

**HCANJ BUSINESS MEETING  
LEGISLATIVE AND REGULATORY UPDATE  
February 8, 2023**

**1. Rule Adoptions**

- None to Report

**2. Rule Proposals**

- None to Report

**3. Health Care Administration Board Actions**

- None to Report

**4. Public Notices**

- None to Report

## 5. Legislation Enacted

**Bill:** A1474 Aa w/GR (2R)

**Sponsors:** Lopez (D19); Danielsen (D17); Carter (D22); Cryan (D20); Vitale (D19) +11

**Summary:** Provides certain protections and rights for temporary laborers.

**Related:** 2022:S511; 2020:A322; 2020:A6126; 2020:S4223; 2018:A5246

**History:** 01/11/2022—Introduced and referred to Assembly Labor Committee.  
 05/19/2022—Reported out of committee, 2nd reading in Assembly.  
 06/16/2022—Amended on Assembly floor, 2nd reading in Assembly (Wimberly).  
 06/29/2022—Passed in Assembly 46-29-3.  
 08/08/2022—Received in Senate w/o committee reference, 2nd reading in Senate. Substituted for S-511 (1R). Passed in Senate and sent to Governor 21-15.  
 09/22/2022—Governor's conditional veto rcvd in Assembly. 1st reading in Assembly to concur with Governor's recommendations. 2nd reading in Assembly to concur with Governor's recommendations.  
 10/03/2022—Passed in Assembly 41-28-3. Received in Senate, 2nd reading in Senate to concur with Governor's recommendations.  
**02/02/2023—Passed in Senate and sent to Governor 21-15.**  
**02/06/2023—Signed by the Governor P.L. 2023, c.10**

**Position:** Monitor

**Notes:** Provides greater oversight of temporary help service firms and third-party clients. Provides penalty for failure by the third-party client to maintain and remit accurate time records to the temporary help service firm and to provide temporary help with work verification at end of day containing the date, the temporary laborer's name, the work location, and the hours worked on that day. Prohibits temporary help service firm from restricting the right of a temporary laborer to accept a permanent position with a third-party client to whom the temporary laborer has been referred for work or restricting the right of a third-party client to offer employment to a temporary laborer.

## 6. Legislation on Governor's Desk

**Bill:** A2722 AcaSca (2R)

**Sponsors:** Matsikoudis (R21); Sauickie (R12); Murphy (D7); Bramnick (R21); Gopal (D11) +16

**Summary:** Permits veteran to receive credit toward licensure as licensed practical nurse upon completing certain military medical training programs.

**Related:** 2022:S3191; 2020:A1383; 2020:S3278

**History:** 02/14/2022—Introduced and referred to Assembly Military and Veterans' Affairs Committee.  
 09/22/2022—Reported with committee amendments, 2nd reading in Assembly.  
 10/03/2022—Passed in Assembly 71-0-0. Received in Senate and referred to Senate Military and Veterans' Affairs Committee.  
 11/07/2022—Reported with committee amendments, 2nd reading in Senate.  
 12/19/2022—Substituted for S-3191 (1R). Passed in Senate 37-0.  
 01/10/2023—Received in Assembly, 2nd reading in Assembly to concur with Senate amendments.  
**01/26/2023—Passed in Assembly and sent to Governor 78-0-0.**

**Position:** Monitor

## 7. Legislative Activity

**Bill:** A1884 Aa (1R)

**Sponsors:** Tully (D38); Swain (D38); Moriarty (D4) +20

**Summary:** Requires telecommunications, cable television, and Internet service providers to allow service recipients to terminate service contracts following physician's referral to long-term care facility.

