

**HCANJ BUSINESS MEETING
LEGISLATIVE AND REGULATORY UPDATE
February 21, 2024**

1. Rule Adoptions

- **The Board of Nursing (Board) adopted Amendments at N.J.A.C. 13:37-2.3 requiring an applicant for licensure who graduated from a foreign nursing program to provide proof that they achieved a passing score on the Test of English as a Foreign Language examination, the International English Language Testing System examination, the Occupational English Test examination, or the Test of English in International Communications examination, within the past two years.**

This adoption notice appears in the January 16, 2024 *New Jersey Register* at 56 N.J.R. 141(a).

2. Rule Proposals

- None to Report

3. Health Care Administration Board

- **The Health Care Administration Board by a vote of 4-1 approved a Department of Health notice of Special Adoption and Concurrently Proposed Readoption of New Rules for Nursing Home Financial Transparency Reporting Codified at N.J.A.C. 8:97. The new rules implement P.L. 2021 c. 457, which established additional requirements for DOH to assess sanctions and impose penalties on nursing homes and revised reporting requirements for nursing homes.**

HCANJ testified against HCAB approval because the rules contain a requirement that each nursing home submit to the DOH annual owner-certified financial statements that have been audited by a CPA. Chapter 457 did not require that the financial statements be audited.

The adoption becomes effective immediately. There will be a 60-day comment period on the new rules.

- **The Health Care Administration Board by a vote of 4-0 approved a Department of Health notice of Proposal for Standards for Licensure of Assisted Living Residences, Comprehensive Personal Care Homes, and Assisted Living Facilities Codified at N.J.A.C. 8:36-1.3 and 2.4. The proposal establishes a deemed status program for assisted living residences using a “Department-recognized accreditation organization” instead of continuing the Advanced Standing program.**

HCANJ did not oppose this proposal but did testify against the mischaracterization of the Advanced Standing program as described in the rule proposal notice as well as describing the program as merely a “survey performed by HCANJ.” We objected to the antagonistic tone of the notice and the unfortunate appearance that the DOH no longer feels the need to work with the provider community in a more collaborative way.

4. Legislation on Governor's Desk

- None to Report

5. Legislative Activity

Bill: S684

Sponsors: Singer (R30); Diegnan (D18) +2

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: 2024:A2334; 2022:A1884; 2022:S3413; 2020:A2118; 2018:A4838; 2018:S3390

History: 01/09/2024—Introduced and referred to Senate Commerce Committee.

02/05/2024—Reported out of committee, 2nd reading in Senate.

02/12/2024—Passed Senate 37-0. Received in Assembly Consumer Affairs.

Position: Monitor

Bill: S781 Sca (1R)

Sponsors: Johnson (D37); Cruz-Perez (D5) +1

Summary: Authorizes creation of registered nurse license plates.

Related: 2024:A3583; 2022:A5000; 2022:S3213

History: 01/09/2024—Introduced and referred to Senate Transportation Committee.

01/25/2024—Reported with committee amendments. Referred to Senate Budget.

Position: Monitor

Bill: S2521

Sponsors: Cryan (D20) +2

Summary: Allows for issuance of two-year temporary courtesy license for nonresident military spouses in certain professions.

Related: 2022:A4910; 2022:S3475

History: 02/05/2024—Introduced and referred to Senate Commerce Committee.

02/08/2024—Transferred to Senate Military and Veterans' Affairs Committee.

Reported out of committee. Referred to Senate Budget & Appropriations.

Position: Support

6. Legislation Scheduled

Bill: A2803

Sponsors: Greenwald (D6); Conaway (D7); Stanley (D18) +2

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.

Related: 2022:A4619; 2022:S3596

History: 01/09/2024—Introduced and referred to Assembly Regulated Professions Committee.

