

**HCANJ BUSINESS MEETING  
LEGISLATIVE AND REGULATORY UPDATE  
April 14, 2021**

**1. Rule Adoptions**

- None to report.

**2. Rule Proposals**

- None to report.

**3. HCAB Activity**

- None to report.

**4. Public Notices**

- **The Department of Health published notices that it is postponing the January 4, 2021 certificate of need calls for applications for new specialized long-term beds for pediatric care, new specialized long-term care beds for severe behavior management and new specialized long-term care beds for ventilator care.** The Department indicated that it is unable to provide sufficient advance notice to potential certificate of need applicants and interested parties to either prepare their respective certificate of need applications or to respond to such applications. The Department is in the process of gathering and evaluating data to determine whether there is currently a need for these beds and needs time to complete its evaluation of need.

These notices appear in the March 15, 2021 *New Jersey Register* at 53 NJR 435 (a), (b) and (c).

## 5. Legislation Acted Upon by Governor

- None to report.

## 6. Legislation on Governor's Desk

**Bill:** A4477 AcaAa (2R)

**Sponsors:** Chiaravalloti (D31); Conaway (D7); Downey (D11); Vitale (D19); Weinberg (D37)  
+20

**Summary:** Revises licensure, operational, and reporting requirements for nursing homes.

**Related:** 2020:S2789

**History:** 07/30/2020—Introduced and referred to Assembly Senior Services Committee.  
10/08/2020—Reported out of committee, referred to Assembly Appropriations Committee.  
10/26/2020—Reported out of committee with committee amendments, 2nd reading in Assembly.  
03/01/2021—Amended on Assembly floor, 2nd reading in Assembly (Johnson).  
**03/25/2021—Passed Assembly 72-0-0. Received in Senate w/o committee reference. Substituted for S-2789 . Passed Senate 37-0; sent to Governor 37-0.**

**Position:** Oppose

**Note:** As revised the legislation includes many changes requested by HCANJ. These include 1) tiered levels of transfer of ownership reviews, 2) limiting time frame for DOH review of transfer applications, 3) removing a provision that would have required the State Auditor to undertake an investigation of one or more nursing homes if approved by both the Senate President and the Speaker of the General Assembly, and 4) revising a requirement that the DHS utilize direct care ratios to help the DOH to identify nursing homes in financial distress or at risk of filing for bankruptcy to instead require nursing homes to report to the DOH any time they miss certain types of payments, including debt service, rent, payroll, or payroll taxes.

**Bill:** S3145 Sca (1R)

**Sponsors:** Greenstein (D14); Pou (D35); Vainieri Huttle (D37); Johnson (D37); Downey (D11)

**Summary:** Concerns names required on applications for professional and occupational licensure.

**Related:** 2020:A2308

**History:** 11/05/2020—Introduced and referred to Senate Commerce Committee.  
01/21/2021—Reported with committee amendments, 2nd reading in Senate.  
**03/25/2021—Passed in Senate 35-0. Received in Assembly w/o committee reference. Substituted for A-2308. Passed in Assembly and sent to Governor 73-0-0.**

