. To accomplish
2 this purpose, the paratransit services provided under the program
3 shall be facilitated through the use of an interactive brokerage
4 software, as initially developed pursuant to section 4 of P.L. ,
5 c. (C.) (pending before the Legislature as this bill), through
6 which software:

7 (1) the recipients of ADA paratransit service and Medicaid
8 transportation service may schedule regular or recurring requests
9 for paratransit service, subject to any applicable restrictions of State
10 or federal law or regulation;

11 (2) the participating providers of ADA paratransit service and
12 Medicaid transportation service may compete, on a cost-efficient
13 basis, to fulfill any scheduled requests for paratransit service,
14 subject to any applicable restrictions of State or federal law or
15 regulation;

16 (3) the recipients of ADA paratransit service and Medicaid
17 transportation service may review and submit complaints
18 concerning the quality of service received from any paratransit
19 provider; and

20 (4) the transportation broker shall monitor, assess, and
21 document the performance, reliability, and responsiveness of each
22 paratransit provider operating in the program and respond to
23 passenger complaints.

24 c. In addition to any other terms and conditions that may be
25 imposed by the Department of Transportation under the
26 transportation brokerage contract, the responsibilities of the
27 transportation broker in managing the paratransit brokerage
28 program shall include:

29 (1) maintaining a paratransit provider network for ADA
30 paratransit service and Medicaid transportation service,
31 respectively, which networks shall have sufficient capacity to
32 provide all required forms of paratransit service within all
33 applicable service areas in the State;

34 (2) ensuring that each provider of ADA paratransit service is
35 qualified to provide such service and complies with all applicable
36 requirements of the federal "Americans with Disabilities Act of
37 1990" (42 U.S.C. s.12101 et seq.) and any other applicable
38 provisions of State or federal law or regulation, including, but not
39 limited to, any requirements concerning the type of vehicles used to
40 provide such service;

41 (3) ensuring that each provider of Medicaid paratransit service
42 is qualified to provide such service and complies with all applicable
43 requirements of Title XIX of the federal Social Security Act (42
44 U.S.C. s.1396 et seq.), P.L.1968, c.413 (C.30:4D-1 et seq.),
45 P.L.1981, c.134 (C.30:4D-6.2 et seq.), and any other applicable
46 provisions of State or federal law or regulation, including, but not
47 limited to, any requirements concerning the type of vehicles used to
48 provide such service;

1 (4) ensuring that each recipient of ADA paratransit service or
2 Medicaid paratransit service is eligible to receive the service;

3 (5) compensating each paratransit provider that operates in the
4 program, which compensation shall be based exclusively on the
5 requests for paratransit service that have been fulfilled by the
6 provider, and which compensation shall be paid from the monies
7 received by the transportation broker pursuant to subsection e. of
8 this section;

9 (6) receiving and acting upon passenger complaints in
10 accordance with the provisions of subsection f. of this section; and

11 (7) divesting from any ownership stake or equity interest in any
12 entity or organization that operates as a paratransit provider under
13 the program.

14 d. Except as otherwise provided in this subsection, beginning
15 immediately after the implementation of the paratransit brokerage
16 program, the program shall be limited to the provision of ADA
17 paratransit service and Medicaid transportation service by
18 paratransit providers other than county transit agencies and
19 community organizations. Subject to the determination of the
20 Department of Transportation pursuant to the study completed
21 pursuant to section 6 of P.L. , c. (C.) (pending before the
22 Legislature as this bill) and the regulations adopted pursuant to
23 subsection b. of section 7 of P.L. , c. (C.) (pending before
24 the Legislature as this bill), the program may be expanded to:

25 (1) incorporate the provision of other forms of paratransit
26 service, including those services provided by the Department of
27 Labor and Workforce Development pursuant to P.L.1987, c.455
28 (C.34:16-51 et seq.) and those services provided by counties under
29 the "Senior Citizen and Disabled Resident Transportation
30 Assistance Act," P.L.1983, c.578 (C.27:25-25 et seq.); and

31 (2) allow county transit agencies and community organizations
32 to operate as paratransit providers under the program.

33 e. (1) Except as otherwise provided in paragraph (3) of this
34 subsection, the operational and administrative costs of the
35 paratransit brokerage program shall be defrayed by proportionate
36 funding from the Department of Human Services and the
37 corporation, which monies shall be transferred to the Department of
38 Transportation and paid to the transportation broker in such
39 intervals and amounts as may be prescribed in the transportation
40 brokerage contract. The Department of Human Services shall be
41 responsible for defraying all costs associated with the provision of
42 Medicaid paratransit service under the program. The corporation
43 shall be responsible for defraying all costs associated with the
44 provision of ADA paratransit service under the program.

45 (2) From the monies paid to the transportation broker by the
46 Department of Transportation, the broker shall compensate the
47 paratransit providers operating in the program, which compensation
48 shall be based exclusively on the requests for paratransit service

1 that have been fulfilled by the provider. Of the remaining funds,
2 the transportation broker shall retain such amounts as may be
3 prescribed in the transportation brokerage contract to support the
4 costs of managing the program.

5 (3) If the paratransit brokerage program is expanded to include
6 other forms of paratransit service, as permitted under subsection d.
7 of this section, the costs of providing such services shall be
8 defrayed as follows, which monies shall be transferred to the
9 Department of Transportation in accordance with the provisions of
10 paragraph (1) of this subsection:

11 (a) the Department of Labor and Workforce Development shall
12 be responsible for defraying all costs associated with the provision
13 of any paratransit services otherwise provided under P.L.1987,
14 c.455 (C.34:16-51);

15 (b) the corporation shall be responsible for defraying all costs
16 associated with the provision of any paratransit services otherwise
17 provided by counties under the "Senior Citizen and Disabled
18 Resident Transportation Assistance Act," P.L.1983, c.578 (C.27:25-
19 25 et seq.), which costs shall be paid from the monies deposited into
20 the Casino Revenue Fund pursuant to subsection b. of section 4 of
21 P.L.1983, c.578 (C.27:25-28); and

22 (c) in the case of any other form of paratransit service, the
23 administrative entity otherwise responsible for administering the
24 service shall be responsible for defraying all costs associated with
25 the provision of such service under the program.

26 f. The Department of Transportation, in consultation with the
27 Department of Human Services and the corporation, shall prescribe
28 procedures and methods by which the recipients of paratransit
29 service may submit complaints through the interactive brokerage
30 software. The transportation broker shall receive, process, and act
31 upon each complaint in accordance with the procedures prescribed
32 by the department, except that the broker shall respond to each
33 complaint, in writing, within 21 days of the receipt of a complaint.

34 g. (1) After the implementation of the paratransit brokerage
35 program, all Medicaid transportation services and ADA paratransit
36 services shall be provided under the paratransit brokerage program,
37 and the Department of Human Services and the corporation shall
38 cease to provide, whether directly or indirectly through contract,
39 such services. Before the implementation of the program, the
40 Department of Human Services and the corporation, as applicable,
41 shall submit such documentation as is necessary to the federal
42 government to effectuate the implementation of the program,
43 including, but not limited to, the application by the Department of
44 Human Services for such State plan amendments or waivers as may
45 be necessary to implement the provisions of P.L. , c. (C.)
46 (pending before the Legislature as this bill) and to secure federal
47 financial participation for State Medicaid expenditures under the
48 federal Medicaid program. The Department of Human Services

1 shall receive federal approval for such State plan amendments or
2 waivers before the paratransit brokerage program may be fully
3 implemented.

4 (2) After the effective date of P.L. , c. (C.) (pending
5 before the Legislature as this bill), but before the implementation of
6 the paratransit brokerage program, the corporation shall not enter
7 into any contract, or exercise any option to extend an existing
8 contract, concerning the provision of ADA paratransit service under
9 the Access Link service model unless the contract or option:

10 (a) is valid for not longer than one year; and

11 (b) permits the corporation to terminate the contract
12 immediately upon the implementation of the paratransit brokerage
13 program.

14 (3) After the effective date of P.L. , c. (C.) (pending
15 before the Legislature as this bill), but before the implementation of
16 the paratransit brokerage program, the Department of Human
17 Services shall not enter into any contract, or exercise any option to
18 extend an existing contract, concerning the provision of Medicaid
19 paratransit service under the State Medicaid program unless the
20 contract or option:

21 (a) is valid for not longer than one year; and

22 (b) permits the department to terminate the contract immediately
23 upon the implementation of the paratransit brokerage program.

24

25 3. (New section) a. Within six months following the effective
26 date of P.L. , c. (C.) (pending before the Legislature as
27 this bill), the Department of Transportation, in consultation with the
28 corporation and the Department of Human Services, shall develop
29 standards for the provision of ADA paratransit service under the
30 program. At a minimum, the standards shall prescribe minimum
31 functionality requirements for the interactive brokerage software to
32 ensure that the provision of ADA paratransit service complies with
33 the purposes and responsibilities set forth in section 2 of P.L. ,
34 c. (C.) (pending before the Legislature as this bill), as well
35 as any other applicable requirements of State or federal law or
36 regulation. To the extent practicable, these standards shall be
37 consistent with the standards developed by the Department of
38 Human Services pursuant to subsection b. of this section.

