

SENATE, No. 4784

STATE OF NEW JERSEY
222nd LEGISLATURE

INTRODUCED OCTOBER 5, 2026

Sponsored by:
Senator BENJIE E. WIMBERLY
District 35 (Bergen and Passaic)

SYNOPSIS

Removes licensing restrictions for expansion of certain inpatient behavioral health units and establishes minimum reimbursement rate for inpatient behavioral health care services.

CURRENT VERSION OF TEXT

As introduced.



1 AN ACT concerning behavioral health care services and
2 supplementing Title 26 of the Revised Statutes.

3
4 **BE IT ENACTED** *by the Senate and General Assembly of the State*
5 *of New Jersey:*

6
7 1. As used in this act:

8 “Behavioral health unit” means a distinct unit of a general
9 hospital or other health care facility licensed by the Department of
10 Health that is authorized to provide inpatient psychiatric or
11 behavioral health care services.

12 “Commissioner” means the Commissioner of Health.

13 “Department” means the Department of Health.
14

15 2. a. Notwithstanding any provision of law to the contrary, a
16 behavioral health unit that is licensed to operate fewer than 30 beds
17 shall be permitted to increase the licensed bed capacity of the unit
18 to not more than 30 beds without obtaining a certificate of need,
19 undergoing a review, or requiring approval or permission from the
20 department.

21 b. A behavioral health unit shall be permitted to increase its
22 licensed bed capacity as provided in subsection a. of this section if
23 the unit provides written notice to the department in a form and
24 manner prescribed by the commissioner. The notice shall identify:

25 (1) the existing licensed bed capacity of the behavioral health
26 unit;

27 (2) the number of additional beds to be added; and

28 (3) the location within the facility in which the additional beds
29 will be operated.

30 c. The department shall not require the facility to demonstrate a
31 need for the additional beds, conduct a market or utilization
32 analysis, or demonstrate that existing behavioral health beds in the
33 applicable service area are fully utilized to increase the licensed bed
34 capacity of the unit to not more than 30 beds.
35

36 3. a. Notwithstanding any provision of law to the contrary, and
37 in a manner that is consistent with federal law, the reimbursement
38 rate for inpatient behavioral health care services provided by a
39 behavioral health unit shall be not less than \$675 per patient per day
40 for contracts formed on or after the effective date of this act.

41 b. Beginning on January 1 of the second calendar year next
42 following the effective date of this act, and annually thereafter, the
43 minimum reimbursement rate established pursuant to this section
44 shall be increased by the percentage increase, if any, in the
45 Consumer Price Index for All Urban Consumers for the New York-
46 Newark-Jersey City metropolitan area, as reported by the United
47 States Department of Labor, for the 12-month period ending
48 September 30 of the preceding calendar year.

