30:4D-17.33 to 30:4D-17.37

LEGISLATIVE HISTORY CHECKLIST

Compiled by the NJ State Law Library

LAWS OF:	2010	CHAP	TER:	74			
NJSA: 30:4D-1	17.33 to 3	30:4D-17.37 (D	irects Me	edicaid to establis	h medical home d	emonstration p	project)
BILL NO:	A226	(Substituted fo	r S665)				
SPONSOR(S)	Quigle	y and others					
DATE INTROD	UCED:	January 12, 20	10				
COMMITTEE:		ASSEMBLY:		priations and Senior Serv	ices		
		SENATE:	Budge	t and Appropriation	ons		
AMENDED DU	IRING P	ASSAGE:	Yes				
DATE OF PAS	SAGE:	ASSE	MBLY:	June 28, 2010			
		SENA	TE:	June 10, 2010			
DATE OF APP	ROVAL	Septe	mber 10,	2010			
FOLLOWING	ARE AT	TACHED IF AVA	ILABLE	:			
FINAL	TEXT C	F BILL (Second	l reprint e	enacted)			
A226							
	SPON	SOR'S STATEN	I ENT : (B	egins on page 3 o	of introduced bill)	Yes	
	COMN	NITTEE STATEN	IENT:		ASSEMBLY:	Yes	Health Appropriations
					SENATE:	Yes	
(Audio archived recordings of the committee meetings, corresponding to the date of the committee statement, <i>may possibly</i> be found at www.njleg.state.nj.us)							
FLOOI	R AMEN	DMENT STATE	MENT:			No	
LEGISLATIVE FISCAL ESTIMATE:					Yes	4-27-10 6-16-10	
S665							
SPONSOR'S STATEMENT: (Begins on page 3 of introduced bill) Yes							
	COMN	NITTEE STATEN	IENT:		ASSEMBLY:	No	
					SENATE:	Yes	Health Budget
	FLOO		STATE	MENT:		No	
	LEGIS	LATIVE FISCAI	. ESTIN	IATE: (contin	ued)	Yes	

VETO MESSAGE:	No
GOVERNOR'S PRESS RELEASE ON SIGNING:	No
FOLLOWING WERE PRINTED: To check for circulating copies, contact New Jersey State Government Publications at the State Library (609) 278-2640 ext.103 or <u>mailto:refdesk@</u>	njstatelib.org
REPORTS:	No
HEARINGS:	No
NEWSPAPER ARTICLES:	No

LAW/RWH

[Second Reprint] ASSEMBLY, No. 226 ______ STATE OF NEW JERSEY

214th LEGISLATURE

PRE-FILED FOR INTRODUCTION IN THE 2010 SESSION

Sponsored by: Assemblywoman JOAN M. QUIGLEY District 32 (Bergen and Hudson) Assemblywoman VALERIE VAINIERI HUTTLE District 37 (Bergen) Assemblywoman LINDA R. GREENSTEIN District 14 (Mercer and Middlesex)

Co-Sponsored by: Assemblywoman Wagner, Senators Buono, Vitale, Gordon, Weinberg, Ruiz, Stack, Cunningham and Assemblyman Johnson

SYNOPSIS

Directs Medicaid to establish medical home demonstration project.

CURRENT VERSION OF TEXT

As reported by the Senate Budget and Appropriations Committee on May 27, 2010, with amendments.



(Sponsorship Updated As Of: 6/29/2010)

2

AN ACT concerning the Medicaid program and supplementing 1 2 P.L.1968, c.413 (C.30:4D-1 et seq.).

3 4

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

5 6

19

1. ¹<u>a.</u>¹ The Division of Medical Assistance and Health Services 7 in the Department of Human Services, subject to federal approval 8 9 and the availability of federal financial participation under Title XIX of the Social Security Act, shall establish a three-year 10 Medicaid medical home demonstration project as provided in this 11 act. The demonstration project shall be developed in consultation 12 and implemented with the managed care organizations ²[¹<u>or other</u> 13 appropriate vendors¹]² that contract with the Medicaid program to 14 provide health care services to Medicaid ²[¹<u>or general public</u> 15 assistance¹]² recipients ²or with other appropriate vendors that 16 17 contract with the Medicaid program to provide health care services to general public assistance recipients². 18

¹<u>b.</u>¹ The Medicaid program shall:

¹[a. Restructure its payment system to support primary care 20 21 providers that use a medical home model. The program shall consider] (1) Consider¹ payment methodologies that support care-22 coordination through multi-disciplinary teams, including payment 23 24 for care of patients with chronic diseases and the elderly, and that encourage services such as: [(1)] (a)¹ patient or family education 25 for patients with chronic diseases; ¹[(2)] (b)¹ home-based services; 26 27 [(3)] (c)¹ telephonic communication; [(4)] (d)¹ group care; [(e)]<u>oral health examinations, when applicable</u>; 1 and 1 [(5)] <u>(f)</u> 1 28 culturally and linguistically appropriate care. In addition, the 29 payment system shall be structured to reward quality and improved 30 patient outcomes¹[.];¹ 31

¹[b.] $(2)^{1}$ Develop a system to support primary care providers in 32 developing an organizational structure necessary to provide a 33 34 medical home¹[.]; and¹

 $[c.] (3)^{1}$ Identify primary care providers for participation in the 35 demonstration project that provide care to their patients using a 36 37 medical home model, which at a minimum shall include primary 38 care providers utilizing a multi-disciplinary team that provides 39 patient-centered care coordination through the use of health 40 information technology and chronic disease registries across the patient's life-span and across all domains of the health care system 41 42 and the patient's community.

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 <u>thus</u> is new matter.

Matter enclosed in superscript numerals has been adopted as follows: ¹Assembly AHE committee amendments adopted February 8, 2010.

²Senate SBA committee amendments adopted May 27, 2010.

