

26:2M-10

LEGISLATIVE HISTORY CHECKLIST

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LAWS OF: 1999 **CHAPTER:** 285

NJSA: 26:2M-10 (Alzheimers -- Day Care)

BILL NO: A1884 (Substituted for S756)

SPONSOR(S): Murphy and Asselta

DATE INTRODUCED: March 30, 1998

COMMITTEE: **ASSEMBLY:** Health; Appropriations

SENATE: Budget & Appropriations

AMENDED DURING PASSAGE: Yes

DATE OF PASSAGE: **ASSEMBLY:** March 29, 1999 **Re-enacted:** December 9, 1999

SENATE: June 24, 1999 **Re-enacted:** December 13, 1999

DATE OF APPROVAL: December 20, 1999

FOLLOWING ARE ATTACHED IF AVAILABLE:

[FINAL TEXT OF BILL](#): 3rd Reprint
(Amendments during passage denoted by superscript numbers)

A1884

[SPONSORS STATEMENT](#): (Begins on page 4 of original bill) [Yes](#)

COMMITTEE STATEMENT: **ASSEMBLY:** [Yes](#) [12-3-98 \(Health\)](#)
[Yes](#) [3-4-99 \(Appropriations\)](#)

SENATE: [Yes](#)

FLOOR AMENDMENT STATEMENTS: No

LEGISLATIVE FISCAL ESTIMATE: No

S756

[SPONSORS STATEMENT](#): (Begins on page 4 of original bill) [Yes](#)

COMMITTEE STATEMENT: **ASSEMBLY:** No

SENATE: [Yes](#) [3-26-98 \(Health\)](#)
[Yes](#) [6-14-99 \(Budget\)](#)

FLOOR AMENDMENT STATEMENTS: No

LEGISLATIVE FISCAL ESTIMATE: No

[VETO MESSAGE:](#) [Yes](#)

GOVERNOR'S PRESS RELEASE ON SIGNING:

Yes

FOLLOWING WERE PRINTED:

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REPORTS:

No

HEARINGS:

No

NEWSPAPER ARTICLES:

No

P.L. 1999, CHAPTER 285, *approved December 20, 1999*
Assembly, No. 1884 (*Third Reprint*)

1 **AN ACT** concerning adult day care center programs for victims of
2 Alzheimer's disease, amending P.L.1988, c.114 and making an
3 appropriation.

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

7
8 1. Section 2 of P.L.1988, c.114 (C.26:2M-10) is amended to read
9 as follows:

10 2. As used in this act:

11 a. "Adult day care" means a community-based group program
12 designed to meet the needs of functionally or cognitively impaired
13 adults through an individual plan of care structured to provide a
14 variety of health, social and related support services in a protective
15 setting during any part of a day but less than 24 hours.

16 b. "Alzheimer's Disease and related disorders" means forms of
17 dementia characterized by a general loss of intellectual abilities of
18 sufficient severity to interfere with social or occupational functioning.

19 c. "Care needs or **behaviorial** behavioral problems" means the
20 manifestations of dementia which may include, but need not be limited
21 to, progressive memory loss, confusion, inability to communicate,
22 extreme personality change, and eventual inability to perform the most
23 basic tasks.

24 d. "Commissioner" means the Commissioner of the State
25 Department of Health and Senior Services.

26 e. "Department" means the State Department of Health and Senior
27 Services.

28 f. "Grantee" means a public agency, private for profit agency or
29 private nonprofit agency selected by the department to establish an
30 adult day care program for participants pursuant to this act.

31 g. "Participant" means an individual with Alzheimer's disease or a
32 related disorder, particularly those in the moderate to severe stages.
33 To be eligible for services, a participant shall have documentation from
34 a physician that the participant has Alzheimer's disease or a related
35 disorder.

36 (cf: P.L.1988, c.114, s.2)

37

38 ³**[**²2. Section 3 of P.L.1988, c.114 (C.26:2M-11) is amended to

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.

