ASSEMBLY, No. 5364

STATE OF NEW JERSEY

222nd LEGISLATURE

INTRODUCED SEPTEMBER 10, 2026

Sponsored by:
Assemblywoman ANNETTE QUIJANO
District 20 (Union)

SYNOPSIS

Authorizes provision of adult day health services on remote basis.

CURRENT VERSION OF TEXT

As introduced.

AN ACT concerning adult day health services and supplementing Title 26 of the Revised Statutes.

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

1. a. The Commissioner of Health shall authorize licensed adult day health services facilities to provide adult day health services on a remote basis to enrollees of the facility who are unable or unwilling to receive services from the facility on an in-person basis. All services available from the facility on an in-person basis shall be made available remotely, provided the service can be safely and effectively provided on a remote basis. The remote services that a facility may provide may include, but shall not be limited to:

(1) daily wellness checks conducted using telemedicine or telehealth that include screenings for, and the assessment of, the enrollee's current needs and status, which may include screenings for:

(a) food insecurity;

(b) the need for assistance with self-care and activities of daily living;

(c) medication supply and adherence to daily medication regimens;

(d) the signs or symptoms of physical illness, including infection with a communicable disease, along with the need to arrange medical care or treatment for the illness;

(e) changes in the enrollee's home environment; and

(f) changes in the enrollee's mood or behavior;

(2) access to services provided by licensed or certified health care professionals, including, but not limited to:

(a) nursing care, including medical assessments; physical, occupational, speech, and related therapies; and assistance in scheduling medical appointments;

(b) social work, including enrollee and caregiver counseling;

(c) dietician and nutrition services, including counseling and oversight;

(d) pharmacy consultant services to coordinate pharmaceutical services provided to the enrollee and to prevent adverse interactions among the enrollee's medications; and

(e) therapeutic recreation, including one-on-one and group recreational activities appropriate to the enrollee's needs;

(3) delivery of ready-to-eat meals, if so requested by the enrollee or a caregiver, which shall be provided at no additional cost to the enrollee;

(4) delivery of activity packets for therapeutic recreation as well as any other items or materials as may be needed; and

(5) transportation to and from, and coordination of, daily medical appointments.

b. Remote services provided to an enrollee by an adult day health services facility under subsection a. of this section shall be billed for and subject to reimbursement at the same rate as would apply to those services when provided in person, provided the facility provides written documentation of each service provided and all remote services interactions are identified in the enrollee's care plan.

c. Nothing in this section shall be construed to authorize an adult day health services facility to provide services to enrollees, inclusive of in-person and remote services, in a manner that exceeds the facility's authorized capacity.

d. As used in this act:

"Enrollee" means an individual who is enrolled or participating in, or receiving adult day health services from, an adult day health services facility licensed pursuant to P.L.1971, c.136 (C.26:2H-1 et seq.).

"Telehealth" and "telemedicine" mean the same as those terms are defined by section 1 of P.L.2017, c.117 (C.45:1-61).

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

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

4. This act shall take effect immediately.

STATEMENT

This bill requires the Commissioner of Health to authorize licensed adult day health services facilities to provide adult day health services on a remote basis to individuals enrolled or participating in, or receiving adult day health services from, the facility, who are unable or unwilling to receive services from the facility on an in-person basis. The facility will be required to make all services that it provides on an in-person basis available remotely, provided the service can be safely and effectively provided on a remote basis.

The remote services that a facility may provide may include, but will not be limited to:

1) daily wellness checks conducted using telemedicine or telehealth that include screenings for, and the assessment of, the

enrollee's current needs and status, which may include screenings for food insecurity, the need for assistance with self-care and activities of daily living, medication supply and adherence to daily medication regimens, signs or symptoms of physical illness, changes in the enrollee's home environment, and changes in the enrollee's mood or behavior;

2) access to services provided by licensed or certified health care professionals, including, but not limited to: nursing care, social work, dietician and nutrition services, pharmacy consultant services, and therapeutic recreation;

3) delivery of ready-to-eat meals, which is to be provided upon request and at no additional cost to the enrollee;

4) delivery of activity packets for therapeutic recreation as well as other items and materials as may be needed; and

5) transportation to and from, and coordination of, daily medical appointments.

Remote adult day health services provided to an enrollee under the bill may be billed for, and will be subject to reimbursement at, the same rate as would apply to those services when provided in person, provided the facility provides written documentation of each service provided and all remote services interactions are identified in the enrollee's care plan.

Nothing in the bill will authorize an adult day health services facility to exceed its authorized capacity to provide services to enrollees.

The bill requires the Commissioner of Human Services to apply for such State plan amendments or waivers as may be necessary to implement the provisions of the bill and to secure federal financial participation for State Medicaid expenditures under the federal Medicaid program.

In order to meet enrollee needs and ensure continuity of care during the coronavirus disease 2019 (COVID-19) pandemic, starting in March 2020, adult day health services providers were authorized to provide adult day health services on a remote basis. This period demonstrated that adult day services can be safely and effectively provided on a remote basis. Although New Jersey has lifted many of the capacity and indoor services restrictions imposed in response to the COVID-19 pandemic, there is an ongoing need for access to remote adult day health services, as many enrollees in adult day health services programs are unable or unwilling to consistently receive those services on an in-person basis, for reasons that include ongoing capacity and social distancing restrictions, hospitalizations and emergency department visits, self-isolation due to illness, fear of exposure to communicable disease, behavioral health conditions such as anxiety and depression, transportation issues, inclement weather, and religious observance.

Individuals receiving adult day health services require access to those services on a consistent and ongoing basis. It is the sponsor's

belief that it is therefore essential that adult day services providers retain the ability to provide adult day health services remotely, and to be reimbursed for remote services at the same rate as applies when the services are provided on an in-person basis.