

30:4D-6.7 to 30:4D-6.9

LEGISLATIVE HISTORY CHECKLIST

NJSA: 30:4D-6.7 to 30:4D-6.9

(nursing homes-authorize payments for holding payments for Medicaid patients)

LAWS OF: 1984

CHAPTER: 139

Bill No: S1044/1100

Sponsor(s): Hagedon and Bassano

Date Introduced: January 23

Committee: Assembly: Corrections, Health and Human Services

Senate: Revenue, Finance and Appropriations, Institutions, Health and Welfare

Amended during passage: Yes Senate committee substitute (OCR) enacted. Substituted for A985 (not attached since identical to S1044/1100)

Date of Passage: Assembly: June 28, 1984

Senate: May 14, 1984

Date of Approval: September 5, 1984

Following statements are attached if available:

Sponsor statement: Yes

Committee statement: Assembly Yes

Senate Yes

Fiscal Note: Yes

Veto Message: No

Message on Signing: Yes

Following were printed:

Reports: No

Hearings: No

[OFFICIAL COPY REPRINT]
 SENATE COMMITTEE SUBSTITUTE FOR
SENATE, Nos. 1044 and 1100

STATE OF NEW JERSEY

ADOPTED FEBRUARY 6, 1984

AN ACT concerning nursing homes and supplementing P. L. 1968, c. 413 (C. 30:4D-1 et seq.)*, and making an appropriation therefor*.

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

1 1. A resident of a skilled or intermediate care nursing facility
 2 who is a recipient of medical assistance payments under P. L. 1968,
 3 c. 413 (C. 30:4D-1 et seq.), and who is discharged to a general or
 4 a psychiatric hospital, shall be covered by the medical assistance
 5 program for the number of days the nursing facility maintains the
 6 resident's bed.

1 2. Every skilled or intermediate care nursing facility in this
 2 State shall maintain a bed for an eligible resident for a period
 3 not to exceed 10 days. The facility shall notify the Division of
 4 Medical Assistance and Health Services in the Department of
 5 Human Services upon the discharge of an eligible resident to a
 6 general or a psychiatric hospital. The division shall confirm the
 7 need to maintain a bed for the discharged resident and shall
 8 certify the facility's eligibility to receive payment.

1 3. If the discharged resident is unable to return to the nursing
 2 facility before the end of the 10 day period, the discharged resident
 3 shall have priority for the next available bed in the facility.

1 4. There ***[is]*** **are** appropriated from the General Fund to
 2 the Department of Human Services funds necessary to carry out
 3 the purposes of this act **as determined by the Director of the*
 4 *Division of Budget and Accounting, but not to exceed \$1,400,000.00*.*

1 5. This act shall take effect immediately.

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 printed in italics *thus* is new matter.

Matter enclosed in asterisks or stars has been adopted as follows:

*—Senate committee amendments adopted April 30, 1984.

SENATE, No. 1044

STATE OF NEW JERSEY

INTRODUCED JANUARY 23, 1984

By Senators HAGEDORN and BASSANO

Referred to Committee on Institutions, Health and Welfare

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

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

1 1. A resident of a skilled or intermediate care nursing facility
2 who is a recipient of medical assistance payments under P. L. 1968,
3 c. 413 (C. 30:4D-1 et seq.), and who is discharged to a general or
4 a psychiatric hospital, shall be covered by the medical assistance
5 program for the number of days the nursing facility maintains the
6 resident's bed.

1 2. Every skilled or intermediate care nursing facility in this
2 State shall maintain a bed for an eligible resident for a period
3 not to exceed 10 days. The facility shall notify the Division of
4 Medical Assistance and Health Services in the Department of
5 Human Services upon the discharge of an eligible resident to a
6 general or a psychiatric hospital. The division shall confirm the
7 need to maintain a bed for the discharged resident and shall
8 certify the facility's eligibility to receive payment.

1 3. If the discharged resident is unable to return to the nursing
2 facility before the end of the 10 day period, the discharged resident
3 shall have priority for the next available bed in the facility.

