

LEGISLATIVE FISCAL ESTIMATE:

Yes

VETO MESSAGE:

No

GOVERNOR'S PRESS RELEASE ON SIGNING:

Yes

FOLLOWING WERE PRINTED:

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REPORTS:

No

HEARINGS:

No

NEWSPAPER ARTICLES:

No

RH/CL

P.L. 2021, CHAPTER 131, *approved June 29, 2021*
Assembly, No. 5520 (*First Reprint*)

1 AN ACT concerning eligibility for the Pharmaceutical Assistance to
2 the Aged and Disabled program and amending P.L.1975, c.194.

3

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

6

7 1. Section 2 of P.L.1975, c.194 (C.30:4D-21) is amended to
8 read as follows:

9 2. a. Any resident of this State who is either a recipient of
10 disability insurance benefits under Title II of the federal Social
11 Security Act (42 U.S.C. s. 401 et seq.) or 65 years of age and over
12 and whose annual income is less than **[\$16,624]** \$38,769 if single
13 or, if married, whose annual income combined with that of his
14 spouse is less than **[\$20,383]** \$45,270, shall be eligible for
15 "Pharmaceutical Assistance to the Aged and Disabled" if he is not
16 otherwise qualified for assistance under P.L.1968, c.413 (C.30:4D-1
17 et seq.). Annual income shall not include gain from the sale of a
18 principal residence that is excluded from gross income pursuant to
19 N.J.S.54A:6-9.

20 b. **¹[Beginning]** (1) Except as provided in paragraph (2) of
21 this subsection, beginning¹ January 1, 1996 and annually thereafter,
22 the income eligibility limits provided in subsection a. of this section
23 shall increase by the amount of the maximum Social Security
24 benefit cost-of-living increase for that year for single and married
25 persons, respectively. The commissioner shall adopt the new
26 income limits annually by regulation pursuant to the
27 "Administrative Procedure Act," P.L.1968, c.410 (C.52:14B-
28 1 et seq.).

29 ¹(2) No cost-of-living increase shall be applied under paragraph
30 (1) of this subsection in calendar year 2022. The cost-of-living
31 increase shall resume beginning January 1, 2023, and the income
32 eligibility limits shall be annually increased thereafter consistent
33 with the requirements of paragraph (1) of this subsection.¹

34 (cf: P.L.1995, c.27, s.1)

35

36 2. This act shall take effect on January 1, 2022, but the
37 Commissioner of Human Services may take such anticipatory
38 administrative action in advance as shall be necessary for the
39 implementation of the act.

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:

¹Assembly ABU committee amendments adopted June 21, 2021.

A5520 [1R]

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2

3

Increases income eligibility limits for PAAD program and Senior

4

Gold Prescription Discount Program by \$10,000.

ASSEMBLY, No. 5520

STATE OF NEW JERSEY 219th LEGISLATURE

INTRODUCED MARCH 22, 2021

Sponsored by:

Assemblywoman VALERIE VAINIERI HUTTLE

District 37 (Bergen)

Assemblywoman ANGELA V. MCKNIGHT

District 31 (Hudson)

Assemblyman DANIEL R. BENSON

District 14 (Mercer and Middlesex)

Co-Sponsored by:

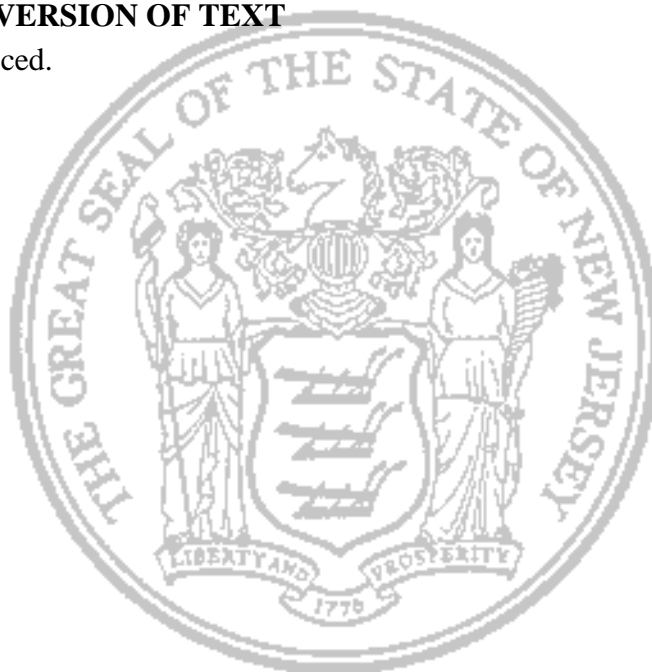
**Assemblyman Conaway, Assemblywomen Chaparro, Speight, Stanfield
and Jasey**

SYNOPSIS

Increases income eligibility limits for PAAD program and Senior Gold Prescription Discount Program by \$10,000.

