

44:7-87

LEGISLATIVE HISTORY CHECKLIST
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(Public Welfare & SSI
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NJSA: 44:7-87

LAWS OF: 1991 CHAPTER: 466

BILL NO: S3656

SPONSOR(S): Dalton

DATE INTRODUCED: July 25, 1991

COMMITTEE: ASSEMBLY: Appropriations
SENATE: Institutions, Health & Welfare

AMENDED DURING PASSAGE: No

DATE OF PASSAGE: ASSEMBLY: January 10, 1992
SENATE: December 12, 1991

DATE OF APPROVAL: January 18, 1992

FOLLOWING STATEMENTS ARE ATTACHED IF AVAILABLE:

SPONSOR STATEMENT: Yes

COMMITTEE STATEMENT: ASSEMBLY: Yes
SENATE: Yes

FISCAL NOTE: No

VETO MESSAGE: No

MESSAGE ON SIGNING: No

FOLLOWING WERE PRINTED:

REPORTS: No

HEARINGS: No

KBG/pp

1 AN ACT concerning public assistance payments and amending
2 P.L.1973, c.256 and P.L.1958, c.86.

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

6 1. Section 3 of P.L.1973, c.256 (C.44:7-87) is amended to read
7 as follows:

8 3. The commissioner shall:

9 a. Enter into agreements with the government to secure the
10 administration of supplementary payments by the government for
11 such time and upon such conditions as the commissioner may in
12 his discretion deem appropriate.

13 b. Promulgate, alter and amend such rules, regulations and
14 directory orders as are necessary and proper:

15 (1) To implement the terms of the agreement with the
16 government for the administration by the government of
17 supplementary payments; and

18 (2) To secure social services for eligible persons, and for such
19 other aged, blind or disabled persons as the commissioner may
20 designate.

21 c. Transfer State or welfare board funds, or both, currently
22 appropriated for this State's participation in the federal
23 categorical assistance programs of "Old Age Assistance,"
24 R.S.44:7-3 to R.S.44:7-37; "Assistance for the Blind," P.L.1962,
25 c.197 (C.44:7-43 to 44:7-49) and "Permanent and Total Disability
26 Assistance," P.L.1951, c.139 (C.44:7-38 to 44:7-42) and any funds
27 which may in the future be appropriated for the payment of
28 supplementary payments, to the government in such amounts and
29 at such times as the commissioner shall deem appropriate in
30 order to provide for supplementary payments to eligible persons
31 in this State.

32 d. Pay to the government such funds as are necessary to
33 reimburse the government's expenses in collecting additional
34 information needed for the State to make eligibility
35 determinations for medical assistance under the "New Jersey
36 Medical Assistance and Health Services Act," P.L.1968, c.413
37 (C.30:4D-1 to 30:4D-19).

38 e. Require welfare boards to perform such eligibility
39 determinations as the commissioner may deem necessary for the

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 continuation of the New Jersey Medical Assistance Program
2 under the "New Jersey Medical Assistance and Health Services
3 Act," P.L.1968, c.413. The commissioner shall pay to the
4 counties a reasonable amount to reimburse the welfare boards for
5 their expenses in making such eligibility determinations.

6 f. (Deleted by amendment, P.L.1990, c.66.)

7 g. Take appropriate steps to secure maximum federal financial
8 participation in providing assistance to eligible persons residing in
9 residential health care facilities.

10 h. Ensure that any eligible person residing in a rooming or
11 boarding house or residential health care facility has reserved to
12 him a monthly amount, from payments received under the
13 provisions of the act to which this act is a supplement or from
14 any other income, as a personal needs allowance. The personal
15 needs allowance may vary according to the type of facility in
16 which an eligible person resides, but in no case shall be less than
17 \$25.00 per month.