39 b. Within six months following the effective date of P.L. ,
40 c. (C.) (pending before the Legislature as this bill), the
41 Department of Human Service, in consultation with the Department
42 of Transportation, shall develop standards for the provision of
43 Medicaid paratransit services under the program. At a minimum,
44 the standards shall prescribe minimum functionality requirements
45 for the interactive brokerage software to ensure that that the
46 provision of Medicaid paratransit service complies with the
47 purposes and responsibilities set forth in section 2 of P.L. ,
48 c. (C.) (pending before the Legislature as this bill), as well

1 as any other applicable requirements of State or federal law or
2 regulation. To the extent practicable, these standards shall be
3 consistent with the standards developed by the Department of
4 Transportation pursuant to subsection a. of this section.

5
6 4. (New section) a. Within nine months after the effective
7 date of P.L. , c. (C.) (pending before the Legislature as this
8 bill), the Department of Transportation, in consultation with the
9 Department of Human Services and the corporation, shall issue a
10 request for proposal for the development of an interactive brokerage
11 software, which software shall facilitate the provision of paratransit
12 services under the paratransit brokerage program. In addition to
13 any other requirements that the Department of Transportation may
14 deem appropriate, the request for proposal shall:

15 (1) incorporate the standards developed pursuant to section 3 of
16 P.L. , c. (C.) (pending before the Legislature as this bill);
17 and

18 (2) require all bidders to demonstrate experience in the
19 development of one or more software platforms that have facilitated
20 the provision of any transportation service.

21 b. The Department of Transportation, in consultation with the
22 Department of Human Services and the corporation, shall enter into
23 a contract with the most qualified bidder for the development of the
24 interactive brokerage software, except that the selected contractor
25 shall have demonstrated experience in developing one or more
26 software platforms that have facilitated the provision of any
27 transportation service. In addition to any other terms and
28 conditions that the Department of Transportation may deem
29 appropriate, the contractor shall provide monthly updates, in
30 writing, to the Department of Transportation documenting its
31 progress in developing the interactive brokerage software.

32 c. Following the implementation of the paratransit brokerage
33 program, if the Department of Transportation, in consultation with
34 the transportation broker, determines that it is necessary to develop
35 a new interactive brokerage software or update all or part of the
36 existing software, the Department of Transportation may issue a
37 request for proposal and enter into a contract to perform such work.

38
39 5. (New section) a. After the interactive brokerage software
40 has been developed pursuant to subsection b. of section 4 of P.L. ,
41 c. (C.) (pending before the Legislature as this bill), and upon
42 the expiration of each transportation brokerage contract, the
43 Department of Transportation, in consultation with the Department
44 of Human Services and the corporation, shall issue a request for
45 proposal for the procurement of a transportation broker to manage
46 the paratransit brokerage program. In addition to any other
47 requirements that the Department of Transportation may deem
48 appropriate, the request for proposal shall:

1 (1) incorporate all responsibilities of the broker under section 2
2 of P.L. , c. (C.) (pending before the Legislature as this bill)
3 and the standards developed pursuant to section 3 of P.L. ,
4 c. (C.) (pending before the Legislature as this bill); and

5 (2) require the bidder to demonstrate experience in the operation
6 or management of one or more brokerage programs that have
7 facilitated the provision of any transportation service.

8 b. The Department of Transportation, in consultation with the
9 Department of Human Services and the corporation, shall enter into
10 a transportation brokerage contract with the most qualified bidder
11 for the procurement of the transportation broker, except that the
12 broker shall have demonstrated experience in managing a similar
13 brokerage program. Notwithstanding any provision of this section
14 to the contrary, before the expiration of the transportation brokerage
15 contract, the Department of Transportation may exercise an option
16 to extend the existing contract without issuing the request for
17 proposal otherwise required under subsection a. of this section.

18
19 6. (New section) a. Within no more than two years following
20 the implementation of the paratransit brokerage program, and every
21 five years thereafter, the Department of Transportation, in
22 consultation with the Department of Human Services, the
23 corporation, and the Department of Labor and Workforce
24 Development, shall conduct a study to assess whether the program
25 shall be expanded, which determination shall consider the cost
26 savings realized and operational efficiencies realized from the
27 operations of the program, and the capacity of the paratransit
28 provider networks maintained by the transportation broker to fulfill
29 the existing demand for paratransit services. In addition to any
30 other considerations that may be deemed appropriate, the study
31 shall:

32 (1) examine the performance of the existing paratransit provider
33 networks for ADA paratransit service and Medicaid paratransit
34 service, respectively, within each county in the State;

35 (2) examine the capacity of county transit agencies and
36 community organizations to operate as providers of ADA
37 paratransit service, Medicaid paratransit service, or both, under the
38 program;

39 (3) determine whether the existing paratransit provider networks
40 should be expanded to allow county transit agencies and community
41 organizations to operate as providers of ADA paratransit service,
42 Medicaid paratransit service, or both, under the program; and

43 (4) determine whether the program shall be expanded to include
44 the provision of other forms of paratransit service, including those
45 services provided by the Department of Labor and Workforce
46 Development pursuant to P.L.1987, c.455 (C.34:16-51) and those
47 services provided by counties under the "Senior Citizen and

1 Disabled Resident Transportation Assistance Act,” P.L.1983, c.578
2 (C.27:25-25 et seq.).

3 b. The transportation broker shall provide the Department of
4 Transportation with such assistance as the department deems
5 necessary to conduct the study, which assistance shall include, but
6 shall not be limited to, the submission of all data retained by the
7 broker concerning the performance, reliability, and responsiveness
8 of all paratransit providers operating in the program.

9
10 7. (New section) a. The Department of Transportation, in
11 consultation with the Department of Human Services and the New
12 Jersey Transit Corporation, shall adopt, pursuant to the
13 “Administrative Procedure Act,” P.L.1968, c.410 (C.52:14B-1 et
14 seq.), such rules and regulations as may be necessary to effectuate
15 the purposes of P.L. , c. (C.) (pending before the
16 Legislature as this bill).

17 b. If the Department of Transportation determines to expand
18 the paratransit brokerage program, as permitted under subsection d.
19 of section 2 of P.L. , c. (C.) (pending before the
20 Legislature as this bill), the Department of Transportation, in
21 consultation with the Department of Human Services, the New
22 Jersey Transit Corporation, and the Department of Labor and
23 Workforce Development, as applicable, shall adopt, pursuant to the
24 “Administrative Procedure Act,” P.L.1968, c.410 (C.52:14B-1 et
25 seq.), such rules and regulations as may be necessary to effectuate
26 the expansion of the program, which expansion shall not take effect
27 until the rules and regulations have been adopted.

28
29 8. Section 6 of P.L.1968, c.413 (C.30:4D-6) is amended to read
30 as follows:

31 6. a. Subject to the requirements of Title XIX of the federal
32 Social Security Act, the limitations imposed by this act and by the
33 rules and regulations promulgated pursuant thereto, the department
34 shall provide medical assistance to qualified applicants, including
35 authorized services within each of the following classifications:

- 36 (1) Inpatient hospital services
37 (2) Outpatient hospital services;
38 (3) Other laboratory and X-ray services;
39 (4) (a). Skilled nursing or intermediate care facility services;
40 (b) Early and periodic screening and diagnosis of individuals
41 who are eligible under the program and are under age 21, to
42 ascertain their physical or mental health status and the health care,
43 treatment, and other measures to correct or ameliorate defects and
44 chronic conditions discovered thereby, as may be provided in
45 regulation of the Secretary of the federal Department of Health and
46 Human Services and approved by the commissioner;

1 (5) Physician's services furnished in the office, the patient's
2 home, a hospital, a skilled nursing, or intermediate care facility or
3 elsewhere.

4 As used in this subsection, "laboratory and X-ray services"
5 includes HIV drug resistance testing, including, but not limited to,
6 genotype assays that have been cleared or approved by the federal
7 Food and Drug Administration, laboratory developed genotype
8 assays, phenotype assays, and other assays using phenotype
9 prediction with genotype comparison, for persons diagnosed with
10 HIV infection or AIDS.