Matter enclosed in superscript numerals has been adopted as follows:

¹ **Assembly AAP committee amendments adopted March 4, 1999.**

² **Senate SBA committee amendments adopted June 14, 1999.**

³ **Assembly amendments adopted in accordance with Governor's recommendations November 15, 1999.**

1 read as follows:

2 3. The commissioner shall establish a program for participants in
 3 specialized adult day care centers, for which purpose the department
 4 shall award grants to qualified applicants in an amount to be
 5 determined by the commissioner; provided that no grant hereunder
 6 shall be awarded for any fiscal year to any private for profit agency
 7 until grants shall have been awarded for that fiscal year to each
 8 qualified public agency and private nonprofit agency that shall have
 9 applied therefor, in the full amount for which those applicants are
 10 eligible as determined by the commissioner. A grantee shall be
 11 required to match not less than 25% of the amount granted, either in
 12 cash or in kind contributions, or both, and the in kind contributions
 13 may include the value of staffing or volunteer services, or both. The
 14 use of the grantee's matching funds shall be limited to meeting the
 15 expenses of administration, staffing, operating expenses, and the costs
 16 of necessary safety renovations.²

17 (cf: P.L.1988, c.114, s.3)]³

18

19 ²[^{2.}]³ [^{3.}²]² ³ Section 4 of P.L.1988, c.114 (C.26:2M-12) is
 20 amended to read as follows:

21 4. a. In order to be eligible to receive a grant from the department
 22 pursuant to section 3 of this act, an applicant shall apply in a manner
 23 which the commissioner shall prescribe and shall possess all of the
 24 following qualifications:

25 (1) The applicant shall be able to identify the special care needs or
 26 behavioral problems of participants, and the applicant's program shall
 27 be designed to meet those needs.

28 (2) The applicant shall demonstrate to the satisfaction of the
 29 department that the applicant's program has adequate and appropriate
 30 staffing to meet the nursing, psychosocial and recreational needs of
 31 participants.

32 (3) The applicant shall provide an outline of the design of the
 33 applicant's physical facilities, and of the safeguards which shall be used
 34 to protect the participants' safety.

35 (4) The applicant shall submit a plan for assisting individuals who
 36 cannot afford the entire cost of the program. This may include, but
 37 need not be limited to, utilizing additional funding sources to provide
 38 supplemental aid and allowing family members to serve as volunteers
 39 at the applicant's facility.

40 (5) The applicant shall identify potential sources of funding for the
 41 applicant's facility and shall outline plans to seek additional funding to
 42 remain solvent. This may include private donations and foundation
 43 grants, Medicare reimbursement for specific services, and the use of
 44 adult education and public health services.

45 (6) The ³[applicant] department³ shall establish a sliding fee scale
 46 for payments by participants based on the participant's ability to pay.

1 b. Each grantee shall also satisfy all of the following requirements:

2 (1) Establish family support groups;

3 (2) Encourage family members to provide transportation for
4 participants to and from the applicant's facility;

5 (3) Concentrate on participants in moderate to severe ranges of
6 disability;

7 (4) Provide appropriate nutrition to participants, which the grantee
8 may arrange to have provided by an organization organized for the
9 purpose of providing meals to the elderly or to those who are needy;

10 (5) Establish contact with local educational programs, including
11 nursing and other disciplines offering gerontology programs, to
12 provide on-site training to students; and

13 (6) Provide services to assist family members, including counseling
14 and referral to other resources.

15 (cf: P.L.1988, c.114, s.4)

16

17 ²[3.] ³[4. ²] ³ There is appropriated \$803,000 from the ¹[Casino
18 Revenue] General¹ Fund to the Department of Health and Senior
19 Services for the adult day care center program for victims of
20 Alzheimer's disease and related disorders to reduce participant waiting
21 lists and provide increased hours of care for needy patients. Of this
22 amount, \$50,000 shall be allocated to fund the training program
23 established pursuant to section 5 of P.L.1988, c.114 (C.26:2M-13).

24

25 ²[4.] ³[5. ²] ⁴ This act shall take effect immediately.

26

27

28

29

30 Allows private operators to establish adult day care programs for
31 victims of Alzheimer's disease, provides for sliding fee scale for
32 services, and appropriates \$803,000.

ASSEMBLY, No. 1884

STATE OF NEW JERSEY 208th LEGISLATURE

INTRODUCED MARCH 30, 1998

Sponsored by:

Assemblywoman CAROL J. MURPHY

District 26 (Essex, Morris and Passaic)

Assemblyman NICHOLAS ASSELTA

District 1 (Cape May, Atlantic and Cumberland)

Co-Sponsored by:

Assemblywoman Heck, Assemblymen Kelly and Romano

SYNOPSIS

Allows private operators to establish adult day care programs for victims of Alzheimer's disease, provides for sliding fee scale for services, and appropriates \$803,000.

