

Perspectives

Vol. 20, No. 5

The monthly publication for the assisted living, comprehensive personal care and residential health care industry

May 2017

Annual AL Conference May 16, 2017

Join us at HCANJ's Annual Assisted Living Conference on May 16, 2017 at the Sheraton Eatontown, in Eatontown, NJ. This one-day event focuses exclusively on topics of interest to assisted living owners, administrators and nurses.

You will hear from Valarie Harr, Deputy Commissioner, DHS as well as representatives from DOH. Thinking of expanding your services? Come understand how one assisted living did just that with IV therapy. Interested in quality? Come learn from a national expert. Legal aspects of documentation and incident reporting concern you? Let our experts help you.

Come support our Annual Sponsors! Enjoy a break from the routine and spend a day networking with your peers! Savor an ice cream!

Looking forward to seeing you there!



Rule Adoptions

The Department of Human Services Division of Aging Services readopted regulations concerning the provision of pharmaceutical services under the Pharmaceutical Assistance to the Aged and Disabled Program (PAAD). This adoption includes several changes proposed in October 2016.

Specifically, the revised regulations included the addition of various definitions and the repeal of one provision, N.J.A.C 10:167A, concerning the Medicare recovery initiative affecting prescription benefits payable under Medicare Part B. The repeal was made to recognize that PAAD does not pay for supplies covered by Medicare Part B.

Notice of this adoption appears in the March 6, 2017 *New Jersey Register* at 49 N.J.R. 446 (a). The readoption took effect January 31, 2017 and the amendments and repeal took effect March 6, 2017.

The Department of Health Office of Certificate of Need and Healthcare Facility Licensure published notice of the special adoption of new rules at N.J.A.C. 8:37 to codify new statutory requirements transferring responsibility for licensure, inspections, and the establishment and enforcement of standards with respect to dementia care homes from the Department of Community Affairs to the Department of Health. The new rules establish the standards for licensure of and the provision of services by dementia care homes in New Jersey under the Department of Health.

Notice of this special adoption appears in the March 6, 2017 New Jersey Register at 49 N.J.R. 461(a) with an effective date of February 7, 2017. These new rules remain in effect until May 31, 2017, or until the rules are proposed for public comment and readopted through standard rulemaking procedures.

The State Board of Nursing published notice of an emergency adoption and concurrent proposal of new N.J.A.C. 13:37-7.9A, concerning limitations on prescribing, administering or dispensing of controlled dangerous substances, with specific limitations for opioid drugs, and establishing special requirements for the management of acute and chronic pain. This emergency adoption responds to the enactment of P.L. 2017, c. 28, which was signed into law on February 15, 2017, but does not take effect until May 16, 2017.

Please note that the new law and this emergency adoption do NOT apply to a prescription for a patient who is currently in active treatment for cancer, receiving hospice care from a licensed hospice, receiving palliative care, or is a resident of a long-term care facility.

Notice of this emergency adoption appears in the March 20, 2017 New Jersey Register at 49 N.J.R. 558(a). It took effect March 1, 2017 and expires on April 30, 2017. Written comments on the concurrent rule proposal were due April 19, 2017 to the State Board of Nursing.



Legislation Acted Upon by the Governor

S2347, Rice (D28); Ruiz (D29); Spencer (D29); Pintor Marin (D29); Giblin (D34) permits certain municipalities to impose and collect payroll taxes of up to 1 percent of employer's payroll. NOTE: This applies only to Newark and authorized employer payroll tax of UP TO 1 percent vs. fixed at 1 percent.

The bill was signed by the Governor on March 22, 2017 as P.L.2017, c.35.