1 4. There is appropriated from the General Fund to the Depart-
2 ment of Human Services funds necessary to carry out the purposes
3 of this act.

1 5. This act shall take effect immediately.

STATEMENT

This bill provides for payment to nursing homes on a temporary basis for any resident of a skilled or intermediate care nursing facility who is a Medicaid recipient and who is discharged to a general or psychiatric hospital. The nursing facility shall maintain a bed for the eligible resident for a period not to exceed 10 days and will be eligible to receive Medicaid payment for the number of days the bed is held. The bill also provides that the payment to the nursing home for the purposes of this act will be funded out of the General Fund.

This bill ultimately should result in savings to the State Medicaid program because it will ensure that nursing home residents who require brief periods of hospitalization will have their nursing home bed to return to when discharge from the hospital is appropriate, rather than being forced to remain in the hospital and wait for another nursing home bed to become available.

SENATE, No. 1100

STATE OF NEW JERSEY

INTRODUCED JANUARY 30, 1984

By Senator BASSANO

Referred to Committee on Institutions, Health and Welfare

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

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

1 1. A resident of a skilled or intermediate care nursing facility
2 who is a recipient of medical assistance payments under P. L. 1968,
3 c. 413 (C. 30:4D-1 et seq.), and who is discharged to a general
4 or a psychiatric hospital, shall be covered by the medical assistance
5 program for the number of days the nursing facility maintains the
6 resident's bed.

1 2. Every skilled or intermediate care nursing facility in this
2 State shall maintain a bed for an eligible resident for a period not
3 to exceed 10 days. The facility shall notify the Division of Medical
4 Assistance and Health Services in the Department of Human
5 Services upon the discharge of an eligible resident to a general
6 or a psychiatric hospital. The division shall confirm the need to
7 maintain a bed for the discharged resident and shall certify the
8 facility's eligibility to receive payment.

1 3. If the discharged resident is unable to return to the nursing
2 facility before the end of the 10 day period, the discharged resi-
3 dent shall have priority for the next available bed in the facility.

1 4. This act shall take effect immediately.

STATEMENT

This bill provides for payment to nursing homes on a temporary basis for any resident of a skilled or intermediate care nursing facility who is a Medicaid recipient and who is discharged to a general or psychiatric hospital. The nursing facility shall maintain a bed for the eligible resident for a period not to exceed 10 days and will be eligible to receive Medicaid payment for the number of days the bed is held.

This bill could result in substantial savings to the State by ensuring that a nursing home resident faced with temporary hospitalization will have his bed to return to and will not be forced to remain in a general or psychiatric hospital at a higher cost of care while awaiting nursing home placement.

ASSEMBLY CORRECTIONS, HEALTH AND
HUMAN SERVICES COMMITTEE

STATEMENT TO
SENATE COMMITTEE SUBSTITUTE FOR
SENATE, Nos. 1044 and 1100

STATE OF NEW JERSEY

DATED: JUNE 28, 1984

This Senate Committee Substitute requires a nursing home to reserve a bed for up to 10 days for a resident who is a Medicaid recipient and is temporarily discharged to a general or psychiatric hospital. The substitute also provides that the nursing home shall be eligible for Medicaid reimbursement for the number of days it holds the bed.

This substitute further provides that a temporarily discharged resident who is unable to return to the nursing home before the 10-day period expires shall have priority for the next available bed in the facility.

Finally, the substitute provides that up to \$1.4 million shall be appropriated from the General Fund to reimburse nursing homes which reserve beds for temporarily discharged patients who are Medicaid recipients.

This substitute is identical to Assembly Bill No. 985 (ACA), sponsored by Assemblyman Gill, as that bill was reported by the committee.

SENATE REVENUE, FINANCE AND APPROPRIATIONS
COMMITTEE

STATEMENT TO
SENATE COMMITTEE SUBSTITUTE FOR

SENATE, Nos. 1044 and 1100

with committee amendments

STATE OF NEW JERSEY

DATED: APRIL 30, 1984

This bill provides that whenever a Medicaid recipient is temporarily discharged from a nursing home to a hospital for treatment, the nursing home shall reserve a bed for such recipient for up to 10 days. The bill further provides that the nursing home will be eligible to collect reimbursement from the Division of Medical Assistance and Health Services for the time that the vacant bed is reserved. Payments are to be made from the General Fund.