CURRENT VERSION OF TEXT

As introduced.



A1884 MURPHY, ASSELTA

2

1 AN ACT concerning adult day care center programs for victims of
2 Alzheimer's disease, amending P.L.1988, c.114 and making an
3 appropriation.

4

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

7

8 1. Section 2 of P.L.1988, c.114 (C.26:2M-10) is amended to read
9 as follows:

10 2. As used in this act:

11 a. "Adult day care" means a community-based group program
12 designed to meet the needs of functionally or cognitively impaired
13 adults through an individual plan of care structured to provide a
14 variety of health, social and related support services in a protective
15 setting during any part of a day but less than 24 hours.

16 b. "Alzheimer's Disease and related disorders" means forms of
17 dementia characterized by a general loss of intellectual abilities of
18 sufficient severity to interfere with social or occupational functioning.

19 c. "Care needs or **[behaviorial]** behavioral problems" means the
20 manifestations of dementia which may include, but need not be limited
21 to, progressive memory loss, confusion, inability to communicate,
22 extreme personality change, and eventual inability to perform the most
23 basic tasks.

24 d. "Commissioner" means the Commissioner of the State
25 Department of Health and Senior Services.

26 e. "Department" means the State Department of Health and Senior
27 Services.

28 f. "Grantee" means a public agency, private for profit agency or
29 private nonprofit agency selected by the department to establish an
30 adult day care program for participants pursuant to this act.

31 g. "Participant" means an individual with Alzheimer's disease or a
32 related disorder, particularly those in the moderate to severe stages.
33 To be eligible for services, a participant shall have documentation from
34 a physician that the participant has Alzheimer's disease or a related
35 disorder.

36 (cf: P.L.1988, c.114, s.2)

37

38 2. Section 4 of P.L.1988, c.114 (C.26:2M-12) is amended to read
39 as follows:

40 4. a. In order to be eligible to receive a grant from the department
41 pursuant to section 3 of this act, an applicant shall apply in a manner
42 which the commissioner shall prescribe and shall possess all of the
43 following qualifications:

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 (1) The applicant shall be able to identify the special care needs or
2 behavioral problems of participants, and the applicant's program shall
3 be designed to meet those needs.

4 (2) The applicant shall demonstrate to the satisfaction of the
5 department that the applicant's program has adequate and appropriate
6 staffing to meet the nursing, psychosocial and recreational needs of
7 participants.

8 (3) The applicant shall provide an outline of the design of the
9 applicant's physical facilities, and of the safeguards which shall be used
10 to protect the participants' safety.

11 (4) The applicant shall submit a plan for assisting individuals who
12 cannot afford the entire cost of the program. This may include, but
13 need not be limited to, utilizing additional funding sources to provide
14 supplemental aid and allowing family members to serve as volunteers
15 at the applicant's facility.

16 (5) The applicant shall identify potential sources of funding for the
17 applicant's facility and shall outline plans to seek additional funding to
18 remain solvent. This may include private donations and foundation
19 grants, Medicare reimbursement for specific services, and the use of
20 adult education and public health services.

21 (6) The applicant shall establish a sliding fee scale for payments by
22 participants based on the participant's ability to pay.

23 b. Each grantee shall also satisfy all of the following requirements:

24 (1) Establish family support groups;

25 (2) Encourage family members to provide transportation for
26 participants to and from the applicant's facility;

27 (3) Concentrate on participants in moderate to severe ranges of
28 disability;

29 (4) Provide appropriate nutrition to participants, which the grantee
30 may arrange to have provided by an organization organized for the
31 purpose of providing meals to the elderly or to those who are needy;

32 (5) Establish contact with local educational programs, including
33 nursing and other disciplines offering gerontology programs, to
34 provide on-site training to students; and

35 (6) Provide services to assist family members, including counseling
36 and referral to other resources.

37 (cf: P.L.1988, c.114, s.4)

38
39 3. There is appropriated \$803,000 from the Casino Revenue Fund
40 to the Department of Health and Senior Services for the adult day care
41 center program for victims of Alzheimer's disease and related disorders
42 to reduce participant waiting lists and provide increased hours of care
43 for needy patients. Of this amount, \$50,000 shall be allocated to fund
44 the training program established pursuant to section 5 of P.L.1988,
45 c.114 (C.26:2M-13).