CURRENT VERSION OF TEXT

As introduced.



(Sponsorship Updated As Of: 6/21/2021)

1 AN ACT concerning eligibility for the Pharmaceutical Assistance to
2 1 the Aged and Disabled program and amending P.L.1975, c.194.

3

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

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7

8 1. Section 2 of P.L.1975, c.194 (C.30:4D-21) is amended to
9 read as follows:

10 2. a. Any resident of this State who is either a recipient of
11 disability insurance benefits under Title II of the federal Social
12 Security Act (42 U.S.C. s. 401 et seq.) or 65 years of age and over
13 and whose annual income is less than **[\$16,624]** \$38,769 if single
14 or, if married, whose annual income combined with that of his
15 spouse is less than **[\$20,383]** \$45,270, shall be eligible for
16 "Pharmaceutical Assistance to the Aged and Disabled" if he is not
17 otherwise qualified for assistance under P.L.1968, c.413 (C.30:4D-1
18 et seq.). Annual income shall not include gain from the sale of a
19 principal residence that is excluded from gross income pursuant to
20 N.J.S.54A:6-9.

21 b. Beginning January 1, 1996 and annually thereafter, the
22 income eligibility limits provided in subsection a. of this section
23 shall increase by the amount of the maximum Social Security
24 benefit cost-of-living increase for that year for single and married
25 persons, respectively. The commissioner shall adopt the new
26 income limits annually by regulation pursuant to the
27 "Administrative Procedure Act," P.L.1968, c.410 (C.52:14B-1 et
28 seq.).

29 (cf: P.L.1995, c.27, s.1)

30

31 2. This act shall take effect on January 1, 2022, but the
32 Commissioner of Human Services may take such anticipatory
33 administrative action in advance as shall be necessary for the
34 implementation of the act.

35

36

37

STATEMENT

38

39 This bill increases the income eligibility limits established in the
40 Pharmaceutical Assistance to the Aged and Disabled (PAAD) program
41 to \$38,769 for single persons and \$45,270 combined income for
42 married couples. Under the Senior Gold Prescription Discount
43 Program, income eligibility limits are \$10,000 higher than PAAD
44 income eligibility limits. Therefore, this bill will increase income
45 eligibility limits under the Senior Gold Prescription Discount program

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.

A5520 VAINIERI HUTTLE, MCKNIGHT

1 to \$48,769 for single persons and \$55,270 combined income for
2 married couples.

3 Currently, the PAAD income limits for 2021 are \$28,769 for single
4 persons and \$35,270 combined income for married couples. Although
5 the PAAD law states that income eligibility limits are \$16,624 and
6 \$20,383 for single persons and married couples, respectively, an
7 annual cost-of-living increase in income eligibility limits was adopted
8 effective January 1, 1996, which has increased these eligibility levels
9 each year. This bill retains the annual cost-of-living increase, but raises
10 the overall income eligibility levels for the program, effective January
11 1, 2022.

ASSEMBLY AGING AND SENIOR SERVICES COMMITTEE

STATEMENT TO

ASSEMBLY, No. 5520

STATE OF NEW JERSEY

DATED: JUNE 2, 2021

The Assembly Aging and Senior Services Committee reports favorably Assembly Bill No. 5520.

This bill increases the income eligibility limits established in the Pharmaceutical Assistance to the Aged and Disabled (PAAD) program to \$38,769 for single persons and \$45,270 combined income for married couples. Under the Senior Gold Prescription Discount Program, income eligibility limits are \$10,000 higher than PAAD income eligibility limits. Therefore, this bill will increase income eligibility limits under the Senior Gold Prescription Discount program to \$48,769 for single persons and \$55,270 combined income for married couples.