**Position:** Monitor

## 7. Legislative Activity

- Bill:** A1058 Aca (1R)  
**Sponsors:** Jasey (D27); Reynolds-Jackson (D15); Murphy (D7) +3  
**Summary:** Requires discrimination prevention training for certain providers of services to senior citizens.  
**Related:** 2020:S3552; 2018:A4427  
**History:** 01/14/2020—Introduced and referred to Assembly Senior Services Committee.  
 12/07/2020—Reported with committee amendments, referred to Assembly Appropriations Committee.  
**03/17/2021—Reported out of committee, 2nd reading in Assembly.**  
**Position:** Monitor  
**Notes:** Requires gender identity/sexual orientation discrimination training for new facility employees.
- Bill:** A1075 Aca (1R)  
**Sponsors:** Speight (D29); Vainieri Huttle (D37); DeAngelo (D14) +2  
**Summary:** Requires DEP, DOH, DCA, owners or operators of public water systems, and owners or operators of certain buildings to take certain actions to prevent and control cases of Legionnaires' disease.  
**Related:** 2020:S695; 2018:A5636; 2018:S3965  
**History:** 01/14/2020—Introduced to Assembly Environment and Solid Waste Committee.  
**03/15/2021—Reported with committee amendments, referred to Assembly Appropriations Committee.**  
**Position:** Monitor
- Bill:** A4430 AcaAaAa (3R)  
**Sponsors:** Conaway (D7); Vainieri Huttle (D37); McKnight (D31) +11  
**Summary:** Revises requirements for long-term care facilities to establish outbreak response plans.  
**Related:** 2020:S2798  
**History:** 07/20/2020—Introduced and referred to Assembly Health Committee.  
 10/22/2020—Reported with committee amendments, 2nd reading in Assembly.  
 10/29/2020—Amended on Assembly floor, 2nd reading in Assembly.  
**03/25/2021—Amended on Assembly floor, 2nd reading in Assembly.**  
**Position:** Seek Amendments  
**Note:** Floor amendments: (1) provide that a long-term care facility or an assisted living residence that is unable to hire an infection preventionist on a full-time or part-time basis may contract with an infection preventionist on a consultative basis until October 1, 2021. An assisted living residence or a long-term care facility is to provide notice to the Department of Health, within 60 days after the bill's effective date, if the facility is unable to hire an infection preventionist on a full-time or part-time basis and if the facility has contracted with an infection preventionist on a consultative basis. An assisted living residence or a long-term care facility is to hire an infection preventionist on a full-time or part-time basis after October 1, 2021; (2) requires each assisted living residence and long-term care facility to annually update outbreak response plans if necessary; (3) establish separate infection preventionist criteria for assisted living residences as provided for in the bill; and (4) designate employees with special infection control training.

**Bill:** A4649  
**Sponsors:** Lopez (D19)  
**Summary:** Requires health care professional licensing boards to utilize National Practitioner Data Bank.  
**Related:** 2020:S845; 2018:S3486  
**History:** 09/14/2020—Introduced to Assembly Regulated Professions Committee.  
**03/17/2021—Reported out of committee, 2nd reading in Assembly.**  
**Position:** Monitor

**Bill:** A4790 Acs (ACS)  
**Sponsors:** Downey (D11); Benson (D14)  
**Summary:** Requires DHS to contract with third party entity to apply risk reduction model to Medicaid prescription drug services.  
**Related:** 2020:S887  
**History:** 10/08/2020—Introduced and referred to Assembly Human Services Committee.  
**03/17/2021—Reported out of committee with committee substitute, referred to Assembly Appropriations Committee.**  
**Position:** Monitor  
**Notes:** Proposal is same as Senate version, which was amended to remove concern that bill could have been problematic if fee-for services requires mail order and/or 90 day supply of prescriptions for patients.

**Bill:** A4861 Aca (1R)  
**Sponsors:** Vainieri Huttle (D37); Armato (D2); Verrelli (D15) +12  
**Summary:** Requires DOH to publish total number of COVID-19 deaths and cases in long-term care facilities.  
**Related:** 2020:S3041  
**History:** 10/22/2020—Introduced and referred to Assembly Senior Services Committee.  
 01/13/2021—Reported out of committee with committee amendments, 2nd reading in Assembly.  
**03/25/2021—Passed in Assembly 72-0-0.**  
**Position:** Monitor

**Bill:** A4864  
**Sponsors:** Johnson (D37); Vainieri Huttle (D37); Spearman (D5) +8  
**Summary:** Makes FY 2021 supplemental appropriation of \$210,000 to DHS for temporary 25 percent increase to certain assisted living facilities in Medicaid.  
**Related:** 2020:S3351  
**History:** 10/22/2020—Introduced and referred to Assembly Senior Services Committee.  
 03/08/2021—Reported out of committee, referred to Assembly Appropriations Committee.  
 03/17/2021—Reported out of committee, 2nd reading in Assembly.  
**03/25/2021—Passed in Assembly 64-6-3.**  
**Position:** Support