11 b. Subject to the limitations imposed by federal law, by this
12 act, and by the rules and regulations promulgated pursuant thereto,
13 the medical assistance program may be expanded to include
14 authorized services within each of the following classifications:

15 (1) Medical care not included in subsection a.(5) above, or any
16 other type of remedial care recognized under State law, furnished
17 by licensed practitioners within the scope of their practice, as
18 defined by State law;

19 (2) Home health care services;

20 (3) Clinic services;

21 (4) Dental services;

22 (5) Physical therapy and related services;

23 (6) Prescribed drugs, dentures, and prosthetic devices; and
24 eyeglasses prescribed by a physician skilled in diseases of the eye
25 or by an optometrist, whichever the individual may select;

26 (7) Optometric services;

27 (8) Podiatric services;

28 (9) Chiropractic services;

29 (10) Psychological services;

30 (11) Inpatient psychiatric hospital services for individuals under
31 21 years of age, or under age 22 if they are receiving such services
32 immediately before attaining age 21;

33 (12) Other diagnostic, screening, preventative, and rehabilitative
34 services, and other remedial care;

35 (13) Inpatient hospital services, nursing facility services, and
36 immediate care facility services for individuals 65 years of age or
37 over in an institution for mental diseases;

38 (14) Intermediate care facility services;

39 (15) Transportation services;

40 (16) Services in connection with the inpatient or outpatient
41 treatment or care of substance use disorder, when the treatment is
42 prescribed by a physician and provided in a licensed hospital or in a
43 narcotic and substance use disorder treatment center approved by
44 the Department of Health pursuant to P.L.1970, c.334 (C.26:2G-21
45 et. seq.) and whose staff includes a medical director, and limited
46 those services eligible for federal financial participation under Title
47 XIX of the federal Social Security Act;

1 (17) Any other medical care and any other type of remedial care
2 recognized under State law, specified by the Secretary of the federal
3 Department of Health and Human Services, and approved by the
4 commissioner;

5 (18) Comprehensive maternity care, which may include: the
6 basic number of prenatal and postpartum visits recommended by the
7 American College of Obstetrics and Gynecology; additional
8 prenatal and postpartum visits that are medically necessary;
9 necessary laboratory, nutritional assessment and counseling, health
10 education, personal counseling, managed care, outreach, and
11 follow-up services; treatment of conditions which may complicate
12 pregnancy doula care; and physician or certified nurse midwife
13 delivery services. For the purposes of this paragraph, "doula"
14 means a trained professional who provides continuous physical,
15 emotional, and informational support to a mother before, during,
16 and shortly after childbirth, to help her to achieve the healthiest,
17 most satisfying experience possible;

18 (19) Comprehensive pediatric care, which may include:
19 ambulatory, preventive, and primary care health services. The
20 preventive services shall include, at a minimum, the basic number
21 of preventive visits recommended by the American Academy of
22 Pediatrics;

23 (20) Services provided by a hospice which is participating in the
24 Medicare program established pursuant to Title XVIII of the Social
25 Security Act, Pub.L.89-97 (42 U.S.C. s.1395 et seq.). Hospice
26 services shall be provided subject to approval of the Secretary of
27 the federal Department of Health and Human Services for federal
28 reimbursement;

29 (21) Mammograms, subject to approval of the Secretary of the
30 federal Department of Health and Human Services for federal
31 reimbursement, including one baseline mammogram for women
32 who are at least 35 but less than 40 years of age; one mammogram
33 examination every two years or more frequently, if recommended
34 by a physician, for women who are at least 40 but less than 50 years
35 of age; and one mammogram examination every year for women
36 age 50 and over;

37 (22) Upon referral by a physician, advanced practice nurse, or
38 physician assistant of a person who has been diagnosed with
39 diabetes, gestational diabetes, or pre-diabetes, in accordance with
40 standards adopted by the American Diabetes Association:

41 (a) Expenses for diabetes self-management education or training
42 to ensure that a person with diabetes, gestational diabetes, or pre-
43 diabetes can optimize metabolic control, prevent and manage
44 complications, and maximize quality of life. Diabetes self-
45 management education shall be provided by an in-State provider
46 who is:

47 (i) a licensed, registered, or certified health care professional
48 who is certified by the National Certification Board of Diabetes

1 Educators as a Certified Diabetes Educator, or certified by the
2 American Association of Diabetes Educators with a Board
3 Certified-Advanced Diabetes Management credential, including, but
4 not limited to: a physician, an advanced practice or registered nurse,
5 a physician assistant, a pharmacist, a chiropractor, a dietitian
6 registered by a nationally recognized professional association of
7 dietitians, or a nutritionist holding a certified nutritionist specialist
8 (CNS) credential from the Board for Certification of Nutrition
9 Specialists; or

10 (ii) an entity meeting the National Standards for Diabetes Self-
11 Management Education and Support, as evidenced by a recognition
12 by the American Diabetes Association or accreditation by the
13 American Association of Diabetes Educators;

14 (b) Expenses for medical nutrition therapy as an effective
15 component of the person's overall treatment plan upon a: diagnosis
16 of diabetes, gestational diabetes, or pre-diabetes; change in the
17 beneficiary's medical condition, treatment, or diagnosis; or
18 determination of a physician, advanced practice nurse, or physician
19 assistant that reeducation or refresher education is necessary.
20 Medical nutrition therapy shall be provided by an in-State provider
21 who is a dietitian registered by a nationally-recognized professional
22 association of dietitians, or a nutritionist holding a certified
23 nutritionist specialist (CNS) credential from the Board for
24 Certification of Nutrition Specialists, who is familiar with the
25 components of diabetes medical nutrition therapy;

26 (c) For a person diagnosed with pre-diabetes, items and services
27 furnished under an in-State diabetes prevention program that meets
28 the standards of the National Diabetes Prevention Program, as
29 established by the federal Centers for Disease Control and
30 Prevention; and

31 (d) Expenses for any medically appropriate and necessary
32 supplies and equipment recommended or prescribed by a physician,
33 advanced practice nurse, or physician assistant for the management
34 and treatment of diabetes, gestational diabetes, or pre-diabetes,
35 including, but not limited to: equipment and supplies for self-
36 management of blood glucose; insulin pens; insulin pumps and
37 related supplies; and other insulin delivery devices;

38 (23) Expenses incurred for the provision of group prenatal
39 services to a pregnant woman, provided that:

40 (a) the provider of such services, which shall include, but not be
41 limited to, a federally qualified health center or a community health
42 center operating in the State:

43 (i) is a site accredited by the Centering Healthcare Institute, or is
44 a site engaged in an active implementation contract with the
45 Centering Healthcare institute, that utilizes the Centering Pregnancy
46 model; and

47 (ii) incorporates the applicable information outlined in any best
48 practices manual for prenatal and postpartum maternal care

1 developed by the Department of Health into the curriculum for each
2 group prenatal visit;

3 (b) each group prenatal care visit is at least 1.5 hours in
4 duration, with a minimum of two women and a maximum of 20
5 women in participation; and

6 (c) no more than 10 group prenatal care visits occur per
7 pregnancy. As used in this paragraph, "group prenatal care
8 services" means a series of prenatal care visits provided in a group
9 setting which are based upon the Centering Pregnancy model
10 developed by the Centering Healthcare Institute and which include
11 health assessments, social and clinical support, and educational
12 activities;

13 (24) Expenses incurred for the provision of pasteurized donated
14 human breast milk, which shall include human milk fortifiers if
15 indicated in a medical order provided by a licensed medical
16 practitioner, to an infant under the age of six months; provided that
17 the milk is obtained from a human milk bank that meets quality
18 guidelines established by the Department of Health and a licensed
19 medical practitioner has issued a medical order for the infant under
20 at least one of the following circumstances:

21 (a) the infant is medically or physically unable to receive
22 maternal breast milk or participate in breast feeding, or the infant's
23 mother is medically or physically unable to produce maternal breast
24 milk in sufficient quantities or participate in breast feeding despite
25 optimal lactation support; or

26 (b) the infant meets any of the following conditions:

27 (i) a body weight below healthy levels, as determined by the
28 licensed medical practitioner issuing the medical order for the
29 infant;

30 (ii) the infant has a congenital or acquired condition that places
31 the infant at a high risk for development of necrotizing
32 enterocolitis; or

33 (iii) the infant has a congenital or acquired condition that may
34 benefit from the use of donor breast milk and human milk fortifiers,
35 as determined by the Department of Health;

36 (25) Comprehensive tobacco cessation benefits to an individual
37 who is 18 years of age or older, or who is pregnant. Coverage shall
38 include: brief and high intensity individual counseling, brief and
39 high intensity group counseling, and telemedicine as defined by
40 section 1 of P.L.2017, c.117 (C.45:1-61); all medications approved
41 for tobacco cessation by the U.S. Food and Drug Administration;
42 and other tobacco cessation counseling recommended by the
43 Treating Tobacco Use and Dependence Clinical Practice Guideline
44 issued by the U.S. Public Health Service. Notwithstanding the
45 provisions of any other law, rule, or regulation to the contrary, and
46 except as otherwise provided in this section:

47 (a) Information regarding the availability of the tobacco
48 cessation services described in this paragraph shall be provided to

1 all individuals authorized to receive the tobacco cessation services
2 pursuant to this paragraph at the following times: no later than 90
3 days after the effective date of P.L.2019, c.473: upon the
4 establishment of an individual's eligibility for medical assistance;
5 and upon the redetermination of an individual's eligibility for
6 medical assistance;

7 (b) The following conditions shall not be imposed on any
8 tobacco cessation services provided pursuant to this paragraph:
9 copayments or any other forms of cost-sharing, including
10 deductibles; counseling requirements for medication; stepped care
11 therapy or similar restrictions requiring the use of one service prior
12 to another; limits on the duration of services; or annual or lifetime
13 limits on the amount, frequency, or cost of services, including, but
14 not limited to, annual or lifetime limits on the number of covered
15 attempts to quit; and

16 (c) Prior authorization requirements shall not be imposed on any
17 tobacco cessation services provided pursuant to this paragraph
18 except in the following circumstances where prior authorization
19 may be required: for a treatment that exceeds the duration
20 recommended by the most recently published United States Public
21 Health Service clinical practice guidelines on treating tobacco use
22 and dependence; or for services associated with more than two
23 attempts to quit within a 12-month period; and

24 (26) Provided that there is federal financial participation
25 available, benefits for expenses incurred in conducting a colorectal
26 cancer screening in accordance with United States Preventive
27 Services Task Force recommendations. The method and frequency
28 of screening to be utilized shall be in accordance with the most
29 recent published recommendations of the United States Preventive
30 Services Task Force and as determined medically necessary by the
31 covered person's physician, in consultation with the covered person.