Currently, the PAAD income limits for 2021 are \$28,769 for single persons and \$35,270 combined income for married couples. Although the PAAD law states that income eligibility limits are \$16,624 and \$20,383 for single persons and married couples, respectively, an annual cost-of-living increase in income eligibility limits was adopted effective January 1, 1996, which has increased these eligibility levels each year. This bill retains the annual cost-of-living increase, but raises the overall income eligibility levels for the program, effective January 1, 2022.

ASSEMBLY BUDGET COMMITTEE

STATEMENT TO

ASSEMBLY, No. 5520

with committee amendments

STATE OF NEW JERSEY

DATED: JUNE 22, 2021

The Assembly Budget Committee reports favorably and with committee amendments Assembly Bill No. 5520.

As amended by the committee, this bill increases the income eligibility limits established in the Pharmaceutical Assistance to the Aged and Disabled (PAAD) program to \$38,769 for single persons and \$45,270 combined income for married couples. Under the Senior Gold Prescription Discount Program, income eligibility limits are \$10,000 higher than PAAD income eligibility limits. Therefore, this bill will increase income eligibility limits under the Senior Gold Prescription Discount program to \$48,769 for single persons and \$55,270 combined income for married couples.

Currently, the PAAD income limits for 2021 are \$28,769 for single persons and \$35,270 combined income for married couples. Although the PAAD law states that income eligibility limits are \$16,624 and \$20,383 for single persons and married couples, respectively, an annual cost-of-living increase in income eligibility limits was adopted effective January 1, 1996, which has increased these eligibility levels each year.

As amended by the committee, this bill retains the annual cost-of-living increase, but raises the overall income eligibility levels for the program, effective January 1, 2022. The annual cost-of-living increase will not be applied in calendar year 2022, but will resume effective January 1, 2023, and will be applied annually thereafter as provided under current law.

COMMITTEE AMENDMENTS:

The committee amendments provide that the annual cost-of-living increase that is applied to PAAD and Senior Gold income eligibility limits under current law will not apply in 2022, but will resume in 2023, and will continue to be increased annually each year thereafter.

FISCAL IMPACT:

The FY 2022 Budget Recommendation proposes expending an additional \$6.9 million to raise the Pharmaceutical Assistance to the Aged and Disabled (PAAD) income limits to \$38,769 for single persons and \$45,270 combined income for married couples beginning

on January 1, 2022. The annualized cost would therefore be \$13.8 million.

The Office of Legislative Services (OLS) does not concur with this Executive estimate; rather, the OLS estimates that the State will experience an \$11.0 million increase in costs due to a one-time increase of \$10,000 in the income eligibility limits established in the PAAD program and the Senior Gold Program. Following December 31, 2022, any increase in income eligibility under these programs, as well as the costs associated with those increases, will be the result of an existing statutory cost-of-living adjustment. As such, those costs are not attributed to this bill.

LEGISLATIVE FISCAL ESTIMATE

[First Reprint]

ASSEMBLY, No. 5520 STATE OF NEW JERSEY 219th LEGISLATURE

DATED: JUNE 29, 2021

SUMMARY

- Synopsis:** Increases income eligibility limits for PAAD program and Senior Gold Prescription Discount Program by \$10,000.
- Type of Impact:** State Expenditure Increase.
- Agencies Affected:** Division of Aging Services, Department of Human Services.

Executive Estimate

Fiscal Impact	<u>January 1, 2022 – December 31, 2022</u>
State Expenditure Increase	\$13.8 million

Office of Legislative Services Estimate

Fiscal Impact	<u>January 1, 2022 – December 31, 2022</u>
State Expenditure Increase	\$11.0 million

- The Office of Legislative Services (OLS) **does not concur** with the Executive estimate that this bill will increase State expenditures by \$13.8 million between January 1, 2022 and December 31, 2022. Rather, the OLS estimates that the State will experience an \$11.0 million increase in costs due to a one-time increase of \$10,000 in the income eligibility limits established in the Pharmaceutical Assistance to the Aged and Disabled (PAAD) program and the Senior Gold Program.

BILL DESCRIPTION

This bill increases the income eligibility limits established in the PAAD program by \$10,000 to \$38,769 for single persons and \$45,270 combined income for married couples. Under the Senior Gold Prescription Discount Program, income eligibility limits are \$10,000 higher than PAAD income eligibility limits. Therefore, this bill will increase income eligibility limits under the Senior

Gold Prescription Discount program to \$48,769 for single persons and \$55,270 combined income for married couples.