- Bill:** A5353 Aca (1R)  
**Sponsors:** Conaway (D7); Vainieri Huttle (D37); Benson (D14) +7  
**Summary:** Provides for certification of temporary nurse aides.  
**Related:** 2020:S3421  
**History:** 02/22/2021—Introduced and referred to Assembly Health Committee.  
03/08/2021—Reported with committee amendments, 2nd reading in Assembly.  
**03/25/2021—Passed in Assembly 72-0-0.**  
**Position:** Support
- Bill:** S537 Aca (1R)  
**Sponsors:** Codey (D27) +3  
**Summary:** Establishes certain minimum and maximum temperatures in rooming and boarding houses, dementia care homes, and certain nursing homes and residential health care facilities.  
**Related:** 2020:A3110; 2018:A2942; 2018:S794; 2016:A2414; 2016:S368; 2014:A4111; 2014:S1961  
**History:** 01/14/2020—Introduced and referred to Senate Health, Human Services and Senior Citizens Committee.  
08/25/2020—Reported out of committee. Referred to Senate Budget and Appropriations Committee. Reported out of committee, 2nd reading in Senate.  
08/27/2020—Passed in Senate 39-0.  
09/14/2020—Received in Assembly and referred to Assembly Health Committee.  
01/13/2021—Reported with committee amendments, referred to Assembly Appropriations Committee.  
**03/17/2021—Reported out of committee, 2nd reading in Assembly.**  
**Position:** Monitor  
**Notes:** Bill was amended in 216th session at HCANJ request to narrow initially proposed temperature range to 65 through 81 degrees and to permit nursing facilities and residential health care facilities to comply with federal temperature range, 42 CFR 483.15 (h)(6).
- Bill:** S887 ScsSca (SCS/1R)  
**Sponsors:** Sweeney (D3); Greenstein (D14) +1  
**Summary:** Requires DHS to contract with third party entity to apply risk reduction model to Medicaid prescription drug services.  
**Related:** 2020:A4790  
**History:** 01/27/2020—Introduced and referred to Senate Health, Human Services and Senior Citizens Committee.  
09/14/2020—Reported with committee substitute. Referred to Senate Budget and Appropriations Committee.  
01/21/2021—Reported with committee amendments, 2nd reading in Senate.  
01/28/2021—Passed in Senate 32-0.  
01/29/2021—Received in Assembly and referred to Assembly Human Services Committee.  
**03/17/2021—Reported out of committee, referred to Assembly Appropriations Committee.**  
**Position:** Monitor  
**Notes:** Amendments remove concern that bill could have been problematic if fee-for services requires mail order and/or 90 day supply of prescriptions for patients.

**Bill:** S2798 AcaAaAa (3R)  
**Sponsors:** Vitale (D19); Ruiz (D29) +2  
**Summary:** Revises requirements for long-term care facilities to establish outbreak response plans.  
**Related:** 2020:A4430  
**History:** 08/03/2020—Introduced and referred to Senate Health, Human Services and Senior Citizens Committee.  
 08/25/2020—Reported out of committee, 2nd reading in Senate.  
 08/27/2020—Passed in Senate 39-0.  
 09/14/2020—Received in Assembly and referred to Assembly Health Committee.  
 10/22/2020—Reported with committee amendments, 2nd reading in Assembly.  
 10/29/2020—Amended on Assembly floor, 2nd reading in Assembly.  
**03/25/2021—Amended on Assembly floor, 2nd reading in Assembly.**  
**Position:** Seek Amendments  
**Note:** Floor amendments: (1) provide that a long-term care facility or an assisted living residence that is unable to hire an infection preventionist on a full-time or part-time basis may contract with an infection preventionist on a consultative basis until October 1, 2021. An assisted living residence or a long-term care facility is to provide notice to the Department of Health, within 60 days after the bill’s effective date, if the facility is unable to hire an infection preventionist on a full-time or part-time basis and if the facility has contracted with an infection preventionist on a consultative basis. An assisted living residence or a long-term care facility is to hire an infection preventionist on a full-time or part-time basis after October 1, 2021; (2) requires each assisted living residence and long-term care facility to annually update outbreak response plans if necessary; (3) establish separate infection preventionist criteria for assisted living residences as provided for in the bill; and (4) designate employees with special infection control training.

**Bill:** S3031 ScaSa (2R)  
**Sponsors:** Sweeney (D3); Vitale (D19) +2  
**Summary:** Requires DOH to establish certain nursing education and professional advancement programs.  
**Related:** 2020:A4854; 2020:A5059  
**History:** 10/19/2020—Introduced and referred to Senate Health, Human Services and Senior Citizens Committee.  
 01/14/2021—Reported with committee amendments. Referred to Senate Budget and Appropriations Committee.  
**03/22/2021—Reported out of committee, 2nd reading in Senate.**  
**03/25/2021—Amended on Senate floor, 2nd reading in Senate 23-0.**  
**Position:** Support  
**Note:** Establishes a pilot program to develop standards for a 12-month post-acute care residency program for registered nurses with a post-acute care curriculum, post-acute care clinical work focused on technical skills and subspecialty training; and assign residents to designated mentors who are employed by post-acute care facilities.