**Related:** 2022:S3413; 2020:A2118; 2018:A4838; 2018:S3390

**History:** 01/11/2022—Introduced and referred to Assembly Consumer Affairs.  
10/13/2022—Reported out of committee, referred to Assembly Telecommunications and Utilities Committee.  
12/05/2022—Reported out of committee, 2nd reading in Assembly.  
12/15/2022—Amended on Assembly floor, 2nd reading in Assembly (Wimberly).  
**01/26/2023—Passed in Assembly 76-0-0. Received in Senate Commerce Committee.**

**Position:** Monitor

**Bill:** A3199 AcaAcaSca (3R)

**Sponsors:** Greenwald (D6); Sumter (D35); Jaffer (D16); Swain (D38); Benson (D14); Singleton (D7); Madden (D4) +14

**Summary:** Establishes "Health Care Heroes Violence Prevention Act."

**Related:** 2022:S2008

**History:** 03/07/2022—Introduced and referred to Assembly Law and Public Safety Committee.  
05/09/2022—Reported out of committee with committee amendments, referred to Assembly Appropriations Committee.  
06/13/2022—Reported with committee amendments, 2nd reading in Assembly.  
06/16/2022—Passed in Assembly 78-0-0.  
06/20/2022—Received in Senate Budget and Appropriations Committee.  
12/05/2022—Reported with committee amendments, 2nd reading in Senate.  
**02/02/2023—Substituted for S-2008 (2R). Passed in Senate 39-0.**

**Position:** Seek Amendments

**Notes:** Committees did not accept requested amendment to remove requirement for facilities to post notice stating "It is a crime to assault a health care worker. Any person who assaults a health care worker shall be subject to a fine, imprisonment, or both."

**Bill:** A3250

**Sponsors:** Conaway (D7); Benson (D14); McKnight (D31) +3

**Summary:** Requires DHS to employ Transportation Planning Coordinator to oversee provision of transportation services.

**Related:** 2022:S1026; 2020:A2441; 2020:S1935; 2018:A5292; 2018:S3693

**History:** 03/07/2022—Introduced and referred to Assembly Human Services Committee.  
01/19/2023—Reported out of committee, 2nd reading in Assembly.  
**01/26/2023—Passed in Assembly 77-0-0. Received in Senate and referred to Senate Health, Human Services and Senior Citizens Committee.**

**Position:** Support

**Bill:** A4484 Aca (1R)  
**Sponsors:** Conaway (D7); McKnight (D31) +1  
**Summary:** Revises reporting requirements for nursing homes concerning financial disclosures and ownership structure.

**Related:** 2022:S2769

**History:** 09/15/2022—Introduced and referred to Assembly Senior Services Committee.  
**01/12/2023—Transferred to Assembly Health Committee. Reported with committee amendments, referred to Assembly Aging and Senior Services Committee.**

**Position:** Oppose

**Bill:** A4616

**Sponsors:** Moriarty (D4); Greenwald (D6); Jaffer (D16) +1

**Summary:** Allows passage of Certified Respiratory Therapist examination to qualify for licensure as respiratory therapist.

**Related:** 2022:S3157

**History:** 09/22/2022—Introduced to Assembly Regulated Professions Committee.

01/12/2023—Reported out of committee, 2nd reading in Assembly.

**01/26/2023—Passed Assembly 78-0. Received in Senate Commerce Committee.**

**Position:** Monitor

**Bill:** A4619 Aca (1R)

**Sponsors:** Greenwald (D6); Conaway (D7); Stanley (D18) +1

**Summary:** Codifies and extends authorization for certain out-of-State health care practitioners and recent graduates of health care training programs to practice in New Jersey.

**History:** 09/22/2022—Introduced to Assembly Regulated Professions Committee.

**01/12/2023—Reported out of committee with committee amendments, referred to Assembly Health Committee.**

**Position:** Support

**Note:** This bill makes permanent certain forms of temporary licensure for health care professionals licensed in other states and recent graduates of health care training programs, which temporary licensure was formerly authorized in response to the COVID-19 pandemic and extended through June 30, 2022 by P.L.2021, c.368.

The health care professionals covered by this legislation includes physicians, homemaker-home health aides, professional and practical nurses, advanced practice nurses, respiratory care practitioners, and social workers licensed or certified in another state.

With regard to temporary licensure for professionals licensed in other states, the bill provides that they would be authorized to practice for up to one year in New Jersey without holding a license or certification to practice in the State and will not be required to pay any fees or complete a criminal history background check as a condition of the temporary authorization to practice. If, within one year of commencing a temporary authorization to practice, the individual initiates the process of applying for full licensure or certification, including paying the applicable fees and completing a criminal history record background check, the temporary authorization to practice will remain in effect until a final determination is made on the individual's application for full licensure or certification.