This bill retains an existing annual cost-of-living adjustment (COLA) for the PAAD income eligibility limits, but does not apply the COLA increase in calendar year 2022. The COLA will resume effective January 1, 2023, and will be applied annually thereafter as provided under current law.

FISCAL ANALYSIS

EXECUTIVE BRANCH

None received, however under the Governor's FY 2022 proposed Budget, the Executive recommends expending an additional \$6.9 million to raise the PAAD income limits to \$38,769 for single persons and \$45,270 combined income for married couples beginning on January 1, 2022. The annualized cost would therefore be \$13.8 million. Accordingly, program enrollment is expected to rise by 19,093 enrollees from 119,361 in FY 2021 to 138,454 in FY 2022.

OFFICE OF LEGISLATIVE SERVICES

The OLS estimates that this bill will increase State expenditures by \$11.0 million between January 1, 2022 and December 31, 2022 as a result of a one-time increase of \$10,000 in the income eligibility limits established in the PAAD program and the Senior Gold Program. The estimate assumes that the threshold increase will bring an additional 19,093 enrollees into the PAAD program, as estimated by the department, and 2,144 enrollees into the Senior Gold Program, and utilizes cost data for the PAAD program and the Senior Gold program provided by the department on page D-196 of the Governor's FY 2022 Budget Recommendation. Of the \$11.0 million, \$10.6 million is attributed to the PAAD program, and \$400,000 is attributed to the Senior Gold program. Following December 31, 2022, any increase in income eligibility under these programs will be the result of an existing statutory COLA. As such, those costs are not attributed to this bill.

Section: Human Services

Analyst: Sarah Schmidt
Senior Fiscal Analyst

Approved: Thomas Koenig
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. 3633

STATE OF NEW JERSEY 219th LEGISLATURE

INTRODUCED APRIL 19, 2021

Sponsored by:

Senator THOMAS H. KEAN, JR.

District 21 (Morris, Somerset and Union)

Senator PATRICK J. DIEGNAN, JR.

District 18 (Middlesex)

Co-Sponsored by:

Senators A.M.Bucco and Madden

SYNOPSIS

Increases income eligibility limits for PAAD program and Senior Gold Prescription Discount Program by \$10,000.

CURRENT VERSION OF TEXT

As introduced.



(Sponsorship Updated As Of: 6/10/2021)

1 AN ACT concerning eligibility for the Pharmaceutical Assistance to
2 the Aged and Disabled program and amending P.L.1975, c.194.

3

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

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7 1. Section 2 of P.L.1975, c.194 (C.30:4D-21) is amended to
8 read as follows:

9 2. a. Any resident of this State who is either a recipient of
10 disability insurance benefits under Title II of the federal Social
11 Security Act (42 U.S.C. s. 401 et seq.) or 65 years of age and over
12 and whose annual income is less than **[\$16,624]** \$38,769 if single
13 or, if married, whose annual income combined with that of his
14 spouse is less than **[\$20,383]** \$45,270, shall be eligible for
15 "Pharmaceutical Assistance to the Aged and Disabled" if he is not
16 otherwise qualified for assistance under P.L.1968, c.413 (C.30:4D-1
17 et seq.). Annual income shall not include gain from the sale of a
18 principal residence that is excluded from gross income pursuant to
19 N.J.S.54A:6-9.

20 b. Beginning January 1, 1996 and annually thereafter, the
21 income eligibility limits provided in subsection a. of this section
22 shall increase by the amount of the maximum Social Security
23 benefit cost-of-living increase for that year for single and married
24 persons, respectively. The commissioner shall adopt the new
25 income limits annually by regulation pursuant to the
26 "Administrative Procedure Act," P.L.1968, c.410 (C.52:14B-1 et
27 seq.).

28 (cf: P.L.1995, c.27, s.1)

29

30 2. This act shall take effect on January 1, 2022, but the
31 Commissioner of Human Services may take such anticipatory
32 administrative action in advance as shall be necessary for the
33 implementation of the act.