A226 [2R] QUIGLEY, VAINIERI HUTTLE

3

¹[d.] \underline{c} .¹ Nothing in this act shall be construed to limit the 1 choice of a Medicaid ¹or general public assistance¹ recipient who is 2 participating in '[a] the' medical home demonstration project to 3 directly access a qualified health care provider for family planning 4 5 services who is not participating in the demonstration project. ¹d. Subject to the availability of federal matching funds, the 6 7 Division of Medical Assistance and Health Services shall begin 8 implementing the demonstration project no later than January 1, 9 <u>2011.</u>¹ 10 e. As used in this act: 11 ¹"General public assistance" means the Work First New Jersey General Public Assistance program established pursuant to 12 P.L.1947, c.156 (C.44:8-107 et seq.);¹ 13 14 "Medicaid" means the Medicaid program established pursuant to 15 P.L.1968, c.413 (C.30:4D-1 et seq.); and 16 "Primary care provider" includes, but is not limited to, a primary 17 care professional medical practice, a federally qualified or 18 community health center, and a primary care outpatient clinic 19 operated by a general hospital. 20 21 2. The Director of the Division of Medical Assistance and 22 Health Services shall evaluate the demonstration project annually to 23 assess: whether cost savings are achieved through implementation 24 of the medical home project; the rates of health screening; and the 25 outcomes and hospitalization rates for persons with chronic 26 illnesses, and the hospitalization and readmission rates for the frail 27 elderly. 28 ¹<u>3. The Commissioner of Human Services shall apply for such</u> 29 30 State plan amendments or waivers as may be necessary to implement 31 the provisions of this act and to secure federal financial participation 32 for State Medicaid expenditures under the federal Medicaid program.¹ 33 ¹[3.] $4.^{1}$ The ¹[Director of the Division of Medical Assistance 34 and Health Services] Commissioner of Human Services¹ shall 35 report annually to the Governor, and to the Legislature pursuant to 36 section 2 of P.L.1991, c.164 (C.52:14-19.1), on ¹[his] <u>the</u>¹ findings 37 and recommendations of the demonstration project. 38 39 ¹[4.] <u>5.</u>¹ The Commissioner of Human Services shall, in 40 accordance with the "Administrative Procedure Act," P.L.1968, 41 42 c.410 (C.52:14B-1 et seq.), adopt such rules and regulations as the 43 commissioner deems necessary to carry out the provisions of this 44 act.

A226 [2R] QUIGLEY, VAINIERI HUTTLE

4

¹[5.] <u>6.</u>¹ This act shall take effect on the 180th day after enactment and shall expire three years after the effective date, but the Commissioner of Human Services may take such anticipatory administrative action in advance thereof as shall be necessary for the implementation of this act.

ASSEMBLY, No. 226 STATE OF NEW JERSEY 214th LEGISLATURE

PRE-FILED FOR INTRODUCTION IN THE 2010 SESSION

Sponsored by: Assemblywoman JOAN M. QUIGLEY District 32 (Bergen and Hudson) Assemblywoman VALERIE VAINIERI HUTTLE District 37 (Bergen) Assemblywoman LINDA R. GREENSTEIN District 14 (Mercer and Middlesex)

Co-Sponsored by: Assemblywoman Wagner

SYNOPSIS

Directs Medicaid to establish medical home demonstration project.

CURRENT VERSION OF TEXT

Introduced Pending Technical Review by Legislative Counsel



AN ACT concerning the Medicaid program and supplementing
 P.L.1968, c.413 (C.30:4D-1 et seq.).

3 4

BEIT ENACTED by the Senate and General Assembly of the State of New Jersey:

5 6

7 1. The Division of Medical Assistance and Health Services in 8 the Department of Human Services, subject to federal approval and 9 the availability of federal financial participation under Title XIX of 10 the Social Security Act, shall establish a three-year Medicaid 11 medical home demonstration project as provided in this act. The 12 demonstration project shall be developed in consultation and 13 implemented with the managed care organizations that contract with 14 the Medicaid program to provide health care services to Medicaid 15 recipients.

16 The Medicaid program shall:

17 a. Restructure its payment system to support primary care 18 providers that use a medical home model. The program shall 19 consider payment methodologies that support care-coordination 20 through multi-disciplinary teams, including payment for care of 21 patients with chronic diseases and the elderly, and that encourage 22 services such as: (1) patient or family education for patients with 23 chronic diseases; (2) home-based services; (3) telephonic 24 communication; (4) group care; and (5) culturally and linguistically 25 appropriate care. In addition, the payment system shall be 26 structured to reward quality and improved patient outcomes.

b. Develop a system to support primary care providers in
developing an organizational structure necessary to provide a
medical home.

30 c. Identify primary care providers for participation in the 31 demonstration project that provide care to their patients using a 32 medical home model, which at a minimum shall include primary 33 care providers utilizing a multi-disciplinary team that provides 34 patient-centered care coordination through the use of health 35 information technology and chronic disease registries across the 36 patient's life-span and across all domains of the health care system 37 and the patient's community.

d. Nothing in this act shall be construed to limit the choice of a
Medicaid recipient who is participating in a medical home
demonstration project to directly access a qualified health care
provider for family planning services who is not participating in the
demonstration project.

43 e. As used in this act:

44 "Medicaid" means the Medicaid program established pursuant to45 P.L.1968, c.413 (C.30:4D-1 et seq.); and

46 "Primary care provider" includes, but is not limited to, a primary47 care professional medical practice, a federally qualified or

3

community health center, and a primary care outpatient clinic
 operated by a general hospital.
 3

2. The Director of the Division of Medical Assistance and
Health Services shall evaluate the demonstration project annually to
assess: whether cost savings are achieved through implementation
of the medical home project; the rates of health screening; and the
outcomes and hospitalization rates for persons with chronic
illnesses, and the hospitalization and readmission rates for the frail
elderly.

11

3. The Director of the Division of Medical Assistance and
Health Services shall report annually to the Governor, and to the
Legislature pursuant to section 2 of P.L.1991, c.164 (C.52:14-19.1),
on his findings and recommendations of the demonstration project.

4. The Commissioner of Human Services shall, in accordance with the "Administrative Procedure Act," P.L.1968, c.410 (C.52:14B-1 et seq.), adopt such rules and regulations as the commissioner deems necessary to carry out the provisions of this act.

5. This act shall take effect on the 180th day after enactment and shall expire three years after the effective date, but the Commissioner of Human Services may take such anticipatory administrative action in advance thereof as shall be necessary for the implementation of this act.