18 i. Ensure that any eligible person who receives medical
19 assistance under subparagraph (4)(a) of subsection a. or under
20 paragraph (11), (13) or (14) of subsection b. of section 6 of
21 P.L.1968, c.413 (C.30:4D-6) receives \$10.00 per month, in
22 addition to benefits received pursuant to 42 U.S.C. §
23 1382(e)(1)(B). If the government cannot administer this \$10.00
24 monthly increase, the commissioner shall administer this increase
25 and shall ensure that this increase is not considered income for
26 Supplemental Security Income program purposes. However, if the
27 government increases the benefit level under 42 U.S.C. §
28 1382(e)(1)(B), the commissioner shall allow the government to
29 administer this increase and shall reduce its payment to an
30 eligible recipient by an equal amount.

31 j. Assess welfare boards at the beginning of each fiscal year in
32 the same proportion that the counties currently participate in the
33 federal categorical assistance programs, in order to obtain the
34 amount of each county's share of supplementary payments for
35 eligible persons in this State, based upon the number of eligible
36 persons in the county.

37 (cf: P.L.1990, c.66, s.12)

38 2. Section 4 of P.L.1973, c.256 (C.44:7-88) is amended to read
39 as follows:

40 4. Welfare boards shall:

41 a. Be relieved of those duties and responsibilities, under "Old
42 Age Assistance," R.S.44:7-3 to 44:7-37, "Permanent and Total
43 Disability Assistance," P.L.1951, c.139 (C.44:7-38 to 44:7-42),
44 and "Assistance for the Blind," P.L.1962, c.197 (C.44:7-43 to
45 44:7-49), that the government has assumed under the
46 Supplemental Security Income Program and under the agreement
47 between the government and this State. Welfare boards shall
48 retain, to the extent determined by the commissioner, the
49 responsibility for the performance of all the functions under the

1 above laws that the government will not perform pursuant to the
2 agreement between the State and the government.

3 b. Provide social services to those persons designated to
4 receive such services pursuant to section 3b.(2) of this act.

5 c. (Deleted by amendment, P.L.1990, c.66.)

6 d. Pay to the commissioner the amount assessed by the
7 commissioner pursuant to subsection j. of section 3 of P.L.1973,
8 c.256 (C.44:7-87).

9 (cf: P.L. 1990, c.66, s.13)

10 3. Section 5 of P.L.1959, c.86 (C.44:10-5) is amended to read
11 as follows:

12 5. The State shall pay to each county welfare agency the full
13 amount of any funds received by the State from the federal
14 government as federal participation with respect to expenditures
15 made by such county welfare agency for aid to families with
16 dependent children (AFDC).

17 [Payment of the State share of expenditures by county welfare
18 agencies for aid to families with dependent children - regular
19 segment (AFDC-C) shall be at the rate of 52.5% during the
20 period July 1 through December 31 of each year and at the rate
21 of 37.5% during the period January 1 through June 30 of each
22 year; provided that the total payment of the State share of
23 expenditures during the period January 1 through December 31 of
24 each year shall not exceed 45%.

25 Payment of the State share of expenditures by county welfare
26 agencies for aid to families with dependent children -
27 unemployment of father (AFDC-F) shall be at the rate of 52.5%
28 during the period July 1 through December 31 of each year and at
29 the rate of 37.5% during the period January 1 through June 30 of
30 each year; provided that the total payment of the State share of
31 expenditures during the period January 1 through December 31 of
32 each year shall not exceed 45%.

33 Payment of the State share of expenditures by county welfare
34 agencies for aid to families with dependent children - insufficient
35 employment of parents (AFDC-N) shall be at the rate of 115%
36 during the period July 1 through December 31 of each year and at
37 the rate of 75% during the period January 1 through June 30 of
38 each year; provided that the total payment of the State share of
39 expenditures during the period January 1 through December 31 of
40 each year shall not exceed 95%.]

41 For aid to families with dependent children payments that are
42 eligible for federal financial participation, payment of the State
43 share of expenditures by the county welfare agency shall be at
44 the rate of 52.5% during the period July 1 through December 31
45 of each year and at a rate of 37.5% during the period January 1
46 through June 30 of each year; except that the total payment of
47 the State share of expenditures during the period January 1
48 through December 31 of each year shall not exceed 45%.