32 No deductible, coinsurance, copayment, or any other cost-
33 sharing requirement shall be imposed for a colonoscopy performed
34 following a positive result on a non-colonoscopy, colorectal cancer
35 screening test recommended by the United States Preventive
36 Services Task Force.

37 c. Payments for the foregoing services, goods and supplies
38 furnished pursuant to this act shall be made to the extent authorized
39 by this act, the rules and regulations promulgated pursuant thereto
40 and, where applicable, subject to the agreement of insurance
41 provided for under this act. The payments shall constitute payment
42 in full to the provider on behalf of the recipient. Every provider
43 making a claim for payment pursuant to this act shall certify in
44 writing on the claim submitted that no additional amount will be
45 charged to the recipient, the recipient's family, the recipient's
46 representative or others on the recipient's behalf for the services,
47 goods, and supplies furnished pursuant to this act.

1 No provider whose claim for payment pursuant to this act has
2 been denied because the services, goods, or supplies were
3 determined to be medically unnecessary shall seek reimbursement
4 from the recipient, his family, his representative or others on his
5 behalf for such services, goods, and supplies provided pursuant to
6 this act; provided, however, a provided may seek reimbursement
7 from a recipient for services, goods, or supplies not authorized by
8 this act, if the recipient elected to receive the services, goods or
9 supplies with the knowledge that they were not authorized.

10 d. Any individual eligible for medical assistance (including
11 drugs) may obtain such assistance from any person qualified to 33
12 perform the service or services required (including an organization
13 which provides such services, or arranges for their availability on a
14 prepayment basis), who undertakes to provide the individual such
15 services.

16 No copayment or other form of cost-sharing shall be imposed on
17 any individual eligible for medical assistance, except as mandated
18 by federal law as a condition of federal financial participation.

19 e. Anything in this act to the contrary notwithstanding, no
20 payments for medical assistance shall be made under this act with
21 respect to care or services for any individual who:

22 (1) Is an inmate of a public institution (except as a patient in a
23 medical institution); provided, however, that an individual who is
24 otherwise eligible may continue to receive services for the month in
25 which he becomes an inmate, should the commissioner determine to
26 expand the scope of Medicaid eligibility to include such an
27 individual, subject to the limitations imposed by federal law and
28 regulations, or

29 (2) Has not attained 65 years of age and who is a patient in an
30 institution for mental diseases, or

31 (3) Is over 21 years of age and who is receiving inpatient
32 psychiatric hospital services in a psychiatric facility; provided,
33 however, that an individual who was receiving such services
34 immediately prior to attaining age 21 may continue to receive such
35 services until the individual reaches age 22. Nothing in this
36 subsection shall prohibit the commissioner from extending medical
37 assistance to all eligible persons receiving inpatient psychiatric
38 services; provided that there is federal financial participation
39 available.

40 f. (1) A third party as defined in section 3 of P.L.1968, c.413
41 (C.30:4D-3) shall not consider a person's eligibility for Medicaid in
42 this or another state when determining the person's eligibility for
43 enrollment or the provision of benefits by that third party.

44 (2) In addition, any provision in a contract of insurance, health
45 benefits plan, or other health care coverage document, will, trust,
46 agreement, court order, or other instrument which reduces or
47 excludes coverage or payment for health care-related goods and
48 services to or for an individual because of that individual's actual or

1 potential eligibility for or receipt of Medicaid benefits shall be null
2 and void, and no payments shall be made under this act as a result
3 of any such provision.

4 (3) Notwithstanding any provision of law to the contrary, the
5 provisions of paragraph (2) of this subsection shall not apply to a
6 trust agreement that is established pursuant to 42 U.S.C.
7 s.1396p(d)(4)(A) or (C) to supplement and augment assistance
8 provided by government entities to a person who is disabled as
9 defined in section 1614(a)(3) of the federal Social Security Act (42
10 31 U.S.C. s.1382c (a)(3)).

11 g. The following services shall be provided to eligible
12 medically needy individuals as follows:

13 (1) Pregnant women shall be provided prenatal care and delivery
14 services and postpartum care, including the services cited in
15 subsections a.(1), (3), and (5) of this section and subsections b.(1)-
16 (10), (12), (15), and (17) of this section, and nursing facility
17 services cited in subsection b.(13) of this section.

18 (2) Dependent children shall be provided with services cited in
19 subsections a.(3) and (5) of this section and subsections b.(1), (2),
20 (3), (4), (5), (6), (7), (10), (12), (15), and (17) of this section, and
21 nursing facility services cited in subsection b.(13) of this section.

22 (3) Individuals who are 65 years of age or older shall be
23 provided with services cited in subsections a.(3) and (5) of this
24 section and subsections b.(1)-(5), (6) excluding prescribed drugs,
25 (7), (8), (10), (12), (15), and (17) of this section, and nursing
26 facility services cited in subsection b.(13) of this section.

27 (4) Individuals who are blind or disabled shall be provided with
28 services cited in subsections a.(3) and (5) of this section and
29 subsections b.(1)-(5), (6) excluding prescribed drugs, (7), (8), (10),
30 (12), (15), and (17) of this section, and nursing facility services
31 cited in subsection b.(13) of this section.

32 (5) (a) Inpatient hospital services, subsection a.(1) of this
33 section, shall only be provided to eligible medically needy
34 individuals, other than pregnant women, if the federal Department
35 of Health and Human Services discontinues the State's waiver to
36 establish inpatient hospital reimbursement rates for the Medicare
37 and Medicaid programs under the authority of section 601(c)(3) of
38 the Social Security Act Amendments of 1983, Pub.L.98-21 (42
39 U.S.C. s.1395ww(c)(5)). Inpatient hospital services may be
40 extended to other eligible medically needy individuals if the federal
41 Department of Health and Human Services directs that these
42 services be included.

43 (b) Outpatient hospital services, subsection a.(2) of this section,
44 shall only be provided to eligible medically needy individuals if the
45 federal Department of Health and Human Services discontinues the
46 State's waiver to establish outpatient hospital reimbursement rates
47 for the Medicare and Medicaid programs under the authority of
48 section 601(c)(3) of the Social Security Amendments of 1983,

1 Pub.L.98-21 (42 U.S.C. s.1395ww(c)(5)). Outpatient hospital
2 services may be extended to all or to certain medically needy
3 individuals if the federal Department of Health and Human Services
4 directs that these services be included. However, the use of
5 outpatient hospital services shall be limited to clinic services and to
6 emergency room services for injuries and significant acute medical
7 conditions.

8 (c) The division shall monitor the use of inpatient and outpatient
9 hospital services by medically needy persons.

10 h. In the case of a qualified disabled and working individual
11 pursuant to section h6408 of Pub.L.101-239 (42 U.S.C. s.1396d),
12 the only medical assistance provided under this act shall be the
13 payment of premiums for Medicare part A under 42 U.S.C.
14 ss.1395i-2 and 1395r.

15 i. In the case of a specified low-income Medicare beneficiary
16 pursuant to 42 U.S.C. s.1396a(a)10(E)iii, the only medical
17 assistance provided under this act shall be the payment of premiums
18 for Medicare part B under 42 U.S.C. s.1395r as provided for in 42
19 U.S.C. s.1396d(p)(3)(A)(ii).

20 j. In the case of a qualified individual pursuant to 42 U.S.C.
21 s.1396a(aa), the only medical assistance provided under this act
22 shall be payment for authorized services provided during the period
23 in which the individual requires treatment for breast or cervical
24 cancer, in accordance with criteria established by the commissioner.

25 k. In the case of a qualified individual pursuant to 42 U.S.C.
26 s.1396a(ii), the only medical assistance provided under this act shall
27 be payment for family planning services and supplies as described
28 at 42 U.S.C. s.1396d(a)(4)(C), including medical diagnosis and
29 treatment services that are provided pursuant to a family planning
30 service in a family planning setting.

31 (cf: P.L.2023, c.187, s.1)

32

33 9. Section 3 of P.L.2020, c.114 (C.27:25-37) is amended to
34 read as follows:

35 3. For the purposes of P.L.2020, c.114 (C.27:25-35 et seq.):

36 **["Community organization" means an organization that provides**
37 **programs and services to persons with disabilities.]**

38 "Corporation" means the New Jersey Transit Corporation.