1 4. This act shall take effect immediately.

2

3

4

STATEMENT

5

6 This bill amends N.J.S.A.26:2M-9 et seq., which established the
7 adult day care center program for victims of Alzheimer's disease and
8 related disorders. The bill expands the definition of "grantee" to
9 include a private for profit agency, to permit these providers to
10 participate in the program.

11 Currently, the law allows only public or nonprofit agencies to
12 establish adult day care programs for victims of Alzheimer's disease
13 and related disorders. Many eligible persons with Alzheimer's disease
14 are not receiving adult day care services because only nonprofit
15 agencies can participate in the program as providers, and in some areas
16 of the State there are no nonprofit agency providers.

17 The bill also requires the participating agencies to establish a sliding
18 fee scale for payments by participants based on the participant's ability
19 to pay.

20 The bill includes a \$803,000 appropriation from the Casino
21 Revenue Fund for the adult day care center program for victims of
22 Alzheimer's disease and related disorders to reduce participant waiting
23 lists and provide increased hours of care for needy patients. Of this
24 amount, \$50,000 shall fund the training program established pursuant
25 to N.J.S.A.26:2M-13.

ASSEMBLY HEALTH COMMITTEE

STATEMENT TO

ASSEMBLY, No. 1884

STATE OF NEW JERSEY

DATED: DECEMBER 3, 1998

The Assembly Health Committee reports favorably Assembly Bill No. 1884.

This bill amends P.L.1988, c.114 (N.J.S.A.26:2M-9 et seq.), which established the adult day care center program for victims of Alzheimer's disease and related disorders. The bill expands the definition of "grantee" to include a private for profit agency, in order to permit these providers to participate in the program.

Currently, the law allows only public or nonprofit agencies to establish adult day care programs for victims of Alzheimer's disease and related disorders. Many eligible persons with Alzheimer's disease are not receiving adult day care services because only nonprofit agencies can participate in the program as providers, and in some areas of the State there are no nonprofit agency providers.

The bill also requires the participating agencies to establish a sliding fee scale for payments by participants based on the participant's ability to pay.

The bill includes a \$803,000 appropriation from the Casino Revenue Fund for the adult day care center program for victims of Alzheimer's disease and related disorders to reduce participant waiting lists and provide increased hours of care for needy patients. Of this amount, \$50,000 shall be used to fund the on-site training program to provide information about the disease and techniques for meeting the needs of program participants, which was established pursuant to section 5 of P.L.1988, c.114 (N.J.S.A.26:2M-13) for adult day care centers funded under that law.

ASSEMBLY APPROPRIATIONS COMMITTEE

STATEMENT TO

ASSEMBLY, No. 1884

with Assembly committee amendments

STATE OF NEW JERSEY

DATED: MARCH 4, 1999

The Assembly Appropriations Committee reports favorably Assembly Bill No. 1884 with committee amendments.

Assembly Bill No. 1884, as amended, expands the eligible participants in the adult day care center program for victims of Alzheimer's disease and related disorders to allow private, for-profit agencies to participate in the program as grant recipients.

Currently, only public or nonprofit agencies are allowed to receive State matching fund grants to establish adult day care programs for victims of Alzheimer's disease and related disorders. Many eligible persons with Alzheimer's disease are not receiving adult day care services because only nonprofit agencies can participate in the program as providers, and in some areas of the State there are no nonprofit agency providers.

The bill also requires the participating agencies to establish a sliding fee scale for payments by participants based on the participant's ability to pay.

FISCAL IMPACT:

The bill appropriates \$803,000 from the General Fund for the adult day care center program for victims of Alzheimer's disease and related disorders to reduce participant waiting lists and provide increased hours of care for needy patients. Of this amount, \$50,000 shall be used to fund the on-site training program to provide information about the disease and techniques for meeting the needs of program participants.

COMMITTEE AMENDMENTS:

The amendments change the source of the program appropriation from the Casino Revenue Fund to the State General Fund.

SENATE BUDGET AND APPROPRIATIONS COMMITTEE

STATEMENT TO

[First Reprint]

ASSEMBLY, No. 1884

with committee amendments

STATE OF NEW JERSEY

DATED: JUNE 14, 1999

The Senate Budget and Appropriations Committee reports favorably and with committee amendments Assembly Bill No. 1884 (1R).