FISCAL IMPACT

A fiscal note has been prepared. State costs are projected as follows: FY 1985—\$1,395,400.00; FY 1986—\$1,507,000.00; FY 1987—\$1,627,808.00. These costs are estimated by the Department of Human Services based on a 51.5% State, 48.5% federal match.

The regional office of the federal Department of Health and Human Services has confirmed the eligibility of federal participation for the purposes expressed in the bill.

PRIOR LEGISLATION

In the last session, the Senate Committee Substitute for Senate Bill No. 87 and Senate Bill No. 295 was passed by both Houses of the Legislature but was not signed by the Governor. That bill provided for funding from the Casino Revenue Fund, which the Governor stated to be a concern on his part.

COMMITTEE AMENDMENTS

The committee amended section 4 of the bill to place a ceiling of \$1,400,000.00 on the appropriation, in accordance with the fiscal information provided by the Department of Human Services.

FISCAL NOTE TO
SENATE COMMITTEE SUBSTITUTE FOR
SENATE, No. 1044

STATE OF NEW JERSEY

DATED: FEBRUARY 22, 1984

Senate Committee Substitute for Senate Bill No. 1044 of 1984 provides that whenever a Medicaid recipient is temporarily discharged from a nursing home to a hospital for treatment, the nursing home shall reserve a bed for such recipient for up to 10 days. The bill further provides that the nursing home will be eligible to collect reimbursement from the Division of Medical Assistance and Health Services for the time that the vacant bed is reserved.

The Department of Human Services estimates additional costs as follows:

Fiscal Year	State Share	Federal Share	Total Costs
1985	\$1,395,400	\$1,310,724	\$2,706,124
1986	1,507,000	1,415,848	2,922,848
1987	1,627,808	1,529,092	3,156,900

The Department's cost projections are based on an assumption that the federal government will share approximately 48.5% of the bill through the Medicaid program.

The Office of Legislative Services concurs with the overall cost estimate but notes that the assurance of federal cost-sharing for this purpose is not clearly stated in the federal regulations (42 C.F.R. § 447.40). However, the regional office of the U. S. Department of Health and Human Services has indicated, by telephone, that federal reimbursement would be made in such cases. A written confirmation of this position has been requested.

The Senate Committee Substitute for Senate Bill No. 1044 is identical to the original bill in its major provisions.



OFFICE OF THE GOVERNOR

NEWS RELEASE

CN-001

Contact: PAUL WOLCOTT 609-292-8956

TRENTON, N.J. 08625

Release: WED. SEPTEMBER 5, 1984

Governor Thomas H. Kean today signed legislation which will allow Medicaid patients to receive temporary hospital care without relinquishing their place in a nursing home.

The bill, which merged S-1044, S-1100 and A-985, is sponsored by State Senators Garrett W. Hagedorn, R-Bergen and C. Louis Bassano, R-Union, and Assemblyman Edward K. Gill, R-Union.

"Of all the members of our society, those who reside in nursing homes are probably most deserving of a degree of stability in their lives," Kean said. "This bill will allow them to get the hospital care they need without fearing that there will be no place for them when they are in better health.

"Further, it will produce savings for the State Medicaid program, by ensuring that nursing home residents will not have to occupy costly hospital beds while they wait for a Medicaid nursing home opening," the Governor added.

The bill provides that a nursing home must hold open for ten days a bed occupied by a Medicaid patient when the patient requires temporary hospitalization in a general medical or psychiatric facility. It further provides that the nursing home shall be eligible for Medicaid reimbursement for the number of days it holds the bed open.

The legislation also directs that, in the event the patient is unable to return to a nursing home before the ten-day period expires, the patient shall have priority for the next available bed in the facility.

Also included in the bill is an appropriation of \$1.4 million from the General Fund for reimbursement to nursing homes which hold beds for temporarily hospitalized patients.