39 **["Corporation paratransit service" means the paratransit service**
40 **that is managed, administered, or provided directly through the New**
41 **Jersey Transit Corporation's operating budget, as a part of the**
42 **Access Link program or any successor program to meet the**
43 **requirements of the "Americans with Disabilities Act of 1990" (42**
44 **U.S.C. s.12101 et seq.), and does not include services directly**
45 **provided by county transit agencies.**

46 "County transit agency" means a transportation service organized
47 under or in conjunction with a county government to provide trips
48 to senior citizens and residents with disabilities under the "Senior

1 Citizen and Disabled Resident Transportation Assistance Act,"
2 P.L.1983, c.578 (C.27:25-25 et seq.).】

3 "Department" means, unless another meaning clearly applies, the
4 Department of Human Services.

5 "Paratransit brokerage program" means the program established
6 pursuant to section 2 of P.L. , c. (C.) (pending before the
7 Legislature as this bill).

8 "Paratransit provider" means any organization or entity that
9 provides paratransit services, including State and local transit
10 agencies, directly or through contract service, and community
11 organizations that provide transportation trips, either directly or
12 through a third party, funded by the Department of Human Services
13 or the Division of Vocational Rehabilitation Services within the
14 Department of Labor and Workforce Development.

15 "Paratransit service" means and includes any transportation
16 service other than fixed route transportation service, except that
17 "paratransit service" does not include private or charter services
18 provided by taxicabs, limousines, or transportation network
19 companies.

20 "Transportation broker" means the same as the term is defined in
21 section 1 of P.L. , c. (C.) (pending before the Legislature
22 as this bill).

23 (cf: P.L.2020, c.114, s.3)

24

25 10. Section 6 of P.L.2020, c.114 (C.27:25-40) is amended to
26 read as follows:

27 6. a. There are hereby established six separate regional
28 paratransit coordinating councils in furtherance of the purposes of
29 P.L.2020, c.114 (C.27:25-35 et seq.) and P.L. , c. (C.)
30 (pending before the Legislature as this bill). The regional
31 paratransit coordinating councils shall be organized as follows:

32 (1) one council shall cover the counties of Atlantic, Cape May,
33 Cumberland, Gloucester, and Salem;

34 (2) one council shall cover the counties of Burlington, Camden,
35 and Ocean;

36 (3) one council shall cover the counties of Mercer, Middlesex,
37 and Monmouth;

38 (4) one council shall cover the counties of Hunterdon, Sussex,
39 and Warren;

40 (5) one council shall cover the counties of Essex, Morris,
41 Somerset, and Union; and

42 (6) one council shall cover the counties of Bergen, Hudson, and
43 Passaic.

44 b. Each regional paratransit coordinating council shall have the
45 following members:

46 (1) one designee of the Director of the Division of
47 Developmental Disabilities in the Department of Human Services;

- 1 (2) one designee of the New Jersey Transit Corporation who
2 works on **the Access Link program or** the Senior Citizen and
3 Disabled Resident Transportation Assistance Program;
 - 4 (3) one representative of **any company or entity that has**
5 **contracted with the New Jersey Transit Corporation to provide**
6 **Access Link paratransit service within the region** the
7 transportation broker that manages the paratransit brokerage
8 program established pursuant to P.L. , c. (C.) (pending
9 before the Legislature as this bill);
 - 10 (4) one representative of each county office of aging within the
11 respective region to be chosen by the county executive director or
12 by the board of freeholders, as applicable;
 - 13 (5) one representative of each county transportation agency or
14 other comparable entity within the respective region that provides
15 paratransit service for a county under the Senior Citizen and
16 Disabled Resident Transportation Assistance Program;
 - 17 (6) one representative from each county chapter of the Arc of
18 New Jersey, or a successor organization, within the respective
19 region;
 - 20 (7) one individual that represents one or more members of the
21 Alliance for the Betterment of Citizens with Disabilities, or a
22 successor organization, within the respective region;
 - 23 (8) one representative of Community Access Unlimited, or a
24 successor organization, within the respective region;
 - 25 (9) one representative of the New Jersey Association of
26 Community Providers, or a successor organization, within the
27 respective region;
 - 28 (10) one representative of the New Jersey Council on Special
29 Transportation, or a successor organization, within the respective
30 region;
 - 31 (11) one representative of Easterseals New Jersey, or a successor
32 organization, within the respective region; and
 - 33 (12) one representative within the respective region, to be
34 selected by the corporation in consultation with the department, of
35 providers of transportation services to senior citizens or to
36 individuals requiring transportation for health care services.
- 37 c. Each agency with an eligible representative of a regional
38 paratransit coordinating council provided in subsection b. of this
39 section shall submit information, in a form and manner determined
40 by the Executive Director of the New Jersey Transit Corporation, to
41 the executive director not later than 30 days following the
42 enactment of P.L.2020, c.114 (C.27:25-35 et seq.) and on or before
43 January 1 of each year thereafter identifying the name and contact
44 information for the person to represent each respective agency. The
45 term for each member on the regional paratransit coordinating
46 council shall be one year provided, however, that any member may
47 be selected to serve on the council for subsequent terms at the
48 discretion of the respective agency. The executive director may

1 appoint one member of each regional paratransit coordinating
2 council to serve as the chair of that council.

3 d. Each regional paratransit coordinating council shall meet not
4 less than quarterly, with the first meeting happening not less than 60
5 days following the enactment of P.L.2020, c.114 (C.27:25-35 et
6 seq.). The chair, in consultation with the other members of the
7 council, shall set meeting dates and shall lead the coordination
8 effort. The members shall serve without compensation but may be
9 reimbursed by the corporation, for reasonable expenses incurred in
10 the execution of their duties.

11 e. The purpose of the regional paratransit coordinating councils
12 is to exchange best practices among paratransit providers within the
13 State. Those best practices shall include but are not limited to
14 scheduling and routing, fleet maintenance, driver training, customer
15 communications, safety practices, and improving the customer
16 usability experience. The councils are also to establish a system to
17 exchange information among and between paratransit providers so
18 that: (1) each paratransit provider may provide basic information to
19 its customers about other paratransit service options within each
20 respective region; (2) paratransit providers may **【eventually】** share
21 customer trip requests amongst each other; and (3) **【a single**
22 **platform may eventually be developed that enables a paratransit**
23 **user to visit a single platform or place to request a trip, and that trip**
24 **may be distributed amongst the paratransit providers in a manner**
25 **that optimizes State cost and customer experience】** paratransit
26 providers may receive training and support to encourage
27 participation in the paratransit brokerage program. The councils
28 shall also exchange budget information and investigate more
29 efficient means of organizing the **【New Jersey Transit Corporation's**
30 **expenditures for】** provision of paratransit services **【, use of State**
31 **casino revenue funds, and appropriations for the division and**
32 **department related to paratransit services, for the purpose of**
33 **coordinating these three respective funding pools】** to eliminate any
34 duplicative funding **【,】** and to direct trips and funding to service
35 providers that offer the highest quality service and overall best
36 value.

37 f. The county plans required under section 6 of P.L.1983,
38 c.578 (C.27:25-30) and any committees or groups organized to
39 effectuate the purposes of the "Senior Citizen and Disabled
40 Resident Transportation Assistance Act," P.L.1983, c.578 (C.27:25-
41 25 et seq.) shall be consolidated into the regional paratransit
42 coordinating councils. If necessary, county level subcommittees of
43 the regional paratransit coordinating councils may be established to
44 more effectively develop county plans; however, following the
45 effective date of P.L.2020, c.114 (C.27:25-35 et seq.) county plans
46 shall also take into account the larger regional and Statewide goals
47 of integrating paratransit service and creating a more cohesive user

1 experience under the **【pilot program】** paratransit brokerage
2 program established 【in P.L.2020, c.114 (C.27:25-35 et seq.)】
3 under P.L. , c. (C.) (pending before the Legislature as this
4 bill).

5 g. The New Jersey Transit Corporation shall utilize each
6 regional paratransit coordinating council to disseminate information
7 about the **【new Access Link program structure】** paratransit
8 brokerage program developed pursuant to **【section 4 of P.L.2020,**
9 **c.114 (C.27:25-38)】** P.L. , c. (C.) (pending before the
10 Legislature as this bill) and coordinate with the council in
11 **【determining the operating standards required for】** helping
12 paratransit providers to compete to 【provide Access Link trips and
13 when developing the system for paying paratransit providers to
14 provide regular and routine trips requested through the Access Link
15 program】 fulfill requests for paratransit service under the
16 paratransit brokerage program.