28

22

29

31

30

STATEMENT

This bill directs the State Medicaid program, subject to federal approval and the availability of federal financial participation under Title XIX of the Social Security Act, to establish a three-year Medicaid medical home demonstration project. The demonstration project shall be developed in consultation and implemented with the managed care organizations that contract with the Medicaid program to provide health care services to Medicaid recipients.

39 The Medicaid program shall:

40 • restructure its payment system to support primary care providers that use a medical home model. The program shall 41 42 consider methodologies that payment support carecoordination through multi-disciplinary teams, including 43 44 payment for care of patients with chronic diseases and the 45 elderly, and that encourage services such as: (1) patient or 46 family education for patients with chronic diseases; (2) home-47 based services; (3) telephonic communication; (4) group care;

4

and (5) culturally and linguistically appropriate care. In
 addition, the payment system shall be structured to reward
 quality and improved patient outcomes;

4

5

6

• develop a system to support primary care providers in developing an organizational structure necessary to provide a medical home; and

7 • identify primary care providers for participation in the 8 demonstration project that provide care to their patients using a 9 medical home model, which at a minimum shall include 10 primary care providers utilizing a multi-disciplinary team that 11 provides patient-centered care coordination through the use of 12 health information technology and chronic disease registries 13 across the patient's life-span and across all domains of the 14 health care system and the patient's community.

Under the bill, nothing in the bill is to be construed to limit the choice of a Medicaid recipient who is participating in a medical home demonstration project to directly access a qualified health care provider for family planning services who is not participating in the demonstration project.

The bill defines "primary care provider" to include, but not be limited to, a primary care professional medical practice, a federally qualified or community health center, and a primary care outpatient clinic operated by a general hospital a primary care.

24 The bill provides that the Director of the Division of Medical 25 Assistance and Health Services, which administers the Medicaid program, shall evaluate the demonstration project annually to 26 27 assess: (1) whether cost savings are achieved through 28 implementation of the medical home project; (2) the rates of health 29 screening; and (3) the outcomes and hospitalization rates for persons with chronic illnesses, and the hospitalization and 30 31 readmission rates for the frail elderly.

The director shall report annually to the Governor, and to the
Legislature on his findings and recommendations of the
demonstration project.

The bill takes effect on the 180th day after enactment and expires three years after the effective date, but the Commissioner of Human Services is authorized to take such anticipatory administrative action in advance thereof as shall be necessary for the implementation of the bill.

ASSEMBLY HEALTH AND SENIOR SERVICES COMMITTEE

STATEMENT TO

ASSEMBLY, No. 226

with committee amendments

STATE OF NEW JERSEY

DATED: FEBRUARY 8, 2010

The Assembly Health and Senior Services Committee reports favorably and with committee amendments Assembly Bill No. 226.

As amended by the committee, this bill directs the State Medicaid program, subject to federal approval and the availability of federal financial participation under Title XIX of the Social Security Act, to establish a three-year Medicaid medical home demonstration project.

The bill provides specifically as follows:

- The demonstration project is to be developed in consultation and implemented with the managed care organizations or other appropriate vendors that contract with the Medicaid program to provide health care services to Medicaid or general public assistance (GA) recipients.
- Subject to the availability of federal funds, the Medicaid program is to begin implementing the demonstration project no later than January 1, 2011.
- The Medicaid program is to:

-- consider payment methodologies that support care-coordination through multi-disciplinary teams, including payment for care of patients with chronic diseases and the elderly, and that encourage services such as: (1) patient or family education for patients with chronic diseases; (2) home-based services; (3) telephonic communication; (4) group care; (5) oral health examinations, when applicable; and (6) culturally and linguistically appropriate care (with the payment system structured to reward quality and improved patient outcomes);

-- develop a system to support primary care providers in developing an organizational structure necessary to provide a medical home; and

 -- identify primary care providers for participation in the demonstration project that provide care to their patients using a medical home model, which at a minimum will include primary care providers utilizing a multi-disciplinary team that provides patientcentered care coordination through the use of health information technology and chronic disease registries across the patient's lifespan and across all domains of the health care system and the patient's community.

- The provisions of the bill are not to be construed to limit the choice of a Medicaid or GA recipient who is participating in the demonstration project to directly access a qualified health care provider for family planning services who is not participating in the project.
- The bill defines "primary care provider" to mean, but not be limited to, a primary care professional medical practice, a federally qualified or community health center, and a primary care outpatient clinic operated by a general hospital.
- The Director of the Division of Medical Assistance and Health Services in the Department of Human Services, which administers the Medicaid program, is to evaluate the demonstration project annually to assess: (1) whether cost savings are achieved through implementation of the demonstration project; (2) the rates of health screening; and (3) the outcomes and hospitalization rates for persons with chronic illnesses, and the hospitalization and readmission rates for the frail elderly.
- The Commissioner of Human Services is to: apply for such Medicaid State plan amendments or waivers as may be necessary to implement the provisions of the bill; and report annually to the Governor and the Legislature on the findings and recommendations of the demonstration project.
- The bill takes effect on the 180th day after enactment and expires three years after the effective date, but the Commissioner of Human Services is authorized to take such anticipatory administrative action in advance thereof as shall be necessary for the implementation of the bill.

As reported by the committee, this bill is identical to Senate Bill No. 665 (1R) (Buono/Vitale), which is currently pending in the Senate Budget and Appropriations Committee.

The bill is also similar to Assembly Bill No. 3553 (1R) of 2008 (Quigley/Vas/Vainieri Huttle), which was reported by this committee during the prior session and was pending before the General Assembly at the conclusion of the 213th Legislature.

This bill was pre-filed for introduction in the 2010-2011 session pending technical review. As reported, the bill includes the changes required by technical review, which has been performed.