The bill provides that the DOH is to develop and offer a five-day infection prevention course to certified nurse aides and registered nurses to prepare certified nurse aides and registered nurses to perform infection prevention duties in a health care facility.

**Bill:** S3032  
**Sponsors:** Sweeney (D3); Vitale (D19) +5  
**Summary:** Requires DOH to develop Statewide plan for infection control and prevention infrastructure improvements in nursing homes.  
**Related:** 2020:A4855  
**History:** 10/19/2020—Introduced and referred to Senate Health, Human Services and Senior Citizens Committee.  
 01/14/2021—Reported out of committee. Referred to Senate Budget and Appropriations Committee.  
 03/22/2021—Reported out of committee, 2nd reading in Senate.  
**03/25/2021—Passed in Senate 37-0. Received in Assembly and referred to Assembly Appropriations Committee.**  
**Position:** Monitor

**Bill:** S3041 ScaSa (2R)  
**Sponsors:** Vitale (D19); Gopal (D11) +2  
**Summary:** Requires DOH to publish total number of COVID-19 deaths and cases in long-term care facilities.  
**Related:** 2020:A4861  
**History:** 10/19/2020—Introduced and referred to Senate Health, Human Services and Senior Citizens Committee.  
 12/07/2020—Reported with committee amendments, 2nd reading in Senate.  
**03/25/2021—Amended on Senate floor, 2nd reading in Senate 25-0.**  
**Position:** Monitor

## **8. Legislation Introduced**

**Bill:** A5466  
**Sponsors:** Conaway (D7); Verrelli (D15)  
**Summary:** Requires health benefits plans and carriers to meet certain requirements concerning network adequacy.  
**Related:** 2020:S3518  
**History:** 03/15/2021—Introduced to Assembly Financial Institutions and Insurance Comm.  
**Position:** Review

**Bill:** A5520  
**Sponsors:** Vainieri Huttel (D37); McKnight (D31); Benson (D14) +1  
**Summary:** Increases income eligibility limits for PAAD program and Senior Gold Prescription Discount Program by \$10,000.  
**Related:** 2020:S3633  
**History:** 03/22/2021—Introduced and referred to Assembly Senior Services Committee.  
**Position:** Monitor

**Bill:** A5528  
**Sponsors:** Dancer (R12)  
**Summary:** Extends CBT, GIT, and Pass-Through Business Alternative Income Tax filing and payment due dates to May 15, 2021.

**Related:** 2020:S3564  
**History:** 03/25/2021—Introduced and referred to Assembly Appropriations Committee.  
**Position:** Monitor

**Bill:** A5557  
**Sponsors:** Munoz (R21)  
**Summary:** Expands continuing education requirements for nurses.  
**History:** 03/25/2021—Proposed for introduction.  
**Position:** Review

**Bill:** S3518  
**Sponsors:** Sarlo (D36)  
**Summary:** Requires health benefits plans and carriers to meet certain requirements concerning network adequacy.

**Related:** 2020:A5466  
**History:** 03/09/2021—Introduced and referred to Senate Commerce Committee.  
**Position:** Review

**Bill:** S3552  
**Sponsors:** Codey (D27)  
**Summary:** Requires discrimination prevention training for certain providers of services to senior citizens.

**Related:** 2020:A1058; 2018:A4427  
**History:** 03/11/2021—Introduced and referred to Senate Health, Human Services and Senior Citizens Committee.  
**Position:** Monitor  
**Notes:** Requires gender identity/sexual orientation discrimination training for new facility employees.

**Bill:** S3564  
**Sponsors:** Sarlo (D36) +1  
**Summary:** Extends CBT, GIT, and Pass-Through Business Alternative Income Tax filing and payment due dates to May 15, 2021.

**Related:** 2020:A5528  
**History:** 03/18/2021—Introduced to Senate Budget and Appropriations Committee.  
**Position:** Monitor

**Bill:** S3633  
**Sponsors:** Kean (R21)  
**Summary:** Increases income eligibility limits for PAAD program and Senior Gold Prescription Discount Program by \$10,000.

**Related:** 2020:A5520  
**History:** 03/25/2021—Proposed for introduction.  
**Position:** Monitor