17 h. **【The regional paratransit coordinating councils shall also**
18 **advise other paratransit providers in each region and develop**
19 **support materials to assist other paratransit providers in adopting**
20 **and implementing the best practices training package developed**
21 **under phase three of the pilot program established pursuant to**
22 **paragraph (1) of subsection d. of section 5 of P.L.2020, c.114**
23 **(C.27:25-39).】** (Deleted by amendment, P.L. , c.) (pending
24 before the Legislature as this bill)
25 (cf: P.L.2020, c.114, s.6)

26
27 11. Section 2 of P.L.2016, c.25 (C.27:25-5c) is amended to read
28 as follows:

29 2. a. **【The】** Before the implementation of the paratransit
30 brokerage program established pursuant to P.L. , c. (C.)
31 (pending before the Legislature as this bill), the corporation shall
32 designate an Access Link Customer Service Group to receive and
33 act upon complaints from passengers with disabilities regarding
34 Access Link service. The corporation shall provide for the
35 establishment of procedures and methods by which such complaints
36 shall be received, processed, and acted upon and for their resolution
37 and settlement. The Access Link Customer Service Group shall,
38 within 21 business days of the receipt of a complaint, respond in
39 writing as to the disposition or status of the complaint. Any person
40 who has not received a written response to a complaint within 21
41 business days may petition the New Jersey Transit General Manager
42 of ADA Services for a hearing upon that complaint, under rules
43 promulgated by the general manager for the hearing and disposition
44 of such matters. 【As used in this section, "Access Link" means the
45 paratransit service implemented by the corporation for purposes of
46 complying with the "Americans with Disabilities Act of 1990,"
47 Pub.L.101-336 (42 U.S.C.s.12101 et seq.).】

1 b. The corporation shall provide to each person using Access
2 Link, at the time the person is determined to be qualified for Access
3 Link service and at least once in each calendar year thereafter in
4 which the person remains a user, information as to the procedure to
5 be followed in making and pursuing complaints to the Access Link
6 Customer Service Group or the New Jersey Transit General
7 Manager of ADA Services pursuant to this section. The direct
8 telephone number for the Access Link Customer Service Group
9 shall be prominently displayed in all Access Link vehicles.

10 c. The New Jersey Transit General Manager of ADA Services
11 shall report annually to the board, summarizing the Access Link
12 Customer Service Group's activities for the preceding year,
13 including the number of complaints received, the nature of the
14 complaints, and the resolution of the complaints and setting forth
15 any recommendations for changes which would improve
16 transportation services for passengers with disabilities. The New
17 Jersey Transit General Manager of ADA Services shall make a copy
18 of the report publicly available on the corporation's website.

19 d. Notwithstanding any provision of this section to the
20 contrary, after the implementation of the paratransit brokerage
21 program established pursuant to P.L. , c. (C.) (pending
22 before the Legislature as this bill), the transportation broker shall
23 receive and act upon complaints from paratransit service passengers
24 in accordance with the provisions of P.L. , c. (C.) (pending
25 before the Legislature as this bill), as well as any rules and
26 regulations adopted thereunder.

27 e. As used in this section:

28 "Access Link" means the paratransit service implemented by the
29 corporation, before the implementation of the paratransit brokerage
30 program, for purposes of complying with the "Americans with
31 Disabilities Act of 1990," Pub.L.101-336 (42 U.S.C.s.12101 et
32 seq.).

33 "Transportation broker" means the same as the term is defined in
34 section 1 of P.L. , c. (C.) (pending before the Legislature
35 as this bill).

36 (cf: P.L.2016, c.25, s.2)

37
38 12. Section 1 of P.L.2020, c.62 (C.27:25-5d) is amended to read
39 as follows:

40 1. a. **【The】** (1) Before the implementation of the paratransit
41 brokerage program established pursuant to P.L. , c. (C.)
42 (pending before the Legislature as this bill), the New Jersey Transit
43 Corporation shall operate, or cause to be operated, its Access Link
44 service in an area of the State under a state of emergency if the New
45 Jersey Transit General Manager of ADA Services determines, in
46 consultation with the Director of the State Office of Emergency
47 Management, that Access Link service in that area may be safely

1 provided without undue risk of harm to drivers and persons using
2 the service.

3 (2) After the implementation of the paratransit brokerage
4 program established pursuant to P.L. , c. (C.) (pending
5 before the Legislature as this bill), the transportation broker shall
6 cause to be operated ADA paratransit service in an area of the State
7 under a state of emergency if the Commissioner of Transportation
8 determines, in consultation with the Director of the State Office of
9 Emergency Management, that such service may be safely provided
10 in that area without undue risk of harm to drivers and persons using
11 the service.

12 b. As used in this section:

13 "Access Link" shall have the same meaning as provided in
14 section 2 of P.L.2016, c.25 (C.27:25-5c) **【; and】** .

15 "ADA paratransit service" means the same as the term is defined
16 in section 1 of P.L. , c. (C.) (pending before the Legislature
17 as this bill).

18 "State of emergency" means a natural or man-made disaster or
19 emergency for which a state of emergency has been declared by the
20 Governor.

21 "Transportation broker" means the same as the term is defined in
22 section 1 of P.L. , c. (C.) (pending before the Legislature
23 as this bill).

24 (cf: P.L.2020, c.62, s.1)

25

26 13. Section 3 of P.L.1983, c.578 (C.27:25-27) is amended to
27 read as follows:

28 3. As used in **【this act】** P.L.1983, c.578 (C.27:25-25 et seq.):

29 a. "Corporation" means the New Jersey Transit Corporation.

30 b. "Board" means Board of Directors of the New Jersey
31 Transit Corporation.

32 c. "Eligible counties" means counties submitting a proposal
33 meeting the program guidelines.

34 d. "New Jersey Special Services Citizen Advisory Committee"
35 means a committee representing advocacy groups from senior
36 citizens and the disabled and other interested parties appointed by
37 the Executive Director of the New Jersey Transit Corporation.

38 e. "Accessible" means a service that can be used by all
39 individuals, including those who cannot negotiate steps or who can
40 negotiate steps with great difficulty.

41 f. "Disabled" means any individual who, by reason of illness,
42 injury, age, congenital malfunction, or other permanent or
43 temporary incapacity or disability, is unable without special
44 facilities or special planning on design to utilize mass transportation
45 facilities and services as effectively as persons who are not so
46 affected.

47 g. "Geographic region" means one of the following regions of
48 the State: the southern region encompassing the counties of

1 Atlantic, Burlington, Camden, Cape May, Cumberland, Gloucester,
2 and Salem; the central region encompassing the counties of
3 Hunterdon, Mercer, Middlesex, Monmouth, Ocean and Somerset;
4 and the northern region encompassing those counties remaining in
5 the State.

6 h. "Paratransit brokerage program" means the program
7 established pursuant to section 2 of P.L. , c. (C.) (pending
8 before the Legislature as this bill).

9 i. "Paratransit service" means any transportation service other
10 than fixed route transportation service, except not including private
11 or charter services provided by taxicabs, limousines, or
12 transportation network companies.

13 (cf: P.L.1983, c.578, s.3)

14

15 14. Section 4 of P.L.1983, c.578 (C.27:25-28) is amended to
16 read as follows:

17 4. a. The board shall establish and administer a program to be
18 known as "The Senior Citizen and Disabled Resident Transportation
19 Assistance Program" for the following purposes:

20 (1) To assist counties to develop and provide accessible feeder
21 transportation service to accessible fixed-route transportation
22 services where such services are available, and accessible local
23 transit service to senior citizens and the disabled, which may
24 include but not be limited to **[door-to-door]** paratransit service,
25 fixed route service, local fare subsidy, and user-side subsidy, which
26 may include but not be limited to private ride or taxi fare subsidy;
27 and to coordinate the activities of the various participants in this
28 program in providing the services to be rendered at the county level
29 and between counties; and

30 (2) To enable the corporation to develop, provide and maintain
31 capital improvements that afford accessibility to fixed route and
32 other transit services in order to make rail cars, rail stations, bus
33 shelters and other bus equipment accessible to senior citizens and
34 the disabled; to render technical information and assistance to
35 counties eligible for assistance under this act; and to coordinate the
36 program within and among counties.

37 b. In the State fiscal year beginning July 1 following the
38 effective date of P.L.2009, c.261 and in each fiscal year thereafter,
39 there shall be appropriated to the corporation from the revenues
40 deposited in the Casino Revenue Fund established pursuant to
41 section 145 of P.L.1977, c.110 (C.5:12-145) a sum equal to 8.5
42 percent of the revenues deposited in the fund during the preceding
43 fiscal year, as determined by the State Treasurer, to effectuate the
44 purposes and provisions of P.L.1983, c.578 (C.27:25-25 et seq.). If
45 the paratransit brokerage program is expanded, pursuant to
46 subsection d. of section 2 of P.L. , c. (C.) (pending before
47 the Legislature as this bill), to include the provision of any
48 paratransit services otherwise provided by counties under P.L.1983,

1 c.578 (C.27:25-25 et seq.), the corporation shall be responsible for
2 defraying all costs associated with the provision of these services
3 under the program, which costs shall be paid from the monies
4 deposited into the Casino Revenue Fund pursuant to this subsection,
5 and which monies shall be transferred to the Department of
6 Transportation in accordance with the provisions of subsection e. of
7 section 2 of P.L. , c. (C.) (pending before the Legislature
8 as this bill).