COMMITTEE AMENDMENTS

The committee amendments to the bill:

-- include GA recipients in the demonstration project, as well as Medicaid recipients as the bill originally provided;

-- delete the requirement that the Medicaid program restructure its payment system to support primary care providers that use a medical home model;

-- require Medicaid to encourage oral health examinations, when applicable, in addition to the other services enumerated in the bill that are to be encouraged through payment methodologies that support care coordination;

-- require Medicaid to begin implementing the demonstration project no later than January 1, 2011, subject to the availability of federal matching funds;

-- direct the Commissioner of Human Services to apply for Medicaid State plan amendments or waivers as necessary to implement the provisions of the bill; and

-- require that the Commissioner of Human Services, rather than the Director of the Division of Medical Assistance and Health Services, report to the Governor and Legislature on the findings and recommendations of the demonstration project.

STATEMENT TO

[First Reprint] ASSEMBLY, No. 226

STATE OF NEW JERSEY

DATED: MARCH 18, 2010

The Assembly Appropriations Committee reports favorably Assembly Bill No. 226 (1R).

The bill directs the State Medicaid program, subject to federal approval and the availability of federal financial participation under Title XIX of the Social Security Act, to establish a three-year Medicaid medical home demonstration project.

The bill directs that the demonstration project be developed in consultation with, and implemented with, the managed care organizations or other appropriate vendors that contract with the Medicaid program to provide health care services to Medicaid or general public assistance (GA) recipients.

Subject to the availability of federal funds, the Medicaid program will begin implementing the demonstration project no later than January 1, 2011.

The bill directs the Medicaid program to:

- consider payment methodologies that support care-coordination through multi-disciplinary teams, including payment for care of patients with chronic diseases and the elderly, and that encourage services such as: (1) patient or family education for patients with chronic diseases; (2) home-based services; (3) telephonic communication; (4) group care; (5) oral health examinations, when applicable; and (6) culturally and linguistically appropriate care (with the payment system structured to reward quality and improved patient outcomes);

- develop a system to support primary care providers in developing an organizational structure necessary to provide a medical home; and

- identify primary care providers for participation in the demonstration project that provide care to their patients using a medical home model, which at a minimum will include primary care providers utilizing a multi-disciplinary team that provides patientcentered care coordination through the use of health information technology and chronic disease registries across the patient's life-span and across all domains of the health care system and the patient's community. The bill forbids the provisions of the bill from being construed to limit the choice of a Medicaid or GA recipient who is participating in the demonstration project to directly access a qualified health care provider for family planning services who is not participating in the project.

The bill defines "primary care provider" to include, but not be limited to, a primary care professional medical practice, a federally qualified or community health center, and a primary care outpatient clinic operated by a general hospital.

The bill directs the Director of the Division of Medical Assistance and Health Services in the Department of Human Services, which administers the Medicaid program, to evaluate the demonstration project annually to assess: (1) whether cost savings are achieved through implementation of the demonstration project; (2) the rates of health screening; and (3) the outcomes and hospitalization rates for persons with chronic illnesses, and the hospitalization and readmission rates for the frail elderly.

The bill directs the Commissioner of Human Services to: apply for such Medicaid State plan amendments or waivers as may be necessary to implement the provisions of the bill; and report annually to the Governor and the Legislature on the findings and recommendations of the demonstration project. It is uncertain whether federal approval with be obtained, as demonstration projects must be cost neutral.

The bill takes effect on the 180th day after enactment and expires three years after the effective date, but the Commissioner of Human Services is authorized to take such anticipatory administrative action in advance thereof as shall be necessary for the implementation of the bill.

FISCAL IMPACT:

Initially, Medicaid expenditures related to establishing medical homes will increase as Medicaid reimbursement rates for participating primary care providers will be increased by some amount yet to be determined. This increase in Medicaid primary care provider expenditures may be offset in later years by reductions in other Medicaid health care expenditures, particularly inpatient and outpatient hospital costs, as primary care providers would devote more time to patients and would be able to identify and treat medical problems before they result in more expensive inpatient or outpatient hospital services.

Whether overall Medicaid expenditures can be reduced as a result of establishing a medical home pilot project and providing greater reimbursement to primary care providers will be determined by the demonstration project.

LEGISLATIVE FISCAL ESTIMATE [First Reprint] ASSEMBLY, No. 226 STATE OF NEW JERSEY 214th LEGISLATURE

DATED: APRIL 27, 2010

SUMMARY

Synopsis:	Directs Medicaid to establish medical home demonstration project.
Type of Impact:	Possible increase in State and federal Medicaid costs at least during the first year.
Agencies Affected:	Department of Human Services (DHS).

Office of Legislative Services Estimate

Fiscal Impact	<u>Years 1 – 3</u>			
	With respect to the Medicaid program, no additional State costs in the			
	aggregate, and it is possible that overall State Medicaid costs may be			
	reduced if increased Medicaid reimbursement for primary health care			
	is offset over the three-year demonstration period by reductions in			
	other Medicaid health care expenditures individuals may incur.			
State Cost				
	With respect to the General Assistance program, State expenditures			
	would be reduced, if the federal government agreed to provide federal			
	reimbursement for this program. At present, no federal			
	reimbursement is available for General Assistance medical services.			

• Medicaid demonstration projects are intended to be cost neutral in terms of overall expenditures. It is not known whether the federal government will approve the State's demonstration project request.

BILL DESCRIPTION

Assembly Bill No. 226 1R of 2010 directs the State Medicaid program, subject to federal approval and the availability of federal matching funds, to establish a three-year Medicaid medical home demonstration project for Medicaid and General Assistance recipients.

Medicaid is to:



- restructure its payment system to support primary care practices that use a medical home model;
- develop a system to support primary care providers in developing an organizational structure necessary to provide a medical home; and
- identify primary care practices for participation in the demonstration project that provide care to their patients using a medical home model.

FISCAL ANALYSIS

EXECUTIVE BRANCH

None provided.

OFFICE OF LEGISLATIVE SERVICES

Initially, expenditures in the Medicaid and General Assistance Medical Services programs related to the provision of primary health care will increase as Medicaid reimbursement rates for primary health care services will be increased by some amount yet to be determined in order to facilitate the establishment of a medical home for Medicaid and General Assistance patients. This increase in Medicaid and General Assistance primary health care expenditures may be offset in later years by reductions in other Medicaid and General Assistance health care expenditures, particularly inpatient and outpatient hospital costs, as primary health care physicians would devote more time to patients and would be able to identify and treat medical problems before they result in more expensive inpatient or outpatient hospital services.

