

26:2H-47.1

LEGISLATIVE HISTORY CHECKLIST

NJSA: 26:2H-47.1

(Senior Citizens in nursing homes-  
fiduciaries-notice of impending ex-  
haustion of funds)

LAWS OF: 1985

CHAPTER: 18

Bill No: S905

Sponsor(s): Russo

Date Introduced: Pre-filed

Committee: Assembly: Corrections, Health and Human Services

Senate: Institutions, health and Welfare

Amended during passage: No

Date of Passage: Assembly: Dec. 13, 1984

Senate: Sept. 20, 1984

Date of Approval: January 25, 1985

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~~ yes

Following were printed:

Reports: No

Hearings: No

CHAPTER 18 LAWS OF N. J. 1985  
APPROVED 1-25-85

SENATE, No. 905

STATE OF NEW JERSEY

PRE-FILED FOR INTRODUCTION IN THE 1984 SESSION

By Senator RUSSO

AN ACT concerning fiduciary responsibilities for certain senior citizens and supplementing P. L. 1977, c. 387 (C. 26:2H-47 et seq.).

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

1 1. In order to facilitate the provision of assistance to certain  
2 residents by skilled or intermediate care nursing facilities in  
3 obtaining medical assistance or other payment mechanisms for  
4 nursing home facility care pursuant to sections 1 and 2 of P. L.  
5 1977, c. 387 (C. 26:2H-47 and 26:2H-48), the fiduciary of any  
6 resident, 65 years of age or older, for whom the fiduciary expends  
7 funds for the nursing home facility care of the resident shall, at  
8 least 90 days before those funds are exhausted, notify in writing  
9 the resident, the nursing facility to whom the funds are paid, the  
10 resident's next of kin and any other person or agency interested  
11 in the resident's welfare, of the impending exhaustion of those  
12 funds.

1 2. This act shall take effect immediately.

STATEMENT

This bill provides that fiduciaries of senior citizens who are residents in nursing facilities for whom the fiduciaries expend those residents' funds for necessary living expenses shall, at least 90 days before those funds are exhausted, notify in writing the resident, the nursing facility, the resident's next of kin and any other person or agency interested in the resident's welfare, of the impending exhaustion of those funds.

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ASSEMBLY CORRECTIONS, HEALTH AND  
HUMAN SERVICES COMMITTEE

STATEMENT TO

**SENATE, No. 905**

**STATE OF NEW JERSEY**

DATED: OCTOBER 22, 1984

This bill requires the fiduciary of a nursing home resident, 65 years of age or older and for whom the fiduciary expends funds for the nursing home care of the resident, to notify in writing the resident, the nursing facility to whom the funds are paid, the resident's next of kin, and any other person or agency interested in the resident's welfare at least 90 days in advance of the exhaustion of those funds.

This bill is intended to assist nursing homes in carrying out their responsibilities as prescribed in P. L. 1977, c. 387 (C. 26:2H-47 et seq.). This law requires a nursing home to assist its residents in applying to establish eligibility for the Medicaid program or other payment mechanisms for nursing home care when the resident's financial resources are depleted. The law directs each nursing home to make an assessment of a resident's financial resources within one week after admission and periodically thereafter.

The committee reported the bill favorably without amendments.

SENATE INSTITUTIONS, HEALTH AND WELFARE  
COMMITTEE

STATEMENT TO

**SENATE, No. 905**

**STATE OF NEW JERSEY**

DATED: JUNE 28, 1984

This bill requires the fiduciary of a nursing home resident, 65 years of age or older and for whom the fiduciary expends funds for the nursing home care of the resident, to notify in writing the resident, the nursing facility to whom the funds are paid, the resident's next of kin and any other person or agency interested in the resident's welfare, at least 90 days in advance of the exhaustion of those funds.

The purpose of the bill is to assist nursing homes in carrying out their responsibilities prescribed in P. L. 1977, c. 387 (C. 26:2H-47 et seq.). This law requires nursing homes to assist its residents in applying to establish eligibility for medical assistance (Medicaid) or other payment mechanisms when the resident's financial resources (to pay for the nursing home care) are depleted. To achieve this purpose, the law also requires nursing homes to make an assessment of a resident's financial resources no later than one week after admission and periodically thereafter. The Department of Health is responsible for monitoring the implementation of the law.



# OFFICE OF THE GOVERNOR

## NEWS RELEASE

CN-001

Contact: PAUL WOLCOTT  
609-292-8956

TRENTON, N.J. 08625

Release: FRIDAY, JAN. 25, 1985

Governor Thomas H. Kean has signed the following bills:

A-951, sponsored by Assemblyman Anthony S. Marsella, D-Gloucester, which provides an exemption from the municipal budget cap for the purchase of police vehicles and related equipment. The bill notes that police cars cannot be purchased with the proceeds of bonds, which are exempt from the cap, because they have a life expectancy of less than five years.

S-9, sponsored by State Senator Lee B. Laskin, R-Camden, which creates an exemption from the payment of the realty transfer fee for real property transferred between former spouses, when the deed is recorded within 90 days of the divorce decree.

S-905, sponsored by State Senator John F. Russo, D-Ocean, which requires a fiduciary who expends money for living expenses on behalf of a senior citizen in a nursing home to notify the individual, the individual's next of kin, the nursing home and others interested in the individual's welfare, of the impending exhaustion of the individual's funds. The notification must be in writing and must be made at least 90 days before the funds are actually exhausted.

S-1105, sponsored by State Senator Leonard T. Connors, Jr., R-Ocean, which allows two or more municipalities to enter into joint purchasing agreements for fire equipment, and enter into joint purchasing agreements for volunteer first aid, emergency, rescue and ambulance squads.

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