The bill provides that recent graduates of a masters or doctorate program including individuals in a physician assistant training program, a professional or practical nurse training program, a respiratory care training program, or a master's-level social work educational program will be authorized to practice under a temporary license until the person achieves full licensure or fails the licensure examination. To qualify for a temporary license, the graduate will be required to have graduated within six months of applying for the temporary license, have initiated the process for full licensure, have registered to take the next licensure examination if the graduate has not already passed the licensure examination, and comply with all applicable scope of practice and supervision requirements.

- Bill:** A4701  
**Sponsors:** Pintor Marin (D29); Speight (D29); Schaer (D36) +4  
**Summary:** Supplemental appropriation of \$3.6 million to DHS to increase adult medical day care Medicaid per diem rate from \$86.10 to \$89.54.  
**Related:** 2022:S3144  
**History:** 10/03/2022—Introduced and referred to Assembly Human Services Committee.  
**01/19/2023—Reported out of committee, referred to Assembly Financial Institutions and Insurance Committee.**  
**Position:** Monitor
- Bill:** A4923 Aca (1R)  
**Sponsors:** Tucker (D28); Gove (R9); Danielsen (D17) +2  
**Summary:** Requires converting portion of Paramus and Menlo Park veterans' memorial homes into single occupancy rooms; requires upgrades to ventilation systems; provides Adjutant General discretion for additional room considerations.  
**Related:** 2022:S3492  
**History:** 12/05/2022—Introduced and referred to Assembly Military and Veterans' Affairs Committee.  
**01/23/2023—Reported out of committee with committee amendments, referred to Assembly Appropriations Committee.**  
**Position:** Monitor
- Bill:** AR147  
**Sponsors:** Conaway (D7); McKnight (D31); Stanley (D18) +3  
**Summary:** Urges Centers for Medicare and Medicaid Services to increase access to skilled nursing facility and home office data.  
**Related:** 2022:SR97  
**History:** 06/02/2022—Introduced and referred to Assembly Health Committee.  
**01/12/2023—Reported out of committee, 2nd reading in Assembly.**  
**01/26/2023—Resolution Passed in Assembly 77-0-1. Filed with Secretary of State.**  
**Position:** No Position

**Bill:** S1012 Sca (1R)  
**Sponsors:** Ruiz (D29); Scutari (D22)  
**Summary:** Establishes Working Group on End-of-Life Care and Palliative Care in DOH.  
**Related:** 2022:A3210; 2020:A1072; 2020:S1816; 2018:A4684; 2018:S3143  
**History:** 01/31/2022—Introduced and referred to Senate Health, Human Services and Senior Citizens Committee.  
**01/19/2023—Reported with committee amendments, 2nd reading in Senate.**  
**Position:** Support  
**Notes:** Bill puts HCANJ on the workgroup. Charles is interested in serving as HCANJ's representative and has been working with Allison Gibson (DOH) and the palliative work group.

**Bill:** S1264  
**Sponsors:** Singer (R30); Cryan (D20) +1  
**Summary:** Concerns professional licensing and application fees for spouse or dependent of active duty member of United States Armed Forces.  
**Related:** 2022:A482; 2020:A3643; 2020:S61; 2018:S3664  
**History:** 02/03/2022—Introduced and referred to Senate Military and Veterans' Affairs Committee.  
**01/30/2023—Reported out of committee, 2nd reading in Senate. Referred to Senate Budget and Appropriations Committee.**  
**Position:** Monitor

**Bill:** S1307 ScaSca (2R)  
**Sponsors:** Beach (D6)  
**Summary:** Establishes program for certain individuals to become certified as homemaker-home health aides and provide services to certain Medicaid enrollees.  
**Related:** 2022:A3585; 2020:A5995; 2020:S3847  
**History:** 02/03/2022—Introduced and referred to Senate Health, Human Services and Senior Citizens Committee.  
 10/31/2022—Reported out of committee with committee amendments, 2nd reading in Senate. Referred to Senate Budget and Appropriations Committee.  
 01/19/2023—Reported with committee amendments, 2nd reading in Senate.  
**02/02/2023—Passed in Senate 39-0.**  
**Position:** Oppose. Seek Amendments.  
**Notes:** Allows a family member or third party to be certified as a home health aide (bill originally stated certified nurse aide but was amended) and care for a Medicaid or Family Care enrollee under 21 years of age at home. They would work through a private duty nursing agency which would be paid \$30 an hour. HCANJ testimony stressed that the \$30 payment would attract staff and potential staff away from long term care facilities and further exacerbate our workforce shortage. At HCANJ's request, bill was amended remove third party individuals and be limited to only family members. Specific minimum payment to staffing agency was also removed from bill. Request to establish minimum percentage that staffing agency must pay a family member home health aide was not included in the bill.