Whether overall Medicaid and General Assistance expenditures can be reduced as a result of establishing a medical home and providing greater reimbursement for primary care services will be determined by the demonstration project. It is not known whether or when federal approval will be received for this project.

Section:	Human Services
Analyst:	Jay A. Hershberg Principal Fiscal Analyst
Approved:	David J. Rosen Legislative Budget and Finance Officer

This legislative fiscal estimate has been produced by the Office of Legislative Services due to the failure of the Executive Branch to respond to our request for a fiscal note.

This fiscal estimate has been prepared pursuant to P.L.1980, c.67 (C.52:13B-1 et seq.).

STATEMENT TO

[First Reprint] ASSEMBLY, No. 226

with committee amendments

STATE OF NEW JERSEY

DATED: MAY 27, 2010

The Senate Budget and Appropriations Committee reports favorably Assembly Bill No. 226 (1R), with committee amendments.

The bill, as amended, directs the State Medicaid program, subject to federal approval and the availability of federal financial participation under Title XIX of the Social Security Act, to establish a three-year Medicaid medical home demonstration project. The demonstration project shall be developed and implemented in consultation with the managed care organizations that contract with the Medicaid program to provide health care services to Medicaid recipients or with other appropriate vendors that contract with the Medicaid program to provide health care services to general public assistance recipients. Subject to the availability of federal funds, the Medicaid program shall begin implementing the demonstration project no later than January 1, 2011.

The Medicaid program shall:

- consider payment methodologies that support care-coordination through multi-disciplinary teams; , including payment for care of patients with chronic diseases and the elderly, and that encourage services such as: (1) patient or family education for patients with chronic diseases; (2) home-based services; (3) telephonic communication; (4) group care; (5) oral health examinations, when applicable; and (6) culturally and linguistically appropriate care. In addition, the payment system shall be structured to reward quality and improved patient outcomes;
- develop a system to support primary care providers in developing an organizational structure necessary to provide a medical home; and
- identify primary care providers for participation in the demonstration project that provide care to their patients using a medical home model, which at a minimum shall include primary care providers utilizing a multi-disciplinary team that provides patient-centered care coordination through the use of health information technology and chronic disease registries across the

patient's life-span and across all domains of the health care system and the patient's community.

The bill specifies that its provisions shall not be construed to limit the choice of a Medicaid or GA recipient who is participating in a medical home demonstration project to directly access a qualified health care provider for family planning services who is not participating in the demonstration project. Further, the bill defines "primary care provider" to mean, but not be limited to, a primary care professional medical practice, a federally qualified or community health center, and a primary care outpatient clinic operated by a general hospital.

The bill provides that the Director of the Division of Medical Assistance and Health Services, which administers the Medicaid program, shall evaluate the demonstration project annually to assess: (1) whether cost savings are achieved through implementation of the medical home project; (2) the rates of health screening; and (3) the outcomes and hospitalization rates for persons with chronic illnesses, and the hospitalization and readmission rates for the frail elderly.

The Commissioner of Human Services is directed to apply for such Medicaid State plan amendments or waivers as may be necessary to implement the provisions of the bill.

The commissioner shall report annually to the Governor, and to the Legislature on his findings and recommendations of the demonstration project.

The bill takes effect on the 180th day after enactment and expires three years after the effective date, but the Commissioner of Human Services is authorized to take such anticipatory administrative action in advance thereof as shall be necessary for the implementation of the bill.

As amended by committee, this bill is identical to Senate Bill No. 665 (1R), as also reported and amended by the committee on this date.

COMMITTEE AMENDMENTS:

The committee amendments clarify that the demonstration project shall be developed and implemented in consultation with the managed care organizations that contract with the Medicaid program to provide health care services to Medicaid recipients or with other appropriate vendors that contract with the Medicaid program to provide health care services to general public assistance recipients.

FISCAL IMPACT:

Initially, Medicaid expenditures related to establishing medical homes will increase as Medicaid reimbursement rates for participating primary care providers will be increased by some amount yet to be determined. This increase in Medicaid primary care provider expenditures may be offset in later years by reductions in other Medicaid health care expenditures, particularly inpatient and outpatient hospital costs, as primary care providers would devote more time to patients and would be able to identify and treat medical problems before they result in more expensive inpatient or outpatient hospital services.

Whether overall Medicaid expenditures can be reduced as a result of establishing a medical home pilot project and providing greater reimbursement to primary care providers will be determined by the demonstration project.

LEGISLATIVE FISCAL ESTIMATE [Second Reprint] ASSEMBLY, No. 226 STATE OF NEW JERSEY 214th LEGISLATURE

DATED: JUNE 16, 2010

SUMMARY

Synopsis:	Directs Medicaid to establish medical home demonstration project.
Type of Impact:	Possible increase in State and federal Medicaid or State General Public Assistance program costs, at least during the first year of the project.
Agencies Affected:	Department of Human Services

	Years 1-3
State Cost	With respect to the Medicaid program, no additional State costs in the aggregate, and it is possible that overall State Medicaid costs may be reduced if increased Medicaid reimbursement for primary health care is offset over the three-year demonstration period by reductions in other Medicaid health care expenditures.
	With respect to the General Public Assistance program, State expenditures would be reduced, if the federal government agrees to provide federal reimbursement for this program. At present, no federal reimbursement is available for General Public Assistance medical services.

• Medicaid demonstration projects are intended to be cost neutral in terms of overall expenditures. It is not known whether the federal government will approve the State's demonstration project request.

BILL DESCRIPTION

Assembly Bill No. 226 (2R) of 2010 directs the State Medicaid program, subject to federal approval and the availability of federal matching funds, to establish a three-year Medicaid medical home demonstration project for Medicaid or General Public Assistance recipients in which Medicaid:

Office of Legislative Services State House Annex P.O. Box 068 Trenton, New Jersey 08625



- develops a system to support primary care providers in developing an organizational structure necessary to provide a medical home; and
- identifies primary care providers for participation in the demonstration project that provide care to their patients using a medical home model.

FISCAL ANALYSIS

EXECUTIVE BRANCH

None received.