9 Notwithstanding the provisions of any other law, rule, or
10 regulation to the contrary, for the State Fiscal Years 2022, 2023,
11 and 2024, appropriations to the corporation from the revenues
12 deposited in the Casino Revenue Fund or the Property Tax Relief
13 Fund, as appropriate, shall be given priority to ensure that the
14 corporation receives an amount equal to 8.5 percent of the sum of
15 the revenues deposited in the Casino Revenue Fund during the
16 preceding fiscal year, adding back any reductions in revenues
17 during the preceding fiscal year that directly resulted from the
18 temporary credit allowable under section 1 of P.L.2021, c.314 or
19 the temporary deduction allowable under section 3 of the P.L.2021,
20 c.314, as determined by the State Treasurer, to effectuate the
21 purposes and provisions of P.L.1983, c.578 (C.27:25-25 et seq.).
22 (cf: P.L.2021, c.314, s.6)

23

24 15. Section 7 of P.L.1983, c.578 (C.27:25-31) is amended to
25 read as follows:

26 7. a. **【Moneys】** Except for any monies that may be transferred
27 to the Department of Transportation pursuant to subsection e. of
28 section 2 of P.L. , c. (C.) (pending before the Legislature
29 as this bill), monies under this program shall be allocated by the
30 corporation in the following manner:

31 (1) **【85%】** 85 percent shall be available to be allocated to
32 eligible counties for the purposes specified under paragraph (1) of
33 subsection a. of section 4 of **【this act.】** P.L.1983, c.578 (C.27:25-
34 28); and

35 (2) **【15%】** 15 percent shall be available for use by the
36 corporation for the purposes specified under paragraph (2) of
37 subsection a. of section 4 of **【this act】** P.L.1983, c.578 (C.27:25-28)
38 and for the general administration of the program, but no more than
39 **【10%】** 10 percent of the total moneys allocated under this program
40 shall be used for the general administration of the program.

41 b. The amount of money which each eligible county may
42 receive shall be based upon the number of persons resident in that
43 county of 60 years of age or older expressed as a percentage of the
44 whole number of persons resident in this State of 60 years or older,
45 as provided by the U.S. Bureau of the Census. As similar data
46 become available for the disabled population, such data shall be
47 used in conjunction with the senior citizen data to determine the

1 county allocation formula. No eligible county shall receive less
2 than ~~[\$150,000.00]~~ \$150,000 during a fiscal year under this
3 program, except that during the first fiscal year no county shall
4 receive less than ~~[\$50,000.00]~~ \$50,000 nor more than
5 ~~[\$150,000.00]~~ \$150,000.

6 c. The governing body of an eligible county, or a group or
7 groups designated as an applicant or as applicants by the county
8 after a public hearing in which senior citizens and the disabled shall
9 have the opportunity to comment on the appropriateness of such
10 designation, may make application to the board for moneys
11 available under subsection b. of this section. The application shall
12 be in the form of a proposal to the board for transportation
13 assistance and shall specify the degree to which the proposal meets
14 the purposes of the program under paragraph (1) of subsection a. of
15 section 4 of ~~[this act]~~ P.L.1983, c.578 (C.27:25-28) and the
16 implementation criteria under the program guidelines and the
17 proposal shall have been considered at a public hearing. The board
18 shall allocate moneys based upon a review of the merits of the
19 proposals in meeting the purposes of the program, and the
20 implementation criteria, under the program guidelines. The
21 governing body of an eligible county shall schedule a public
22 hearing annually for interested parties to provide the governing
23 body with any facts, materials, or recommendations that would be
24 of assistance regarding the efficacy of the program established
25 under paragraph (1) of subsection a. of section 4 ~~[this act]~~
26 P.L.1983, c.578 (C.27:25-28).
27 (cf: P.L.2009, c.261, s.2)
28

29 16. Section 2 of P.L.1987, c.455 (C.34:16-52) is amended to
30 read as follows:

31 2. As used in ~~[this act]~~:

32 a. "Division" means the Division of Vocational Rehabilitation
33 Services in the Department of Labor and Workforce Development.

34 ~~b.]~~ P.L.1987, c.455 (C.34:16-51 et seq.):

35 "Citizen with a disability" means any individual who, by reason
36 of illness, injury, age, congenital condition, or other permanent or
37 temporary incapacity or disability, is unable without special
38 facilities or special planning or design to utilize mass transportation
39 facilities and services as effectively as persons who are not so
40 affected.

41 [c.] "Division" means the Division of Vocational Rehabilitation
42 Services in the Department of Labor and Workforce Development.

43 "Paratransit" means and includes any service, other than
44 motorbus regular route service and charter services, including, but
45 not limited to, dial-a-ride, nonregular route, jitney or community
46 minibus, and shared-ride services such as vanpools, limousines, or
47 taxicabs which are regularly available to the public. Paratransit

1 shall not include limousine or taxicab service reserved for the
2 private and exclusive use of individual passengers.

3 **[d.]** "Paratransit brokerage program" means the program
4 established pursuant to section 2 of P.L. , c. (C.) (pending
5 before the Legislature as this bill).

6 "Public transportation" means all rail passenger service operated
7 by the New Jersey Transit Corporation, and all motorbus regular
8 route service operated pursuant to P.L.1979, c.150 (C.27:25-1 et
9 seq.) or operated pursuant to R.S.48:4-3.

10 **[e.]** "Sheltered (extended) employment programs" means those
11 programs established pursuant to regulations adopted pursuant to
12 section 8 of P.L.1955, c.64 (C.34:16-27).

13 **[f.]** "Sheltered workshop" means a facility possessing a valid
14 certificate to vend services to the division issued by the director
15 thereof, in compliance with the rules and regulations governing
16 vocational rehabilitation facilities.

17 (cf: P.L.2017, c.131, s.144)

18

19 17. Section 3 of P.L.1987, c.455 (C.34:16-53) is amended to
20 read as follows:

21 3. a. The Commissioner of Labor and Workforce Development
22 is directed to establish and implement within 120 days of the
23 effective date of **[this act]** P.L.1987, c.455 (C.34:16-51 et seq.) a
24 program to be administered by the division to defray the public
25 transportation or paratransit expenses of citizens with disabilities
26 enrolled in sheltered (extended) employment programs at sheltered
27 workshops. The program may provide for the defraying of these
28 expenses by the purchase of bus cards or other appropriate methods
29 as prescribed by the commissioner.

30 b. Notwithstanding any provision of this section to the
31 contrary, if the paratransit brokerage program is expanded, pursuant
32 to subsection d. of section 2 of P.L. , c. (C.) (pending
33 before the Legislature as this bill), to include the provision of any
34 paratransit services otherwise provided under this section, the
35 department shall be responsible for defraying all costs associated
36 with the provision of these services under the program, which
37 monies shall be transferred to the Department of Transportation in
38 accordance the provisions of subsection e. of section 2 of P.L. ,
39 c. (C.) (pending before the Legislature as this bill).

40 (cf: P.L.2017, c.131, s.145)

41

42 18. Section 2 of P.L.1973, c.126 (C.27:1A-65) is amended to
43 read as follows:

44 2. For the purposes of P.L.1973, c.126 (C.27:1A-64 et seq.),
45 unless the context clearly indicates otherwise:

46 **["Access Link service"** means the paratransit service
47 implemented by the New Jersey Transit Corporation for the

1 purposes of complying with the "Americans with Disabilities Act of
2 1990," Pub.L.101-336 (42 U.S.C. s.12101 et seq.)】 “ADA
3 paratransit service” means the same as the term is defined in section
4 1 of P.L. , c. (C.) (pending before the Legislature as this
5 bill).

6 "Carrier" means any individual, copartnership, association,
7 corporation, joint stock company, public agency, trustee, or receiver
8 operating motor buses or rail passenger service on established
9 routes within this State or between points in this State and points in
10 adjacent states.

11 "Commissioner" means the Commissioner of Transportation;
12 provided, however, that the commissioner may delegate any of the
13 commissioner's powers or duties under P.L.1973, c.126 (C.27:1A-
14 64 et seq.) to any subordinate division, agency, or employee of the
15 Department of Transportation or to the New Jersey Transit
16 Corporation.

17 "Disabled veteran" means "disabled veteran" as defined in
18 N.J.S.11A:5-1.

19 "Motor bus" means "autobus" as defined in R.S.48:4-1, and
20 includes those autobuses, commonly called jitneys, as defined in
21 R.S.48:16-23.

22 "Offpeak times" means the hours from 9:30 a.m. to 4 p.m. and
23 from 7 p.m. to 6 a.m. during the weekdays, and all day on
24 Saturdays, Sundays, and holidays.

25 "Person with disabilities" means any individual who, by reason
26 of illness, injury, age, congenital malfunction, or other permanent
27 or temporary incapacity or disability, is unable without special
28 facilities or special planning or design to utilize mass transportation
29 facilities and services as effectively as persons who are not so
30 affected. A "person with disabilities" shall include a person
31 determined by the New Jersey Transit Corporation to be eligible for
32 **【its Access Link】** ADA paratransit service.