49 For payments that are not eligible for federal financial

1 participation, payment of the State share of expenditures by the
2 county welfare agency shall be at the rate of 115% during the
3 period July 1 through December 31 of each year and at a rate of
4 75% during the period January 1 through June 30 of each year;
5 except that the total payment of the State share of expenditures
6 during the period January 1 through December 31 of each year
7 shall not exceed 95%.

8 The State shall pay to each county welfare agency for aid
9 provided to families with dependent children as defined in
10 subparagraphs (ii) and (iii) of paragraph (1) of subsection (c) of
11 section 1 of P.L.1959, c.86 (C.44:10-1), the entire amount of such
12 expenditures that exceed the level of expenditures in 1976 for aid
13 to families of the working poor pursuant to P.L.1971, c.209
14 (C.44:13-1 et seq.), after deduction for federal participation.

15 The State shall also pay to each county welfare agency the full
16 amount of any funds received by the State from the federal
17 government as federal participation with respect to the costs of
18 administration of the program of aid to families with dependent
19 children by such county welfare agency.

20 (cf: P.L.1991, c.63, s.14)

21 4. This act shall take effect immediately.

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24 STATEMENT

25
26 This bill restores language deleted in P.L.1990, c.66 regarding
27 county financial participation in the Supplemental Security
28 Income (SSI) program, to comply with P.L.1991, c.63 which
29 revised the schedule of payments to counties for their share of
30 SSI and other social service program costs. The bill also clarifies
31 the intent of P.L.1991, c.63 with respect to the State's
32 assumption of 95% of the costs of public assistance, including aid
33 to families with dependent children assistance and emergency
34 assistance.

35 P.L.1990, c.66 deleted language from the State's SSI law,
36 P.L.1973, c.256 (C.44:7-85 et seq.), to relieve counties of their
37 share of the costs for the SSI program. However, P.L.1991, c.63
38 established a new methodology to fully reimburse counties for
39 their share of costs by increasing the rate of State payment
40 during the first six months of the State fiscal year. Under this
41 methodology, counties would reimburse the State during the
42 period January 1 through June 30, for the counties' share of
43 costs, and the State would then pay to each county during the
44 period July 1 through December 31, an amount equal to the
45 county share of the total expenditures for the full year. The
46 language deleted in 1990 needs to be restored to the SSI law in
47 order to permit the State to assess the counties during the period
48 January 1 through June 30 for their share of costs.

HUMAN SERVICES

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Makes technical corrections regarding State and county reimbursement in Supplemental Security Income and AFDC programs.

1 participation, payment of the State share of expenditures by the
2 county welfare agency shall be at the rate of 115% during the
3 period July 1 through December 31 of each year and at a rate of
4 75% during the period January 1 through June 30 of each year;
5 except that the total payment of the State share of expenditures
6 during the period January 1 through December 31 of each year
7 shall not exceed 95%.

8 The State shall pay to each county welfare agency for aid
9 provided to families with dependent children as defined in
10 subparagraphs (ii) and (iii) of paragraph (1) of subsection (c) of
11 section 1 of P.L.1959, c.86 (C.44:10-1), the entire amount of such
12 expenditures that exceed the level of expenditures in 1976 for aid
13 to families of the working poor pursuant to P.L.1971, c.209
14 (C.44:13-1 et seq.), after deduction for federal participation.

15 The State shall also pay to each county welfare agency the full
16 amount of any funds received by the State from the federal
17 government as federal participation with respect to the costs of
18 administration of the program of aid to families with dependent
19 children by such county welfare agency.

20 (cf: P.L.1991, c.63, s.14)

21 4. This act shall take effect immediately.