This bill amends the law establishing the adult day care center program for victims of Alzheimer's disease and related disorders to broaden the category of agencies eligible to participate in the program.

The adult day care program, established in the Department of Health and Senior Services (DHSS) under legislation enacted in 1988, provides grants to agencies offering adult day care to individuals diagnosed as suffering from Alzheimer's disease or a related disorder. To qualify for a grant, an agency must demonstrate an ability to identify program participants' special needs, provide adequate staffing and appropriate physical facilities, identify other potential funding sources, and meet various other criteria. (N.J.S.A.26:2M-12.) Grantees must match at least 25% of the amount of the grant in cash or in kind. (N.J.S.A.26:2M-11.)

Currently, only public or nonprofit agencies are allowed to receive State matching fund grants under the program. Under the bill, private, for profit agencies that meet program qualifications would also be eligible for the grants, subject to the requirement that available funds under the program shall be awarded to qualified public and nonprofit applicants prior to the awarding of any grants to a for profit agency.

The bill adds a requirement that all agencies applying for grants under the program shall establish a sliding fee scale for payments by participants based on a participant's ability to pay.

FISCAL IMPACT:

The bill appropriates \$803,000 from the General Fund for the adult day care center program to reduce participant waiting lists and provide increased hours of care for needy patients. Of this amount, \$50,000 is to be used to fund an on-site training program, already required under N.J.S.A.26:2M-13, to provide information about the symptoms

and progress of the disease and techniques for addressing the needs of program participants.

COMMITTEE AMENDMENTS:

Committee amendments to the bill add the provision that available funds under the program are to be awarded to qualified public and nonprofit qualified applicants prior to the awarding of any grants to a for profit agency. As amended, the bill is identical to Senate Bill No. 756 (1R).

SENATE, No. 756

STATE OF NEW JERSEY
208th LEGISLATURE

INTRODUCED FEBRUARY 26, 1998

Sponsored by:

Senator JAMES S. CAFIERO

District 1 (Cape May, Atlantic and Cumberland)

SYNOPSIS

Allows private operators to establish adult day care programs for victims of Alzheimer's disease; appropriates, \$1,000,000.

CURRENT VERSION OF TEXT

As introduced.



1 AN ACT concerning adult day care center programs for victims of
2 Alzheimers' disease, amending P.L.1988, c.114 and making an
3 appropriation.

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

7
8 1. Section 2 of P.L.1988, c.114 (C.26:2M-10) is amended to read
9 as follows:

10 2. a. "Adult day care" means a community-based group program
11 designed to meet the needs of functionally or cognitively impaired
12 adults through an individual plan of care structured to provide a
13 variety of health, social and related support services in a protective
14 setting during any part of a day but less than 24 hours.

15 b. "Alzheimer's Disease and related disorders" means forms of
16 dementia characterized by a general loss of intellectual abilities of
17 sufficient severity to interfere with social or occupational functioning.

18 c. "Care needs or behavioral problems" means the manifestations
19 of dementia which may include, but need not be limited to, progressive
20 memory loss, confusion, inability to communicate, extreme personality
21 change, and eventual inability to perform the most basic tasks.

22 d. "Commissioner" means the Commissioner of the State
23 Department of Health and Senior Services.

24 e. "Department" means the State Department of Health and Senior
25 Services.

26 f. "Grantee" means a public agency, private for profit agency or
27 private nonprofit agency selected by the department to establish an
28 adult day care program for participants pursuant to this act.

29 g. "Participant" means an individual with Alzheimer's disease or a
30 related disorder, particularly those in the moderate to severe stages.
31 To be eligible for services, a participant shall have documentation from
32 a physician that the participant has Alzheimer's disease or a related
33 disorder.

34 (cf: P.L.1988, c.114, s.2)

35

36 2. There is appropriated \$1,000,000 from the Casino Revenue
37 Fund to the Department of Health and Senior Services to the adult day
38 care center program for victims of Alzheimer's disease and related
39 disorders to provide grants for services.

40

41 3. 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 underlined thus is new matter.

1 STATEMENT

2

3 This bill amends P.L.1988, c.114, which established the adult day
4 care center program for victims of Alzheimer's disease and related
5 disorders. The bill expands the definition of "grantee" to include a
6 private for profit agency, to permit these providers to participate in the
7 program.