Scheduled: **02/22/2024—Assembly Regulated Professions Committee.**

Position: Support

Bill: A2813
Sponsors: Greenwald (D6); Reynolds-Jackson (D15) +3
Summary: Enters NJ in Social Work Licensure Compact.
Related: 2024:S2688; 2022:A5349
History: 01/09/2024—Introduced; referred to Assembly Regulated Professions Committee.
Scheduled: 02/22/2024—Assembly Regulated Professions Committee.
Position: Support

Bill: S675
Sponsors: Singer (R30) +1
Summary: Requires adult day care centers to provide reasonable accommodations for certain persons.
Related: 2024:A3092; 2022:A5057; 2022:S2456
History: 01/09/2024—Introduced to Sen. Health, Human Services & Senior Citizens Comm.
Scheduled: 02/22/2024—Senate Health, Human Services and Senior Citizens Committee.
Position: Monitor
Notes: Requires adult day care centers to make reasonable efforts to accommodate the religious dietary needs of individuals under their care.

7. Legislation Introduced

Bill: A3504
Sponsors: Speight (D29)
Summary: Establishes Health Care Workers COVID-19 Supplemental Benefits Program; appropriates \$30 million.
Related: 2024:S2068; 2022:A5540; 2022:S3964
History: 02/05/2024—Introduced and referred to Assembly Health Committee.
Position: Review
Note: Provides supplemental benefits to health care workers eligible for workers' compensation because they contracted COVID-19 in the course of employment.

Bill: A3521
Sponsors: Quijano (D20)
Summary: Establishes occupational heat stress standard and "Occupational Heat-Related Illness and Injury Prevention Program" in DOLWD.
Related: 2024:S2422; 2022:A5898; 2022:S4243
History: 02/05/2024—Introduced and referred to Assembly Labor Committee.
Position: Seek Amendments
Comments: Vague and needs clarification. Page 6 line 16 reads “data on environmental and physiological measurements related to heat.”

Bill: A3527
Sponsors: Azzariti (R-39)
Summary: Establishes annual cost of living adjustment, based on Consumer Price Index, to base Medicaid per diem rates for assisted living programs; makes appropriation.
Related: 2024:S2129; 2022:S3742
History: 02/05/2024—Introduced to Assembly Aging and Human Services Committee.
Position: Support

Bill: A3528
Sponsors: Azzariti (R-39)
Summary: Requires parents and guardians be provided access to medical records of minor patients; provides immunity to health care facilities and professionals that provide access to records.

Related: 2024:S2296
History: 02/05/2024—Introduced and referred to Assembly Health Committee.
Position: Review
Notes: Any impact on pediatric long term care facilities?

Bill: A3570
Sponsors: Speight (D29)
Summary: Imposes minimum staffing requirements and certain reporting requirements on certain long-term care facilities.

Related: 2024:S1823; 2022:A4853
History: 02/08/2024—Introduced to Assembly Aging and Human Services Committee.
Position: Review
Notes: Establish a minimum number of staff to be employed by a long-term care facility that provides specialized care of patients with Alzheimer's disease and related disorders.

Bill: A3572
Sponsors: Speight (D29)
Summary: Requires each nursing home to employ patient advocate.
Related: 2022:A1514; 2022:S1040; 2020:A4406; 2020:S2795
History: 02/08/2024—Introduced to Assembly Aging and Human Services Committee.
Position: Oppose

Bill: A3626
Sponsors: Murphy (D7)
Summary: Requires licensed providers of long-term skilled nursing care to establish permanent morgue for use in non-emergent periods and supplemental morgue space for use in public emergencies.
Related: 2022:A2570; 2022:S462; 2020:A4162; 2020:S2483
History: 02/12/2024—Introduced to Assembly Aging and Human Services Committee.
Position: Oppose

Bill: A3644
Sponsors: Murphy (D7)
Summary: Requires residential psychiatric and long-term care facilities to provide certain financial information to facility residents and other individuals.
Related: 2024:S2319; 2022:A4317; 2022:S1306; 2020:A4616; 2020:S2880
History: 02/12/2024—Introduced to Assembly Aging and Human Services Committee.
Position: Seek Amendment
Notes: Original Assembly bill was amended at HCANJ request to require that a facility would have to provide information ONLY to a guardian – if one has been appointed and removed requirement to also include a next of kin. However, the next of kin requirement was put back into bill when reintroduced.