OFFICE OF LEGISLATIVE SERVICES

With respect to the Medicaid program, initially expenditures related to the provision of primary health care will increase as Medicaid reimbursement rates for primary health care services will be increased by some amount yet to be determined in order to facilitate the establishment of a medical home for Medicaid recipients. This increase in Medicaid primary health care expenditures may be offset in later years by reductions in other Medicaid health care expenditures, particularly inpatient and outpatient hospital costs, as primary health care physicians would devote more time to patients and would be able to identify and treat medical problems before they result in more expensive inpatient or outpatient hospital services.

With respect to the General Public Assistance program, although reimbursement rates for primary health care services will be increased by some amount yet to be determined in order to facilitate the establishment of a medical home for General Public Assistance recipients, overall State expenditures for the program will be reduced if the federal government agrees to provide reimbursement for the program. At present, no federal reimbursement is available for General Public Assistance medical services. The amount of the reduction in State General Public Assistance expenditures that will be attributable to the medical home demonstration project will be determined when the project is complete.

It is not known whether or when federal approval will be received for this project.

Section:	Human Services
Analyst:	Eleanor Seel Section Chief
Approved:	David J. Rosen Legislative Budget and Finance Officer

This legislative fiscal estimate has been produced by the Office of Legislative Services due to the failure of the Executive Branch to respond to our request for a fiscal note.

This fiscal estimate has been prepared pursuant to P.L.1980, c.67 (C.52:13B-6 et seq.).

SENATE, No. 665 STATE OF NEW JERSEY 214th LEGISLATURE

PRE-FILED FOR INTRODUCTION IN THE 2010 SESSION

Sponsored by: Senator BARBARA BUONO District 18 (Middlesex) Senator JOSEPH F. VITALE District 19 (Middlesex)

Co-Sponsored by: Senators Gordon, Weinberg, Ruiz and Stack

SYNOPSIS

Directs Medicaid to establish medical home demonstration project.

CURRENT VERSION OF TEXT

Introduced Pending Technical Review by Legislative Counsel



AN ACT concerning the Medicaid program and supplementing
 P.L.1968, c.413 (C.30:4D-1 et seq.).

3 4

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

5 6

7 The Division of Medical Assistance and Health Services in 1. 8 the Department of Human Services, subject to federal approval and 9 the availability of federal financial participation under Title XIX of the Social Security Act, shall establish a three-year Medicaid 10 11 medical home demonstration project as provided in this act. The 12 demonstration project shall be developed in consultation and 13 implemented with the managed care organizations that contract with 14 the Medicaid program to provide health care services to Medicaid 15 recipients.

16 The Medicaid program shall:

17 a. Restructure its payment system to support primary care 18 providers that use a medical home model. The program shall 19 consider payment methodologies that support care-coordination 20 through multi-disciplinary teams, including payment for care of 21 patients with chronic diseases and the elderly, and that encourage 22 services such as: (1) patient or family education for patients with 23 chronic diseases; (2) home-based services; (3) telephonic 24 communication; (4) group care; and (5) culturally and linguistically 25 In addition, the payment system shall be appropriate care. 26 structured to reward quality and improved patient outcomes.

b. Develop a system to support primary care providers in
developing an organizational structure necessary to provide a
medical home.

30 c. Identify primary care providers for participation in the 31 demonstration project that provide care to their patients using a 32 medical home model, which at a minimum shall include primary 33 care providers utilizing a multi-disciplinary team that provides patient-centered care coordination through the use of health 34 35 information technology and chronic disease registries across the 36 patient's life-span and across all domains of the health care system 37 and the patient's community.

d. Nothing in this act shall be construed to limit the choice of a
Medicaid recipient who is participating in a medical home
demonstration project to directly access a qualified health care
provider for family planning services who is not participating in the
demonstration project.

e. As used in this act: "Medicaid" means the Medicaid
program established pursuant to P.L.1968, c.413 (C.30:4D-1 et
seq.); and

46 "Primary care provider" includes, but is not limited to, a primary47 care professional medical practice, a federally qualified or community

S665 BUONO, VITALE

3

health center, and a primary care outpatient clinic operated by a 1 2 general hospital. 3 4 2. The Director of the Division of Medical Assistance and Health Services shall evaluate the demonstration project annually to 5 assess: whether cost savings are achieved through implementation 6 7 of the medical home project; the rates of health screening; and the 8 outcomes and hospitalization rates for persons with chronic 9 illnesses, and the hospitalization and readmission rates for the frail elderly. 10 11 12 3. The Director of the Division of Medical Assistance and 13 Health Services shall report annually to the Governor, and to the 14 Legislature pursuant to section 2 of P.L.1991, c.164 (C.52:14-19.1), 15 on his findings and recommendations of the demonstration project. 16 17 4. The Commissioner of Human Services shall, in accordance with the "Administrative Procedure Act," P.L.1968, c.410 18 (C.52:14B-1 et seq.), adopt such rules and regulations as the 19 20 commissioner deems necessary to carry out the provisions of this 21 act. 22 5. This act shall take effect on the 180th day after enactment 23 24 and shall expire three years after the effective date, but the 25 Commissioner of Human Services may take such anticipatory 26 administrative action in advance thereof as shall be necessary for 27 the implementation of this act. 28 29 30 **STATEMENT** 31 32 This bill directs the State Medicaid program, subject to federal approval and the availability of federal financial participation under 33 34 Title XIX of the Social Security Act, to establish a three-year 35 Medicaid medical home demonstration project. The demonstration 36 project shall be developed in consultation and implemented with the 37 managed care organizations that contract with the Medicaid program to provide health care services to Medicaid recipients. 38 39 The Medicaid program shall: • restructure its payment system to support primary care

40 providers that use a medical home model. The program shall 41 42 methodologies consider payment that support care-43 coordination through multi-disciplinary teams, including 44 payment for care of patients with chronic diseases and the 45 elderly, and that encourage services such as: (1) patient or family education for patients with chronic diseases; (2) home-46 47 based services; (3) telephonic communication; (4) group care;

4

and (5) culturally and linguistically appropriate care. In
 addition, the payment system shall be structured to reward
 quality and improved patient outcomes;

4 5

6

• develop a system to support primary care providers in developing an organizational structure necessary to provide a medical home; and

7 • identify primary care providers for participation in the 8 demonstration project that provide care to their patients using a 9 medical home model, which at a minimum shall include 10 primary care providers utilizing a multi-disciplinary team that 11 provides patient-centered care coordination through the use of 12 health information technology and chronic disease registries across the patient's life-span and across all domains of the 13 14 health care system and the patient's community.