- Bill:** S2369 Sca (1R)  
**Sponsors:** Singer (R30); Madden (D4) +2  
**Summary:** Establishes minimum NJ FamilyCare reimbursement rate for traumatic brain injury special care nursing facilities; establishes enhanced NJ FamilyCare reimbursement rate for nursing facilities under certain circumstances; makes an appropriation.  
**Related:** 2022:A4017  
**History:** 03/24/2022—Introduced and referred to Senate Health, Human Services and Senior Citizens Committee.  
**01/19/2023—Reported out of committee with committee amendments, 2nd reading in Senate. Referred to Senate Budget and Appropriations Committee.**  
**Position:** Support  
**Notes:** Establishes a minimum NJ FamilyCare reimbursement rate for traumatic brain injury special care nursing facilities of a base per diem reimbursement that is \$400 above the special care nursing facility's FY 2022 base per diem reimbursement rate.  
 The bill also establishes an enhanced NJ FamilyCare reimbursement rate for nursing facilities that voluntarily delicense beds that are part of an unimplemented certificate of need in order to create single occupancy rooms.
- Bill:** S3157  
**Sponsors:** Madden (D4) +1  
**Summary:** Allows passage of Certified Respiratory Therapist examination to qualify for licensure as respiratory therapist.  
**Related:** 2022:A4616  
**History:** 10/03/2022—Introduced and referred to Senate Commerce Committee.  
**01/26/2023—Reported out of committee, 2nd reading in Senate. Referred to Senate Budget and Appropriations Committee.**  
**Position:** Monitor
- Bill:** S3413 Sca (1R)  
**Sponsors:** Singer (R30); Diegnan (D18) +1  
**Summary:** Requires telecommunications, cable television, and Internet service providers to allow service recipients to terminate service contracts following physician's referral and relocation to long-term care facility.  
**Related:** 2022:A1884; 2020:A2118; 2018:A4838; 2018:S3390  
**History:** 12/19/2022—Introduced and referred to Senate Commerce Committee.  
**01/26/2023—Reported with committee amendments, 2nd reading in Senate.**  
**Position:** Monitor
- Bill:** S3475 Sca (1R)  
**Sponsors:** Cryan (D20) +1  
**Summary:** Allows for issuance of two-year temporary courtesy license for nonresident military spouses in certain professions.  
**Related:** 2022:A4910  
**History:** 01/12/2023—Introduced and referred to Senate Commerce Committee.  
**01/30/2023—Transferred to Senate Military and Veterans' Affairs Committee. Reported with committee amendments. Referred to Senate Budget and Appropriations Committee.**  
**Position:** Support

**Bill:** S3485  
**Sponsors:** Cryan (D20)  
**Summary:** Increases personal needs allowance to \$50 for recipients of Medicaid and Supplemental Security Income who are veterans or spouses of veterans and provides for annual cost-of-living increase in allowance.  
**Related:** 2022:A1049; 2020:A1225; 2018:A435; 2016:A1639; 2016:S2285; 2014:A1056; 2012:A242; 2010:A2476  
**History:** 01/19/2023—Introduced and referred to Senate Health, Human Services and Senior Citizens Committee.  
**01/30/2023—Transferred to Senate Military and Veterans' Affairs Committee. Reported out of committee. Referred to Senate Budget & Appropriations Committee.**  
**Position:** Support

**Bill:** S3516  
**Sponsors:** Cruz-Perez (D5); Turner (D15)  
**Summary:** "Smoke Control System Act;" Requires routine maintenance and operational testing of smoke control systems in certain buildings by certain qualified personnel.  
**History:** **01/26/2023—Introduced to Senate Economic Growth Committee. Reported out of committee. Referred to Senate Budget and Appropriations Committee.**  
**Position:** Review