8 Currently, the law allows only public or nonprofit agencies to
9 establish adult day care programs for victims of Alzheimer's disease
10 and related disorders. Many eligible persons with Alzheimer's disease
11 are not receiving adult day care services because only nonprofit
12 agencies can participate in the program as providers and in some areas
13 of the State there are no nonprofit agency providers.

14 The bill includes a \$1,000,000 appropriation from the Casino
15 Revenue Fund to the adult day care center program for victims of
16 Alzheimer's disease and related disorders to fund additional services.

17 The bill also changes the name of the department from Health to
18 Health and Senior Services, to reflect the current department
19 designation.

SENATE HEALTH COMMITTEE

STATEMENT TO

SENATE, No. 756

STATE OF NEW JERSEY

DATED: MARCH 26, 1998

The Senate Health Committee reports favorably Senate Bill No. 756.

This bill amends P.L.1988, c.114, which established the adult day care center program for victims of Alzheimer's disease and related disorders. The bill expands the definition of "grantee" to include a private for profit agency, to permit these providers to participate in the program.

Currently, the law allows only public or nonprofit agencies to establish adult day care programs for victims of Alzheimer's disease and related disorders. Many eligible persons with Alzheimer's disease are not receiving adult day care services because only nonprofit agencies can participate in the program as providers and in some areas of the State there are no nonprofit agency providers.

The bill includes a \$1,000,000 appropriation from the Casino Revenue Fund to the adult day care center program for victims of Alzheimer's disease and related disorders to fund additional services.

SENATE BUDGET AND APPROPRIATIONS COMMITTEE

STATEMENT TO

SENATE, No. 756

with committee amendments

STATE OF NEW JERSEY

DATED: JUNE 14, 1999

The Senate Budget and Appropriations Committee reports favorably and with committee amendments Senate Bill No. 756.

This bill amends the law establishing the adult day care center program for victims of Alzheimer's disease and related disorders to broaden the category of agencies eligible to participate in the program.

The adult day care program, established in the Department of Health and Senior Services (DHSS) under legislation enacted in 1988, provides grants to agencies offering adult day care to individuals diagnosed as suffering from Alzheimer's disease or a related disorder. To qualify for a grant, an agency must demonstrate an ability to identify program participants' special needs, provide adequate staffing and appropriate physical facilities, identify other potential funding sources, and meet various other criteria. (N.J.S.A.26:2M-12.) Grantees must match at least 25% of the amount of the grant in cash or in kind. (N.J.S.A.26:2M-11.)

Currently, only public or nonprofit agencies are allowed to receive State matching fund grants under the program. Under the bill, private, for profit agencies that meet program qualifications would also be eligible for the grants, subject to the requirement that available funds under the program shall be awarded to qualified public and nonprofit applicants prior to the awarding of any grants to a for profit agency.

As amended, the bill adds a requirement that all agencies applying for grants under the program shall establish a sliding fee scale for payments by participants based on a participant's ability to pay.

FISCAL IMPACT:

The bill, as amended, appropriates \$803,000 from the General Fund for the adult day care center program to reduce participant waiting lists and provide increased hours of care for needy patients. Of this amount, \$50,000 is to be used to fund an on-site training program, already required under N.J.S.A.26:2M-13, to provide information about the symptoms and progress of the disease and techniques for addressing the needs of program participants.

COMMITTEE AMENDMENTS:

Committee amendments to the bill (1) add the provision that available funds under the program are to be awarded to qualified public and nonprofit qualified applicants prior to the awarding of any grants to a for profit agency, (2) change the source of the appropriation from the Casino Revenue Fund to the State General Fund, (3) reduce the amount of the appropriation from \$1,000,000 to \$803,000 and specify that the appropriation is to be used to enhance program access and care for the needy, (4) provide for the allocation of \$50,000 to the on-site training program, and (5) incorporate the sliding fee scale requirement. As amended, the bill is identical to Assembly Bill No. 1884 (2R).

ASSEMBLY BILL NO. 1884
(Second Reprint)

To the General Assembly:

Pursuant to Article V, Section I, Paragraph 14 of the New Jersey Constitution, I am returning Assembly Bill No. 1884 (Second Reprint) with my recommendations for reconsideration.