Bill: A3646
Sponsors: Murphy (D7)
Summary: Increases maximum age for pediatric long-term care facility residents to 26.
Related: 2024:A3007; 2022:A5067; 2022:S3200
History: 02/12/2024—Introduced and referred to Assembly Health Committee.
Position: Review

Bill: A3675
Sponsors: Murphy (D7)
Summary: Directs DOLWD to establish advertising campaign to attract candidates to health care professions; appropriates \$1 million.
Related: 2022:A5130
History: 02/12/2024—Introduced to Assembly Aging and Human Services Committee.
Position: Support

Bill: A3691
Sponsors: Danielsen (D17)
Summary: Increases personal needs allowance to \$100 for low-income persons residing in certain facilities.
Related: 2022:A3035; 2022:S3397
History: 02/12/2024—Introduced to Assembly Aging and Human Services Committee.
Position: Support

Bill: A3786
Sponsors: McCoy (D14)
Summary: Requires Commissioner of DOLWD to conduct study to identify composition of current health care workforce, estimate future gaps, and recommend solutions to address gaps.
Related: 2024:S2445; 2022:S4224
History: 02/12/2024—Proposed for introduction.
Position: Support

Bill: A3842
Sponsors: Kanitra (R10)
Summary: Makes various revisions to nursing home regulations; makes appropriations.
History: 02/12/2024—Proposed for introduction.
Position: Review

Bill: S2310
Sponsors: Moriarty (D4); Turner (D15)
Summary: Requires transparency concerning compensation with promotional opportunities and in employment listings.
Related: 2022:A3937; 2022:S3663
History: 01/25/2024—Introduced and referred to Senate Labor Committee.
Position: Oppose

Bill: S2472
Sponsors: Lagana (D38) +1
Summary: Establishes minimum Medicaid and NJ FamilyCare reimbursement rate for pediatric special care nursing facilities.
Related: 2024:A2940; 2022:A5617; 2022:S4033
History: 02/05/2024—Introduced and referred to Senate Health, Human Services and Senior Citizens Committee.
Position: Review

Bill: S2473
Sponsors: Corrado (R40) +1
Summary: Concerns substitution of work experience for certain requirements to obtain licensure and certification in social work.
History: 02/05/2024—Introduced and referred to Senate Commerce Committee.
Position: Monitor

Bill: S2493
Sponsors: Sarlo (D36)
Summary: Establishes minimum base NJ FamilyCare per diem reimbursement rate of \$1,100 for special care nursing facility with neurologically impaired young adult unit.
Related: 2024:A2075; 2022:A5832; 2022:S4193
History: 02/05/2024—Introduced to Senate Budget and Appropriations Committee.
Position: Support
Notes: Applies only to Cheshire Home (young adult SCNF)

Bill: S2553
Sponsors: Vitale (D19)
Summary: Removes exemption from law regulating patient referrals.
Related: 2024:A1901; 2022:A5790; 2022:S4120
History: 02/08/2024—Introduced and referred to Senate Health, Human Services and Senior Citizens Committee.
Position: Review

Bill: S2586
Sponsors: Bucco (R25)
Summary: Establishes toll free helpline for first responders and health care workers experiencing mental health issues related to COVID-19 pandemic.
History: 02/08/2024—Introduced and referred to Senate Health, Human Services and Senior Citizens Committee.
Position: Monitor

Bill: S2622
Sponsors: Bucco (R25)
Summary: Revises procedures for temporary guardianship.
Related: 2022:S4092
History: 02/08/2024—Introduced and referred to Senate Judiciary Committee.
Position: Monitor

Bill: S2688
Sponsors: McKnight (D31)
Summary: Enters NJ in Social Work Licensure Compact.
Related: 2024:A2813; 2022:A5349
History: 02/08/2024—Proposed for introduction.
Position: Support

Bill: S2725
Sponsors: Holzapfel (R10); Diegnan (D18)
Summary: Provides gross income tax deduction for senior citizens for certain medical expenses for in-home care or care in assisted living and long-term care facilities and funeral expenses.
Related: 2022:S2650
History: 02/12/2024—Proposed for introduction.
Position: Review

Bill: S2772
Sponsors: Greenstein (D14)
Summary: Allows long-term care facility employees to accrue paid sick leave.
Related: 2022:S1250; 2020:A4483; 2020:S2786
History: 02/12/2024—Proposed for introduction.
Position: Monitor