## 8. Legislation Scheduled

**Bill:** A2878  
**Sponsors:** Benson (D14); McKnight (D31); Murphy (D7)  
**Summary:** "Medicaid Transportation Brokerage Program Oversight and Accountability Act"; establishes vehicle, staffing, and performance standards, and review and reporting requirements for non-emergency medical transport provided under Medicaid transportation broker  
**Related:** 2022:S1069; 2020:A1005; 2020:S2190; 2018:A4131; 2018:S2985  
**History:** 02/28/2022—Introduced and referred to Assembly Human Services Committee.  
**Scheduled:** **02/09/2023—Assembly Human Services Committee.**  
**Position:** Seek Amendments  
**Notes:** Amend to remove current provisions that could impede patient access to care.

**Bill:** A4049 Aca (1R)  
**Sponsors:** McKnight (D31); Reynolds-Jackson (D15); Benson (D14) +5  
**Summary:** Provides for presumptive eligibility for home and community-based services under Medicaid.  
**Related:** 2022:S3495  
**History:** 05/19/2022—Introduced and referred to Assembly Human Services Committee.  
**06/02/2022—Transferred to Assembly Aging and Senior Services Committee. Reported out of committee with committee amendments, referred to Assembly Human Services Committee.**  
**Scheduled:** **02/09/2023—Assembly Human Services Committee.**  
**Position:** Support, but seek amendment  
**Notes:** Amend to include nursing facilities.



## 9. Legislation Introduced

**Bill:** A5009  
**Sponsors:** McKnight (D31); Tucker (D28); Mukherji (D33)  
**Summary:** Requires DHS to disregard certain federal pension benefits for veterans in making Medicaid eligibility determinations.  
**Related:** 2022:S3294  
**History:** 01/10/2023—Introduced to Assembly Military and Veterans' Affairs Committee.  
**Position:** Monitor

**Bill:** A5012  
**Sponsors:** McKnight (D31); Atkins (D20); Speight (D29) +1  
**Summary:** Requires long-term care facilities to develop person-centered care plans for residents and establishes right to certain forms of visitation for long-term care residents.  
**History:** 01/10/2023—Introduced and referred to Assembly Senior Services Committee.  
**Position:** Monitor

**Bill:** A5067  
**Sponsors:** Murphy (D7)  
**Summary:** Increases maximum age for pediatric long-term care facility residents to 26.  
**History:** 01/19/2023—Introduced and referred to Assembly Health Committee.  
**Position:** Review

**Bill:** A5075  
**Sponsors:** Moriarty (D4); Lampitt (D6)  
**Summary:** Prohibits acquisition or disclosure of personal health information without consent.  
**History:** 01/19/2023—Introduced and referred to Assembly Consumer Affairs.  
**Position:** Review  
**Notes:** This bill prohibits a health care provider, or third party from acquiring or disclosing a person's biometric data, health data, or protected health information, which information is acquired through the use of in-person or telephone communication, a mobile application, an Internet website, or a wearable device, without obtaining the person's consent.

“Health care provider” means a physician, advanced practice nurse, or physician assistant

“Third party” means any person or entity other than the person from whom the biometric data, health data, or protected health information was acquired.

**Bill:** A5130  
**Sponsors:** Murphy (D7); Greenwald (D6); Tully (D38)  
**Summary:** Directs DOLWD to establish advertising campaign to attract candidates to health care professions; appropriates \$1 million.  
**History:** 01/26/2023—Proposed for introduction.  
**Position:** Support

**Bill:** S3495  
**Sponsors:** Vitale (D19)  
**Summary:** Provides for presumptive eligibility for home and community-based services under Medicaid.  
**Related:** 2022:A4049  
**History:** 01/19/2023—Introduced and referred to Senate Health, Human Services and Senior Citizens Committee.  
**Position:** Support  
**Notes:** Seek amendment to include nursing facilities.

**Bill:** S3532  
**Sponsors:** Bucco (R25)  
**Summary:** Establishes "New Jersey COVID-19 Long-Term Health Effects Task Force."  
**History:** 01/30/2023—Introduced and referred to Senate Health, Human Services and Senior Citizens Committee.  
**Position:** Monitor