A. Summary of Bill

In 1988, the Legislature enacted legislation that established a specialized adult day care program for victims of Alzheimer's disease and related disorders. This program, currently administered by the State Department of Health and Senior Services, allows public and private, nonprofit agencies to apply for State matching fund grants to establish programs which meet the unique needs of this growing population. Qualified grant recipients provide health, social and other supportive services to income-eligible clients throughout the State, and must match at least 25 percent of the amount of the grant in cash or in kind.

This bill expands the eligible participants of the adult day care program to additionally allow private for-profit agencies to apply for State matching grants on behalf of clients. It further stipulates that available funds under the program are to be awarded to qualified public and nonprofit applicants prior to the awarding of grants to private for-profit agencies. Additionally, the bill requires each grant applicant to establish a sliding fee scale for services, based upon a client's ability to pay. Finally, this bill appropriates \$803,000 from the General Fund to the Department of Health and Senior Services to reduce the participant waiting lists and provide increased hours of care for needy patients. Of the total appropriation, \$50,000 shall be used to fund the training program, established pursuant to the 1988 legislation, which provides information about the disease and techniques for meeting the needs of program participants to community-based providers who serve this population.

B. Recommended Action

The need to provide specialized services for an ever-increasing number of our aging seniors afflicted with Alzheimer's disease and related dementia disorders cannot be overstated. Indeed, our current statistics are startling: today, one in ten people by the age of 65 develops Alzheimer's, and more than half of the population over the age of 85 have the disease. Families, friends and other caregivers are also affected by the intensive level

of care that is required for their loved ones. Adult day care centers help to provide much needed relief. They are specifically designed to meet the unique psychosocial, health and physical needs of afflicted individuals, allowing them to function at their highest possible levels. Moreover, the structured environment provided by the adult day care centers helps to reduce the daily stresses imposed upon caregivers, allowing them to continue employment, as necessary.

In many areas of the State, private for-profit agencies operate the only adult day care center within a reasonable commuting distance to a family's home. Under current law, however, only public and nonprofit provider agencies have been legislatively authorized to apply to the State for matching grants on behalf of clients to establish adult day care programs. These grants reduce a client's program fee by 75 percent. I applaud the bill's sponsors for recognizing the need to permanently expand the affordability and accessibility of these services by allowing private for-profit agencies to also participate in the State matching grant program. This will help to assure that convenient and cost-effective services will be available in every New Jersey county.

I am concerned, however, about the legislation's provision that requires public and nonprofit agencies to receive funding priority over private for-profit agencies to service clients. Because the grants are awarded to approved agencies on behalf of clients once they are accepted into a program, a funding hierarchy may unfairly penalize clients with geographic access to only for-profit provider programs that may be too costly to attend without grant assistance. Our priority should be expanding, not limiting, the choices available for affordable adult day care options. Consequently, I recommend that all agencies which provide these much-needed services to victims of Alzheimer's disease and related disorders, whether public, nonprofit, or private for-profit, enjoy an equal ability to apply for State matching fund grants on behalf of clients to serve this special needs population. Such funding will help provide the necessary financial relief to the more than 160,000 individuals who suffer from Alzheimer's disease or a related dementia, and help reduce the waiting lists for adult day care services.

Finally, I believe it is essential that the State maintain a degree of control over establishing a sliding fee scale for payments based upon a client's ability to pay. I believe this responsibility is properly placed within the Department of Health and Senior Services to ensure uniformity among agencies, avoid the possibility of excessive charges, and provide the proper degree of cost protections for clients.

Therefore, I herewith return Assembly Bill No. 1884 (Second Reprint) and recommend that it be amended as follows:

Page 3, Section 2, Lines 2-7:

Delete "; provided that no grant hereunder shall be awarded for any fiscal year to any private for profit agency until grants shall have been awarded for that fiscal year to each qualified public agency and private nonprofit agency that shall have applied therefor, in the full amount for which those applicants are eligible as determined by the commissioner"

Page 3, Section 3, Line 42:

Delete "applicant" and insert "department"

Respectfully,

/s/ Christine Todd Whitman

Christine Todd Whitman
Governor

[seal]

Attest:

Richard S. Mroz
Chief Counsel to the Governor

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TRENTON, NJ 08625

Office of the Governor
NEWS RELEASE

CONTACT: Gene Herman
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RELEASE: December 20, 1999

Gov. Christie Whitman today signed the following pieces of legislation:

ACS for A-1016, sponsored by Assembly Members Charles Zisa (D-Bergen), Francis J. Blee (R-Atlantic), Melvin Cottrell (R-Burlington/Monmouth/Ocean) and Joseph R. Malone, III (R-Burlington/Monmouth/Ocean), exempts law enforcement officers from certain bicycle laws in the performance of their official duties.