15 The bill specifies that its provisions shall not be construed to 16 limit the choice of a Medicaid recipient who is participating in a 17 medical home demonstration project to directly access a qualified 18 health care provider for family planning services who is not 19 participating in the demonstration project. Further, the bill defines "primary care provider" to mean, but not be limited to, a primary 20 21 care professional medical practice, a federally qualified or community health center, and a primary care outpatient clinic 22 23 operated by a general hospital.

24 The bill provides that the Director of the Division of Medical 25 Assistance and Health Services, which administers the Medicaid program, shall evaluate the demonstration project annually to 26 assess: (1) whether cost savings are achieved through 27 28 implementation of the medical home project; (2) the rates of health 29 screening; and (3) the outcomes and hospitalization rates for persons with chronic illnesses, and the hospitalization and 30 31 readmission rates for the frail elderly.

The director shall report annually to the Governor, and to the
Legislature on his findings and recommendations of the
demonstration project.

The bill takes effect on the 180th day after enactment and expires three years after the effective date, but the Commissioner of Human Services is authorized to take such anticipatory administrative action in advance thereof as shall be necessary for the implementation of the bill.

SENATE HEALTH, HUMAN SERVICES AND SENIOR CITIZENS COMMITTEE

STATEMENT TO

SENATE, No. 665

with committee amendments

STATE OF NEW JERSEY

DATED: FEBRUARY 4, 2010

The Senate Health, Human Services and Senior Citizens Committee reports favorably and with amendments Senate Bill No. 665.

As amended by committee, this bill directs the State Medicaid program, subject to federal approval and the availability of federal financial participation under Title XIX of the Social Security Act, to establish a three-year Medicaid medical home demonstration project. The demonstration project shall be developed in consultation and implemented with the managed care organizations or other appropriate vendors that contract with the Medicaid program to provide health care services to Medicaid or general public assistance (GA) recipients. Subject to the availability of federal funds, the Medicaid program shall begin implementing the demonstration project no later than January 1, 2011.

The Medicaid program shall:

- consider payment methodologies that support care-coordination through multi-disciplinary teams, including payment for care of patients with chronic diseases and the elderly, and that encourage services such as: (1) patient or family education for patients with chronic diseases; (2) home-based services; (3) telephonic communication; (4) group care; (5) oral health examinations, when applicable; and (6) culturally and linguistically appropriate care. In addition, the payment system shall be structured to reward quality and improved patient outcomes;
- develop a system to support primary care providers in developing an organizational structure necessary to provide a medical home; and
- identify primary care providers for participation in the demonstration project that provide care to their patients using a medical home model, which at a minimum shall include primary care providers utilizing a multi-disciplinary team that provides patient-centered care coordination through the use of health information technology and chronic disease registries across the

patient's life-span and across all domains of the health care system and the patient's community.

The bill specifies that its provisions shall not be construed to limit the choice of a Medicaid or GA recipient who is participating in a medical home demonstration project to directly access a qualified health care provider for family planning services who is not participating in the demonstration project. Further, the bill defines "primary care provider" to mean, but not be limited to, a primary care professional medical practice, a federally qualified or community health center, and a primary care outpatient clinic operated by a general hospital.

The bill provides that the Director of the Division of Medical Assistance and Health Services, which administers the Medicaid program, shall evaluate the demonstration project annually to assess: (1) whether cost savings are achieved through implementation of the medical home project; (2) the rates of health screening; and (3) the outcomes and hospitalization rates for persons with chronic illnesses, and the hospitalization and readmission rates for the frail elderly.

The Commissioner of Human Services is directed to apply for such Medicaid State plan amendments or waivers as may be necessary to implement the provisions of the bill.

The commissioner shall report annually to the Governor, and to the Legislature on his findings and recommendations of the demonstration project.

The bill takes effect on the 180th day after enactment and expires three years after the effective date, but the Commissioner of Human Services is authorized to take such anticipatory administrative action in advance thereof as shall be necessary for the implementation of the bill.

The committee amended the bill to:

-- include recipients of general public assistance, as well as Medicaid recipients as the bill originally provided;

-- delete the requirement that the Medicaid program restructure its payment system to support primary care providers that use a medical home model;

-- provide that in addition to the other services enumerated in the bill that should be encouraged through payment methodologies that support care-coordination, the program shall encourage oral health examinations, when applicable;

-- specify that subject to the availability of federal matching funds, Medicaid shall begin implementing the demonstration project no later than January 1, 2011;

-- provide explicitly that the Commissioner of Human Services shall apply for such Medicaid State plan amendments or waivers as may be necessary to implement the provisions of the bill; and

-- provide that the commissioner, rather than the Director of the Division of Medical Assistance and Health Services, report to the

Governor and Legislature on the findings and recommendations of the demonstration project.

This bill was pre-filed for introduction in the 2010-2011 session pending technical review. As reported, the bill includes the changes required by technical review, which has been performed.

SENATE BUDGET AND APPROPRIATIONS COMMITTEE

STATEMENT TO

[First Reprint] **SENATE, No. 665**

with committee amendments

STATE OF NEW JERSEY

DATED: MAY 27, 2010

The Senate Budget and Appropriations Committee reports favorably Senate Bill No. 665 (1R), with committee amendments.

The bill, as amended, directs the State Medicaid program, subject to federal approval and the availability of federal financial participation under Title XIX of the Social Security Act, to establish a three-year Medicaid medical home demonstration project. The demonstration project shall be developed and implemented in consultation with the managed care organizations that contract with the Medicaid program to provide health care services to Medicaid recipients or with other appropriate vendors that contract with the Medicaid program to provide health care services to general public assistance recipients. Subject to the availability of federal funds, the Medicaid program shall begin implementing the demonstration project no later than January 1, 2011.