33 "Senior citizen" means any individual 62 years of age or over.
34 (cf: P.L.2020, c.155, s.1)

35
36 19. Section 4 of P.L.1973, c.126 (C.27:1A-67) is amended to
37 read as follows:

38 4. In establishing this program, the commissioner shall, after
39 consulting with the Commissioner of Community Affairs, the
40 Director of the Division of Aging Services in the Department of
41 Human Services, and the Board of Public Utilities, establish
42 uniform procedures for:

43 a. Determining the eligibility of persons to receive the reduced
44 fares provided pursuant to P.L.1973, c.126 (C.27:1A-64 et seq.),
45 which shall include those persons determined by the New Jersey
46 Transit Corporation to be eligible for **【its Access Link】** ADA
47 paratransit service;

48 b. Making reduced fares available to eligible persons; and

1 c. Auditing and accounting to insure that no carrier receives
2 payments in excess of the value of services actually rendered to
3 senior citizens, persons with disabilities, and disabled veterans
4 pursuant to P.L.1973, c.126 (C.27:1A-64 et seq.).
5 (cf: P.L.2020, c.64, s.2)

6
7 20. Section 8 of P.L.1973, c.126 (C.27:1A-71) is amended to
8 read as follows:

9 8. The commissioner is hereby authorized to hire, employ, or
10 assign secretarial, clerical, and other personnel as shall be required
11 for complying with the provisions of P.L.1973, c.126 (C.27:1A-64
12 et seq.). The commissioner shall also expend a reasonable sum, not
13 to exceed \$50,000 annually, for advertising to make senior citizens,
14 persons with disabilities, and disabled veterans aware of the
15 program, the availability and cost of the reduced fares thereunder,
16 the hours when reduced fares may be used, the public transportation
17 facilities made accessible to persons with disabilities, and the
18 availability of other transportation services offered to the public for
19 use by persons with disabilities including **【Access Link】** ADA
20 paratransit service.

21 (cf: P.L.2020, c.155, s.2)

22
23 21. Section 2 of P.L.1987, c.99 (C.27:1A-74) is amended to read
24 as follows:

25 2. The Commissioner of Transportation shall, after consulting
26 with other relevant departments and agencies, adopt reasonable
27 regulations necessary to carry out the purposes of P.L.1987, c.99
28 (C.27:1A-73 et seq.) pursuant to the "Administrative Procedure
29 Act," P.L.1968, c.410 (C.52:14B-1 et seq.). The regulations shall
30 include a procedure by which the commissioner shall:

31 a. issue an identification card , upon certification of a
32 physician or upon certification of another person as prescribed by
33 the commissioner, that a person with disabilities requires the
34 assistance of a travel attendant in order to use public transportation;
35 and

36 b. automatically issue an identification card to a person
37 determined by the New Jersey Transit Corporation, after the
38 effective date of P.L.2020, c.64, to be eligible for **【its Access Link】**
39 ADA paratransit service at the time of that determination. For a
40 person determined eligible for **【Access Link】** ADA paratransit
41 service prior to the effective date of P.L.2020, c.64, the
42 commissioner shall issue an identification card within 60 days after
43 the effective date of P.L.2020, c.64 or immediately upon request of
44 the eligible person, whichever shall be earlier.

45 (cf: P.L.2020, c.64, s.3)

46
47 22. The following sections are repealed:

48 Section 4 of P.L.2020, c.114 (C.27:25-38);

1 Section 5 of P.L.2020, c.114 (C.27:25-39); and
2 Section 7 of P.L.2020, c.114 (C.27:25-41).

3
4 23. Notwithstanding the repeal of section 5 of P.L.2020, c.114
5 (C.27:25-39), the repeal shall not eliminate or reduce any
6 obligations of the New Jersey Transit Corporation with respect to
7 the contract entered into with a qualified community organization to
8 develop a paratransit best practices training module, except that the
9 repeal shall cancel all responsibilities of the organization under the
10 contract to develop the training module.

11
12 24. This act shall take effect immediately.

13

14

15

STATEMENT

16

17 This bill requires the Department of Transportation (DOT) to
18 oversee the implementation of a paratransit brokerage program,
19 through which the provision of certain forms of paratransit service
20 would be managed by a transportation broker and made available
21 through an interactive brokerage software.

22 Under current law, the State is required to provide various forms
23 of paratransit service, including: (1) ADA paratransit service, which
24 is currently administered by the New Jersey Transit Corporation
25 (NJ Transit) under the Access Link program, which service is
26 required under the federal “Americans with Disabilities Act of
27 1990”; and (2) Medicaid paratransit service, which is currently
28 administered by the Department of Human Services (DHS), through
29 a contracted broker, under the State Medicaid program, which
30 service is required under Title XIX of the federal “Social Security
31 Act.”

32 Under the bill, the provision of these paratransit services would
33 be consolidated into one paratransit brokerage program overseen by
34 the DOT. Specifically, the paratransit brokerage program would be
35 managed by a transportation broker contracted by the DOT and
36 facilitated through the use of an interactive brokerage software,
37 which would allow eligible persons to schedule requests for service
38 and allow participating providers to competitively bid to fulfill
39 these requests. Importantly, this brokerage model is intended to
40 achieve cost savings and operational efficiencies in the provision of
41 paratransit service, which efficiencies are not achievable under the
42 current, fragmented service models.

43 In managing the paratransit brokerage program, the bill requires
44 the transportation broker to assume the following responsibilities:
45 (1) maintaining a paratransit provider network for ADA paratransit
46 service and Medicaid transportation service, respectively, with
47 sufficient capacity to provide all required forms of paratransit
48 service within all applicable service areas in the State; (2) ensuring

1 that each provider of ADA paratransit service and Medicaid
2 paratransit service is qualified to provide the service and complies
3 with all applicable provisions of law or regulation; (3) ensuring that
4 each recipient of ADA paratransit service and Medicaid paratransit
5 service is eligible to receive the service; (4) compensating each
6 paratransit provider that operates in the program; (5) receiving and
7 acting upon passenger complaints; and (6) divesting from any
8 ownership stake or equity interest in any entity or organization that
9 operates as a paratransit provider under the program.

10 The bill also requires the DOT and DHS to develop separate
11 standards concerning the provision of ADA paratransit service and
12 Medicaid paratransit service, respectively, under the program. At a
13 minimum, these standards would be required to prescribe minimum
14 functionality requirements for interactive brokerage software to
15 ensure that the provision of ADA paratransit service and Medicaid
16 paratransit service, respectively, complies with all applicable
17 requirements of law.

18 Thereafter, the bill requires the DOT, in consultation with DHS
19 and NJ Transit, to issue a request for proposal (RFP) and enter into
20 a contract for the development of the interactive brokerage
21 software. After this software has been developed, the bill also
22 requires the DOT, in consultation with DHS and NJ Transit, to issue
23 an RFP and enter into a contract for the procurement of the
24 transportation broker. In each case, the contractor selected by the
25 DOT would be required to demonstrate experience in the
26 development of a similar software platform or the administration of
27 a similar brokerage program.

28 Immediately after the paratransit brokerage program has been
29 implemented, the program would be limited to the provision of
30 ADA paratransit service and Medicaid transportation service by
31 paratransit providers other than county transit agencies and
32 community organizations. However, within two years following the
33 implementation of the program, and every five years thereafter, the
34 DOT would be required to conduct a study to assess whether the
35 program should be expanded to incorporate other forms of
36 paratransit service or to allow county transit agencies and
37 community organizations to operate as paratransit providers.
38 Thereafter, the bill provides that the program could be expanded,
39 subject to the determinations of this study and the adoption of rules
40 and regulations effectuating such expansion.

41 Under the bill, the operational and administrative costs of the
42 paratransit brokerage program would be defrayed by proportionate
43 funding from the DHS and NJ Transit, with DHS responsible for the
44 costs of Medicaid paratransit service and NJ Transit responsible for
45 the costs of ADA paratransit service. In each case, the bill requires
46 these monies to be transferred to the DOT and paid to the
47 transportation broker. Using these monies, the transportation
48 broker would be required to compensate the paratransit providers

1 operating in the program, which compensation would be based
2 exclusively on the requests for paratransit service that have been
3 fulfilled by the provider. Of the remaining funds, the bill permits
4 the transportation broker to retain such amounts as may be
5 prescribed in the transportation brokerage contract to support the
6 costs of managing the program.

7 The bill would also amend and repeal various sections of
8 statutory law to reflect the creation of the paratransit brokerage
9 program and to allow for the possibility of program expansion.
10 Specifically, the bill would repeal several sections of the
11 “Paratransit Services Improvement Act,” P.L.2020, c.114 (C.27:25-
12 35 et seq.), which sections set forth an alternative process for
13 integrating the provision of certain paratransit services. However,
14 the bill would amend this law to clarify that the Regional
15 Paratransit Coordinating Councils would also be responsible for
16 encouraging participation in the program.