22 23 24 STATEMENT

25
26 This bill restores language deleted in P.L.1990, c.66 regarding
27 county financial participation in the Supplemental Security
28 Income (SSI) program, to comply with P.L.1991, c.63 which
29 revised the schedule of payments to counties for their share of
30 SSI and other social service program costs. The bill also clarifies
31 the intent of P.L.1991, c.63 with respect to the State's
32 assumption of 95% of the costs of public assistance, including aid
33 to families with dependent children assistance and emergency
34 assistance.

35 P.L.1990, c.66 deleted language from the State's SSI law,
36 P.L.1973, c.256 (C.44:7-85 et seq.), to relieve counties of their
37 share of the costs for the SSI program. However, P.L.1991, c.63
38 established a new methodology to fully reimburse counties for
39 their share of costs by increasing the rate of State payment
40 during the first six months of the State fiscal year. Under this
41 methodology, counties would reimburse the State during the
42 period January 1 through June 30, for the counties' share of
43 costs, and the State would then pay to each county during the
44 period July 1 through December 31, an amount equal to the
45 county share of the total expenditures for the full year. The
46 language deleted in 1990 needs to be restored to the SSI law in
47 order to permit the State to assess the counties during the period
48 January 1 through June 30 for their share of costs.

S3656

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HUMAN SERVICES

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3 Makes technical corrections regarding State and county
4 reimbursement in Supplemental Security Income and AFDC
5 programs.

ASSEMBLY APPROPRIATIONS COMMITTEE

STATEMENT TO

SENATE, No. 3656

STATE OF NEW JERSEY

DATED: JANUARY 8, 1992

Senate Bill No. 3656 restores language deleted by P.L.1990, c.66, regarding county financial participation in the Supplemental Security Income (SSI) program to allow compliance with the revision in the schedule of payments to counties for their share of SSI and other social service program costs made by P.L.1991, c.63. This law established a new methodology to reimburse counties for their share of costs by increasing the rate of State payment during the first six months of the State fiscal year. Under this methodology, counties would reimburse the State during the period January 1 through June 30 for the counties' share of costs, and the State would then pay to each county during the period July 1 through December 31, an amount equal to the county share of the total expenditures for the full year. However, the language the State needs to assess the counties during the period January 1 through June 30 for the counties' share of costs was deleted by P.L.1990, c.66, an act intended to relieve the counties share of the costs for the SSI program. This bill restores that necessary language.

The bill also clarifies the intent of P.L.1991, c.63, with respect to the State's assumption of 95% of the costs of public assistance, including aid to families with dependent children assistance and emergency assistance.

FISCAL IMPACT

This bill is a technical correction and clarification of a methodology for the State's assumption of county costs established pursuant to P.L.1990, c.66, and P.L.1991, c.63, and has no fiscal impact beyond the impact of those acts.

SENATE INSTITUTIONS, HEALTH AND WELFARE COMMITTEE

STATEMENT TO

SENATE, No. 3656

STATE OF NEW JERSEY

DATED: DECEMBER 9, 1991

The Senate Institutions, Health and Welfare Committee favorably reports Senate Bill No. 3656.

This bill restores language deleted in P.L.1990, c.66 regarding county financial participation in the Supplemental Security Income (SSI) program, to comply with P.L.1991, c.63 which revised the schedule of payments to counties for their share of SSI and other social service program costs. The bill also clarifies the intent of P.L.1991, c.63 with respect to the State's assumption of 95% of the costs of public assistance, including aid to families with dependent children assistance and emergency assistance.

P.L.1990, c.66 deleted language from the State's SSI law, P.L.1973, c.256 (C.44:7-85 et seq.), to relieve counties of their share of the costs for the SSI program. However, P.L.1991, c.63 established a new methodology to fully reimburse counties for their share of costs by increasing the rate of State payment during the first six months of the State fiscal year. Under this methodology, counties would reimburse the State during the period January 1 through June 30, for the counties' share of costs, and the State would then pay to each county during the period July 1 through December 31, an amount equal to the county share of the total expenditures for the full year. The language deleted in 1990 needs to be restored to the SSI law in order to permit the State to assess the counties during the period January 1 through June 30 for their share of costs.