

**HCANJ BUSINESS MEETING
LEGISLATIVE AND REGULATORY UPDATE
December 8, 2021**

1. Rule Adoptions

- None to report

2. Rule Proposals

- None to report.

3. Public Notices

- None to report

4. Legislation Acted Upon by Governor

- None to Report

5. Legislative Activity

Bill: A856

Sponsors: Chiaravalloti (D31); Murphy (D7); McKnight (D31) +3

Summary: **Expands Medicaid coverage regarding assistive devices for hearing impaired under certain circumstances.**

Related: 2020:A868; 2018:A5139

History: 01/14/2020—Introduced and referred to Assembly Human Services Committee.
12/10/2020—Reported out of committee, referred to Assembly Appropriations Committee.
11/15/2021—Reported out of committee, 2nd reading in Assembly.

Position: Monitor

Bill: A1075 Aca (1R)

Sponsors: Speight (D29); Vainieri Huttle (D37); DeAngelo (D14) +5

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 and referred to Assembly Environment and Solid Waste Committee.
03/15/2021—Reported out of committee with committee amendments, referred to Assembly Appropriations Committee.
11/15/2021—Reported out of committee, 2nd reading in Assembly.

Position: Monitor

Bill: A1534 Aca (1R)

Sponsors: Spearman (D5); Chiaravalloti (D31); Quijano (D20) +3

Summary: **"New Jersey Works Act"; Permits businesses to create pre-employment training programs in partnership with nonprofit organizations or educational institutions; provides tax credit to businesses that provide financial assistance to pre-employment training programs.**

Related: 2020:S1573; 2018:A5421; 2018:S3952

History: 01/14/2020—Introduced and referred to Assembly Labor Committee.
02/24/2021—Reported out of committee with committee amendments, 2nd reading in Assembly.
06/03/2021—Passed in Assembly 72-0-0.
06/10/2021—Received in Senate and referred to Senate Labor Committee.
12/06/2021—Reported out of committee, 2nd reading in Senate.

Position: Support

6. Legislation Scheduled

Bill: A2441

Sponsors: Benson (D14); Chiaravalloti (D31); Vainieri Huttle (D37) +17

Summary: Requires DHS to employ Transportation Planning Coordinator to manage and oversee transportation services provided to DHS clients.

Related: 2020:S1935; 2018:A5292; 2018:S3693

History: 02/03/2020—Introduced and referred to Assembly Transportation and Independent Authorities Committee.

11/08/2021—Reported out of committee, referred to Assembly Appropriations Committee.

11/15/2021—Reported out of committee, 2nd reading in Assembly.

Scheduled: 12/09/2021—Assembly Transportation & Independent Authorities Committee,

Position: Support

Bill: S867 Sca (1R)

Sponsors: Pou (D35) +2

Summary: Permits physical therapists to perform dry needling under certain circumstances.

Related: 2020:A2316

History: 01/14/2020—Introduced and referred to Senate Commerce Committee.

06/16/2021—Reported with committee amendments, 2nd reading in Senate.

06/17/2021—Referred to Senate Budget and Appropriations Committee.

11/08/2021—Reported out of committee, 2nd reading in Senate.

12/02/2021—Passed in Senate 30-3.

12/06/2021—Received in Assembly Regulated Professions Committee.

Position: Support

Bill: S1233 Sca (1R)

Sponsors: Kean (R21); Pou (D35) +1

Summary: Requires certain persons and business entities to maintain comprehensive information security program.

Related: 2020:A5915; 2018:A1766; 2018:S2692; 2016:A5206

History: 02/03/2020—Introduced and referred to Senate Commerce Committee.

06/16/2021—Reported with committee amendments, 2nd reading in Senate.

12/02/2021—Passed in Senate 36-0.

12/06/2021—Received in Assembly Financial Institutions and Insurance Committee.