A-1126, sponsored by E. Scott Garrett (R-Sussex/Hunterdon/Morris) and Guy R. Gregg (R-Sussex/Hunterdon/Morris), clarifies existing law by providing that a recreational vehicle installed in a campsite is not subject to the property tax. The bill defines a recreational vehicle as a camper that is easily disassembled and removed from a campground. The bill specifically excludes a manufactured home or a permanent residence.

A-1884, sponsored by Assembly Members Carol J. Murphy (R-Essex/Morris/Passaic) and Nicholas Asselta (R-Atlantic/CapeMay/Cumberland) and Senator James S. Cafiero (R-Cape May/Atlantic/Cumberland), expands the eligibility for state grants to Alzheimer day care programs to include for-profit as well as public and non-profit programs. It also appropriates \$803,000 from the General Fund to increase the number of clients who can be served by Alzheimer's adult day care programs. The bill incorporates the recommendations the Governor made in a conditional veto of the bill.

A-2312, sponsored by Assembly Members Rose Marie Heck (R-Bergen) and David W. Wolfe (R-Monmouth/Ocean) and Senator Robert J. Martin (R-Essex/Morris/Passaic), provides that administrative penalty funds returned to school districts in the 1997-98 school year shall be included in each district's prebudget year total for the purpose of calculating stabilized aid in 1998-99 and thereafter. The bill incorporates the recommendations the Governor made in a conditional veto of the bill.

A-2785, sponsored by Assembly Members Rose Marie Heck (R-Bergen) and Nicholas Asselta (R-Cape May/Atlantic/Cumberland) and Senators Diane B. Allen (R-Burlington/Camden) and John O. Bennett (R-Monmouth), requires fingerprinting of domestic violence offenders. The bill was introduced upon the recommendation of the Assembly Task Force on Domestic Violence in order to enhance enforcement of the federal firearms ban with respect to domestic violence offenders. The bill requires fingerprinting upon conviction for the disorderly persons offenses of assault and harassment that constitute domestic violence. It also requires the fingerprinting of any persons against whom a final domestic violence restraining order has been entered.

A-2789, sponsored by Assembly Members Kevin J. O'Toole (R-Essex/Union) and Joseph Azzolina (R-Middlesex/Monmouth) and Senators Martha W. Bark (R-Atlantic/Burlington/Camden) and Robert W. Singer (R- Burlington/Monmouth/Ocean) and Diane B. Allen (R-Burlington/Camden), requires annual domestic violence training for family court judges. Under previous law, all judges and court personnel were required to receive biannual training on the handling of domestic violence matters. The Assembly Task Force on domestic violence recommended in a report issued in July, 1998 that the statutory requirement for biannual training be increased.

S-1258, sponsored by Senators James S. Cafiero (R-Cape May/Atlantic/Cumberland) and John A. Girgenti (D-Passaic) and Assembly Members Francis J. Blee (R-Atlantic) and Kenneth C. Lefevre (R-Atlantic), makes it a third degree crime to knowingly use a laser sighting system or device against a law enforcement officer who is engaged in the performance of his or her official duties and is in uniform or otherwise displaying evidence of his or her authority. Third degree crimes are punishable by a three-to-five-year term of imprisonment or a \$15,000 fine or both. For first offenders, however, a presumption against incarceration applies.

S-1378, revises various hunting, trapping and fishing license fees and related provisions, and changes the name of the Division of Fish, Game and Wildlife to the Division of Fish and Wildlife. The bill increases the fees for various hunting, fishing and trapping licenses, permits and stamps by an average of about 50 percent. The bill also authorizes the division to collect a new \$2 fee from migratory bird hunters to pay for information collection activities mandated by the United States Fish and Wildlife Service Migratory Bird Harvest Information Program. The legislation was sponsored by Senators Robert E. Littell (R-Sussex/Hunterdon/Morris) and Joseph F. Vitale (D-Middlesex) and Assembly Members Michael Patrick Carroll (R-Morris) and Melvin Cottrell (R-Burlington/Monmouth/Ocean).