The Medicaid program shall:

- consider payment methodologies that support care-coordination through multi-disciplinary teams; , including payment for care of patients with chronic diseases and the elderly, and that encourage services such as: (1) patient or family education for patients with chronic diseases; (2) home-based services; (3) telephonic communication; (4) group care; (5) oral health examinations, when applicable; and (6) culturally and linguistically appropriate care. In addition, the payment system shall be structured to reward quality and improved patient outcomes;
- develop a system to support primary care providers in developing an organizational structure necessary to provide a medical home; and
- identify primary care providers for participation in the demonstration project that provide care to their patients using a medical home model, which at a minimum shall include primary care providers utilizing a multi-disciplinary team that provides patient-centered care coordination through the use of health information technology and chronic disease registries across the

patient's life-span and across all domains of the health care system and the patient's community.

The bill specifies that its provisions shall not be construed to limit the choice of a Medicaid or GA recipient who is participating in a medical home demonstration project to directly access a qualified health care provider for family planning services who is not participating in the demonstration project. Further, the bill defines "primary care provider" to mean, but not be limited to, a primary care professional medical practice, a federally qualified or community health center, and a primary care outpatient clinic operated by a general hospital.

The bill provides that the Director of the Division of Medical Assistance and Health Services, which administers the Medicaid program, shall evaluate the demonstration project annually to assess: (1) whether cost savings are achieved through implementation of the medical home project; (2) the rates of health screening; and (3) the outcomes and hospitalization rates for persons with chronic illnesses, and the hospitalization and readmission rates for the frail elderly.

The Commissioner of Human Services is directed to apply for such Medicaid State plan amendments or waivers as may be necessary to implement the provisions of the bill.

The commissioner shall report annually to the Governor, and to the Legislature on his findings and recommendations of the demonstration project.

The bill takes effect on the 180th day after enactment and expires three years after the effective date, but the Commissioner of Human Services is authorized to take such anticipatory administrative action in advance thereof as shall be necessary for the implementation of the bill.

As amended by committee, this bill is identical to Assembly Bill No.226 (1R) as also reported and amended by the committee on this date.

COMMITTEE AMENDMENTS:

The committee amendments clarify that the demonstration project shall be developed and implemented in consultation with the managed care organizations that contract with the Medicaid program to provide health care services to Medicaid recipients or with other appropriate vendors that contract with the Medicaid program to provide health care services to general public assistance recipients.

FISCAL IMPACT:

Initially, Medicaid expenditures related to establishing medical homes will increase as Medicaid reimbursement rates for participating primary care providers will be increased by some amount yet to be determined. This increase in Medicaid primary care provider expenditures may be offset in later years by reductions in other Medicaid health care expenditures, particularly inpatient and outpatient hospital costs, as primary care providers would devote more time to patients and would be able to identify and treat medical problems before they result in more expensive inpatient or outpatient hospital services.

Whether overall Medicaid expenditures can be reduced as a result of establishing a medical home pilot project and providing greater reimbursement to primary care providers will be determined by the demonstration project.

LEGISLATIVE FISCAL ESTIMATE [Second Reprint] SENATE, No. 665 STATE OF NEW JERSEY 214th LEGISLATURE

DATED: JUNE 15, 2010

SUMMARY

Synopsis:	Directs Medicaid to establish medical home demonstration project.
Type of Impact:	Possible increase in State and federal Medicaid or State General Public Assistance program costs, at least during the first year of the project.
Agencies Affected:	Department of Human Services

ingeneies infecteur	

	Years 1-3
State Cost	 With respect to the Medicaid program, no additional State costs in the aggregate, and it is possible that overall State Medicaid costs may be reduced if increased Medicaid reimbursement for primary health care is offset over the three-year demonstration period by reductions in other Medicaid health care expenditures. With respect to the General Public Assistance program, State expenditures would be reduced, if the federal government agrees to provide federal reimbursement for this program. At present, no federal reimbursement is available for General Public Assistance medical services.

• Medicaid demonstration projects are intended to be cost neutral in terms of overall expenditures. It is not known whether the federal government will approve the State's demonstration project request.

BILL DESCRIPTION

Senate Bill No. 665 (2R) of 2010 directs the State Medicaid program, subject to federal approval and the availability of federal matching funds, to establish a three-year Medicaid medical home demonstration project for Medicaid or General Public Assistance recipients in which Medicaid:

• considers payment methodologies that support care-coordination through multidisciplinary teams;

Office of Legislative Services State House Annex P.O. Box 068 Trenton, New Jersey 08625



- develops a system to support primary care providers in developing an organizational structure necessary to provide a medical home; and
- identifies primary care providers for participation in the demonstration project that provide care to their patients using a medical home model.

FISCAL ANALYSIS

EXECUTIVE BRANCH

None received.

OFFICE OF LEGISLATIVE SERVICES

With respect to the Medicaid program, initially expenditures related to the provision of primary health care will increase as Medicaid reimbursement rates for primary health care services will be increased by some amount yet to be determined in order to facilitate the establishment of a medical home for Medicaid recipients. This increase in Medicaid primary health care expenditures may be offset in later years by reductions in other Medicaid health care expenditures, particularly inpatient and outpatient hospital costs, as primary health care physicians would devote more time to patients and would be able to identify and treat medical problems before they result in more expensive inpatient or outpatient hospital services.

With respect to the General Public Assistance program, although reimbursement rates for primary health care services will be increased by some amount yet to be determined in order to facilitate the establishment of a medical home for General Public Assistance recipients, overall State expenditures for the program will be reduced if the federal government agrees to provide reimbursement for the program. At present, no federal reimbursement is available for General Public Assistance medical services. The amount of the reduction in State General Public Assistance expenditures that will be attributable to the medical home demonstration project will be determined when the project is complete.

It is not known whether or when federal approval will be received for this project.

Section:	Human Services
Analyst:	Eleanor Seel Section Chief
Approved:	David J. Rosen Legislative Budget and Finance Officer

This legislative fiscal estimate has been produced by the Office of Legislative Services due to the failure of the Executive Branch to respond to our request for a fiscal note.

This fiscal estimate has been prepared pursuant to P.L.1980, c.67 (C.52:13B-6 et seq.).