Position: Oppose (But confirming if latest amendments limit this to financial institutions)

Comments: • National Association for the Support of Long Term Care (NASL) reviewed bill when first introduced November 2017. The bill seeks to require “any person, corporation, association, partnership or other legal entity that owns or licenses personal information about a resident of this State to develop, implement, and maintain a comprehensive information security program that is written in one or more readily accessible parts and contains administrative, technical, and physical safeguards that are necessary to protect the personal information.”

NASL is concerned about the resources such a bill would require of long term and post-acute care providers and health IT developers – none of which would be funded.

Bill: S2759 ScaSa (2R)
Sponsors: Vitale (D19); Madden (D4) +2
Summary: Establishes additional requirements for DOH to assess sanctions and impose penalties on nursing homes; revises reporting requirements for nursing homes.
Related: 2020:A4478
History: 07/30/2020—Introduced to Senate Health, Human Services & Senior Citizens Cmt.
 10/08/2020—Reported out of committee. Referred to Senate Budget and Appropriations Committee.
 01/21/2021—Reported with committee amendments, 2nd reading in Senate.
12/02/2021—Amended on Senate floor, 2nd reading in Senate 28-0 (Vitale).
Position: Oppose

Bill: A4478 AcaScaSa (3R)
Sponsors: Vainieri Huttle (D37); Speight (D29); Schepisi (R39); DeCroce (R26) +18
Summary: Establishes additional requirements for DOH to assess sanctions and impose penalties on nursing homes; revises reporting requirements for nursing homes.
Related: 2020:S2759
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 with committee amendments, 2nd reading in Assembly.
 10/29/2020—Passed in Assembly 72-0-0.
 11/05/2020—Received in Senate Budget and Appropriations Committee.
 01/21/2021—Reported with committee amendments, 2nd reading in Senate.
12/02/2021—Amended on Senate floor, 2nd reading in Senate 27-0 (Vitale).
Position: Oppose

Bill: S3847
Sponsors: Sweeney (D3)
Summary: Establishes program for certain individuals to become certified nursing assistants and provide private duty nursing services to certain Medicaid enrollees under increased reimbursement rates.
Related: 2020:A5995
History: 06/01/2021—Introduced to Senate Health, Human Services & Senior Citizens Cmt.
12/06/2021—Reported out of committee, 2nd reading in Senate.
Position: Oppose
Notes: Allows a family member or third party to be certified as a nurse aide and care for a Medicaid or Family Care enrollee under 21 years of age at \$30/hr, hired through an agency with supervision from an RN.

Bill: S4048
Sponsors: Vitale (D19); Codey (D27) +1
Summary: Requires contracts for sale of certain health care entities to preserve employee wages and benefits and to honor collective bargaining agreements.
Related: 2020:A6015
History: 11/08/2021—Introduced and referred to Senate Health, Human Services and Senior Citizens Committee.
12/06/2021—Reported out of committee, 2nd reading in Senate.
Position: Oppose

Bill: S4139 Sca (1R)
Sponsors: Vitale (D19); Madden (D4)
Summary: Extends temporary emergency licensure of certain health care professionals.
Related: 2020:A6155
History: 11/12/2021—Introduced and referred to Senate Health, Human Services and Senior Citizens Committee.
12/06/2021—Reported with committee amendments, 2nd reading in Senate.
Position: Support
Note: -- Committee amendments revised the period during which health care professionals will be authorized to practice under a temporary license from 60 days after the end of the federal public health emergency declared in response to the COVID-19 pandemic to June 30, 2022.
-- Amendments also authorize the issuance of new temporary emergency licenses to out-of-State and recently graduated health care workers through June 30, 2022
-- Bill also revised a provision of Assembly Bill No. 5353, which is currently pending before the Legislature, to extend the authorization for nurse aides to work under a temporary certification from February 16, 2022, to June 30, 2022.