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35

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STATEMENT

37

38 This bill increases the income eligibility limits established in the
39 Pharmaceutical Assistance to the Aged and Disabled (PAAD) program
40 to \$38,769 for single persons and \$45,270 combined income for
41 married couples. Under the Senior Gold Prescription Discount
42 Program, income eligibility limits are \$10,000 higher than PAAD
43 income eligibility limits. Therefore, this bill will increase income
44 eligibility limits under the Senior Gold Prescription Discount program

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 to \$48,769 for single persons and \$55,270 combined income for
2 married couples.

3 Currently, the PAAD income limits for 2021 are \$28,769 for single
4 persons and \$35,270 combined income for married couples. Although
5 the PAAD law states that income eligibility limits are \$16,624 and
6 \$20,383 for single persons and married couples, respectively, an
7 annual cost-of-living increase in income eligibility limits was adopted
8 effective January 1, 1996, which has increased these eligibility levels
9 each year. This bill retains the annual cost-of-living increase, but raises
10 the overall income eligibility levels for the program, effective January
11 1, 2022.

SENATE HEALTH, HUMAN SERVICES AND SENIOR
CITIZENS COMMITTEE

STATEMENT TO
SENATE, No. 3633

with committee amendments

STATE OF NEW JERSEY

DATED: JUNE 10, 2021

The Senate Health, Human Services and Senior Citizens Committee reports favorably and with committee amendments Senate Bill No. 3633.

As amended by the committee, this bill increases the income eligibility limits established in the Pharmaceutical Assistance to the Aged and Disabled (PAAD) program to \$38,769 for single persons and \$45,270 combined income for married couples. Under the Senior Gold Prescription Discount Program, income eligibility limits are \$10,000 higher than PAAD income eligibility limits. Therefore, this bill will increase income eligibility limits under the Senior Gold Prescription Discount program to \$48,769 for single persons and \$55,270 combined income for married couples.

Currently, the PAAD income limits for 2021 are \$28,769 for single persons and \$35,270 combined income for married couples. Although the PAAD law states that income eligibility limits are \$16,624 and \$20,383 for single persons and married couples, respectively, an annual cost-of-living increase in income eligibility limits was adopted effective January 1, 1996, which has increased these eligibility levels each year.

As amended by the committee, this bill retains the annual cost-of-living increase, but raises the overall income eligibility levels for the program, effective January 1, 2022. The annual cost-of-living increase will not be applied in calendar year 2022, but will resume effective January 1, 2023, and will be applied annually thereafter as provided under current law.

COMMITTEE AMENDMENTS:

The committee amendments provide that the annual cost-of-living increase that is applied to PAAD and Senior Gold income eligibility limits under current law will not apply in 2022, but will resume in 2023, and will continue to be increased annually each year thereafter.

SENATE BUDGET AND APPROPRIATIONS COMMITTEE

STATEMENT TO

[First Reprint]

SENATE, No. 3633

STATE OF NEW JERSEY

DATED: JUNE 22, 2021

The Senate Budget and Appropriations Committee reports favorably Senate Bill No. 3633 (1R).

This bill increases the income eligibility limits established in the Pharmaceutical Assistance to the Aged and Disabled (PAAD) program to \$38,769 for single persons and \$45,270 combined income for married couples. Under the Senior Gold Prescription Discount Program, income eligibility limits are \$10,000 higher than PAAD income eligibility limits. Therefore, this bill will increase income eligibility limits under the Senior Gold Prescription Discount program to \$48,769 for single persons and \$55,270 combined income for married couples.

Currently, the PAAD income limits for 2021 are \$28,769 for single persons and \$35,270 combined income for married couples. Although the PAAD law states that income eligibility limits are \$16,624 and \$20,383 for single persons and married couples, respectively, an annual cost-of-living increase in income eligibility limits was adopted effective January 1, 1996, which has increased these eligibility levels each year.

As amended by the committee, this bill retains the annual cost-of-living increase, but raises the overall income eligibility levels for the program, effective January 1, 2022. The annual cost-of-living increase will not be applied in calendar year 2022, but will resume effective January 1, 2023, and will be applied annually thereafter as provided under current law.

FISCAL IMPACT:

Fiscal information for this bill is currently unavailable.

LEGISLATIVE FISCAL ESTIMATE

[First Reprint]

SENATE, No. 3633 STATE OF NEW JERSEY 219th LEGISLATURE

DATED: JUNE 29, 2021

SUMMARY

Synopsis: Increases income eligibility limits for PAAD program and Senior Gold Prescription Discount Program by \$10,000.