7. Legislation Introduced

Bill: A5995
Sponsors: Verrelli (D15)
Summary: Establishes program for certain individuals to become certified nursing assistants and provide private duty nursing services to certain Medicaid enrollees under increased reimbursement rates.
Related: 2020:S3847
History: 11/15/2021—Introduced and referred to Assembly Regulated Professions Committee.
Position: Oppose

Bill: A6006
Sponsors: Jasey (D27)
Summary: Requires continuing care retirement community agreements to require refund of refundable entrance fees within one year.
History: 11/15/2021—Introduced and referred to Assembly Housing Committee.
Position: Monitor

Bill: A6015
Sponsors: DeAngelo (D14); Benson (D14); Giblin (D34)
Summary: Requires contracts for sale of certain health care entities to preserve employee wages and benefits and to honor collective bargaining agreements.
Related: 2020:S4048
History: 11/15/2021—Introduced and referred to Assembly Labor Committee.
Position: Oppose

- Bill:** A6023
Sponsors: Vainieri Huttle (D37); Egan (D17); Benson (D14) +2
Summary: Establishes the "COVID-19 Frontline Healthcare Worker Memorial Commission."
Related: 2020:S3311
History: 11/15/2021—Introduced and referred to Assembly State and Local Government Committee.
Position: Monitor
- Bill:** A6057
Sponsors: Spearman (D5); McKnight (D31); Vainieri Huttle (D37) +1
Summary: Increases, over three years, Medicaid per diem rate for certain assisted living residences, comprehensive care homes, and assisted living programs; makes appropriation.
History: 11/15/2021—Introduced and referred to Assembly Senior Services Committee.
Position: Support
- Bill:** A6098
Sponsors: Mukherji (D33)
Summary: Requires businesses in financial, essential infrastructure, and health care industries to report cybersecurity incidents.
Related: 2020:S4036
History: 12/02/2021—Introduced and referred to Assembly Financial Institutions and Insurance Committee.
Position: Review
- Bill:** A6102
Sponsors: Mukherji (D33)
Summary: Requires businesses in financial, essential infrastructure, and health care industries to develop cybersecurity plans.
Related: 2020:S4035
History: 12/02/2021—Introduced and referred to Assembly Financial Institutions and Insurance Committee.
Position: Review
- Bill:** A6138
Sponsors: Space (R24)
Summary: Establishes bipartisan task force to study response to COVID-19 in New Jersey.
History: 12/06/2021—Introduced and referred to Assembly Health Committee.
Position: Monitor
Notes: Includes review the impact of the State's COVID-19 response measures on nursing homes and nursing home residents.
- Bill:** A6155
Sponsors: Conaway (D7); Stanley (D18)
Summary: Extends temporary emergency licensure of certain health care professionals.
Related: 2020:S4139
History: 12/06/2021—Introduced and referred to Assembly Health Committee.
Position: Support

Bill: A6163
Sponsors: Auth (R39); Johnson (D37); Gove (R9)
Summary: Establishes minimum Medicaid reimbursement rate for pediatric special care nursing facilities; makes an appropriation.
History: 12/06/2021—Introduced and referred to Assembly Health Committee.
Position: Review
Note: Establishes a minimum reimbursement rate of no less than \$950.00 per day for pediatric special care nursing facilities

Bill: S4159
Sponsors: Vitale (D19)
Summary: Requires long-term care facility to post certain information on its Internet website regarding Office of State Long-Term Care Ombudsman.
Related: 2020:A5675
History: 11/15/2021—Introduced and referred to Senate Health, Human Services and Senior Citizens Committee.
Position: Review
Notes: Requires long-term care facilities to post on its Internet website information regarding the Office of the State Long-Term Care Ombudsman (ombudsman), which shall include information on the general duties of the ombudsman, the role of the ombudsman in advocating for the residents of the long-term care facility, and the ombudsman's contact information.

Bill: S4254
Sponsors: Singleton (D7); Cruz-Perez (D5); Testa (R1)
Summary: Allows taxpayers with fewer than 50 employees to accelerate depreciation of capital expenditures incurred to comply with COVID-19 executive orders.
History: 12/06/2021—Introduced and referred to Senate Budget and Appropriations Committee.
Position: Review