Type of Impact: State Expenditure Increase.

Agencies Affected: Division of Aging Services, Department of Human Services.

Executive Estimate

Fiscal Impact	<u>January 1, 2022 – December 31, 2022</u>
State Expenditure Increase	\$13.8 million

Office of Legislative Services Estimate

Fiscal Impact	<u>January 1, 2022 – December 31, 2022</u>
State Expenditure Increase	\$11.0 million

- The Office of Legislative Services (OLS) **does not concur** with the Executive estimate that this bill will increase State expenditures by \$13.8 million between January 1, 2022 and December 31, 2022. Rather, the OLS estimates that the State will experience an \$11.0 million increase in costs due to a one-time increase of \$10,000 in the income eligibility limits established in the Pharmaceutical Assistance to the Aged and Disabled (PAAD) program and the Senior Gold Program.

BILL DESCRIPTION

This bill increases the income eligibility limits established in the PAAD program by \$10,000 to \$38,769 for single persons and \$45,270 combined income for married couples. Under the Senior Gold Prescription Discount Program, income eligibility limits are \$10,000 higher than PAAD income eligibility limits. Therefore, this bill will increase income eligibility limits under the Senior

Gold Prescription Discount program to \$48,769 for single persons and \$55,270 combined income for married couples.

This bill retains an existing annual cost-of-living adjustment (COLA) for the PAAD income eligibility limits, but does not apply the COLA increase in calendar year 2022. The COLA will resume effective January 1, 2023, and will be applied annually thereafter as provided under current law.

FISCAL ANALYSIS

EXECUTIVE BRANCH

None received, however under the Governor's FY 2022 proposed Budget, the Executive recommends expending an additional \$6.9 million to raise the PAAD income limits to \$38,769 for single persons and \$45,270 combined income for married couples beginning on January 1, 2022. The annualized cost would therefore be \$13.8 million. Accordingly, program enrollment is expected to rise by 19,093 enrollees from 119,361 in FY 2021 to 138,454 in FY 2022.

OFFICE OF LEGISLATIVE SERVICES

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Section: Human Services

Analyst: Sarah Schmidt
Senior Fiscal Analyst

Approved: Thomas Koenig
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.).

Governor Murphy Takes Action on Legislation

06/29/2021

TRENTON – Today, Governor Phil Murphy signed the following bills into law.

A-13/S-4000 (Freiman, Armato, Pintor Marin, Mazzeo, Houghtaling, Coughlin/Sarlo, Sweeney, Addiego) – Establishes "New Jersey Debt Defeasance and Prevention Fund," appropriates \$3.7 billion.

S-1255/A-1925 (Singleton, Pou/Wimberly, Reynolds-Jackson, Tucker) - Requires that certain realty transfer fee revenues be dedicated to the Special Needs Housing Trust Fund.

S-3949/A-5871 (Sarlo, Cunningham/Pintor Marin, Burzichelli) – FY 2021 State supplemental appropriation; appropriates \$100.3 million in General Fund monies and \$14.4 million in Property Tax Relief Fund monies.

A-12/S-3997 (Coughlin, McKeon, Jasey, McKnight, Chiaravalloti/Addiego, Cunningham) – "New Jersey College Affordability Act"; appropriates \$10 million.

A-5539/S-3954 (Burzichelli, Benson, Zwicker/Sarlo, Sweeney) – Provides partial pension and retirement income exclusion for taxpayers with incomes between \$100,000 and \$150,000.

A-5345/S-3428 (Reynolds-Jackson, Mukherji, Vainieri Huttel/Lagana, Ruiz) – Expands eligibility under New Jersey earned income tax credit program to allow taxpayers who are at least 18 years of age or older to qualify for modified benefit.

A-5520/S-3633 (Vainieri Huttel, McKnight, Benson/T. Kean, Diegnan) – Increases income eligibility limits for PAAD program and Senior Gold Prescription Discount Program by \$10,000.

S-3798/A-5805 (Vitale, Turner/Lopez, Benson, Johnson) – Eliminates premiums and waiting periods for certain NJ FamilyCare enrollees and directs DHS to implement additional targeted outreach initiatives to increase enrollment.