

**HCANJ BUSINESS MEETING
LEGISLATIVE AND REGULATORY UPDATE
January 10, 2024**

1. Rule Adoptions

- **The Department of Labor and Workforce Development, Division of Wage and Hour Compliance, published notice of approval of an administrative change, effective January 1, 2024, increasing the minimum wage to not less than \$15.13 per hour or the minimum wage rate set by section 6(a)(1) of the Federal Fair Labor Standards Act of 1938, 29 U.S.C. § 206(a)(1), whichever is greater.**

This action is pursuant to P.L. 2019, c.32. which increases the minimum wage, over time, to \$15 per hour.

Notice of this approval appears in the November 6, 2023, *New Jersey Register* at 55 N.J.R. 2268 (a).

2. Rule Proposals

- None to Report

3. Health Care Administration Board Actions

- None to Report

4. Legislation Enacted

Bill: A4614 Aca (1R)

Sponsors: Greenwald (D6); Jasey (D27); Carter (D22); Lampitt (D6); Pou (D35); Vitale (D19)
+9

Summary: **Modifies Nursing Faculty Loan Redemption Program.**

Related: 2022:S3547

History: 09/22/2022—Introduced and referred to Assembly Higher Education Committee.
12/12/2022—Reported out of committee, referred to Assembly Health Committee.
02/13/2023—Reported out of committee with committee amendments, referred to Assembly Appropriations Committee.
05/18/2023—Reported out of committee, 2nd reading in Assembly.
05/25/2023—Passed in Assembly 72-1-0.
06/01/2023—Received in Senate Budget and Appropriations Committee.
12/14/2023—Reported out of committee, 2nd reading in Senate.
12/21/2023—Substituted for S-3547 (1R). Passed Senate 34-0; sent to Governor.
01/08/2024—Signed by the Governor, P.L.2023, c.244.

Position: Support

Bill: A5179 Aca w/GR (2R)
Sponsors: Verrelli (D15); Murphy (D7); Benson (D14); Cruz-Perez (D5); Turner (D15) +6
Summary: "Fire Life Safety Damper and Smoke Control System Inspection Verification Act"; Requires routine maintenance and periodic testing of smoke dampers, fire dampers, and smoke control systems in certain buildings by qualified personnel.
Related: 2022:S3516
History: 02/13/2023—Introduced to Assembly State and Local Government Committee.
 03/20/2023—Reported with committee amendments, 2nd reading in Assembly.
 03/23/2023—Recommitted to Assembly Appropriations Committee. Reported out of committee, 2nd reading in Assembly.
 03/30/2023—Passed in Assembly 74-0-0.
 05/08/2023—Received in Senate w/o committee reference, 2nd reading in Senate.
 06/26/2023—Substituted for S-3516 (SCS). Passed Senate 36-0; sent to Governor.
 11/20/2023—Governor's conditional veto rcvd in Assembly.
 11/30/2023—1st reading in Assembly to concur with Governor's recommendations.
 2nd reading in Assembly to concur with Governor's recommendations.
 12/07/2023—Passed in Assembly 73-0-0.
 12/11/2023—Received in Senate, 2nd reading in Senate to concur with Governor's recommendations. Passed in Senate and sent to Governor 32-0.
12/21/2023—Signed by the Governor P.L.2023, c.186.
Position: Monitor
Notes: Applies to newly installed smoke control systems.

- Requires active smoke control system to testing every six months; and
- Requires passive smoke control system testing every 12 months.

Bill: A5225 AcaAca w/GR (3R)
Sponsors: McKnight (D31); Speight (D29); Murphy (D7); Codey (D27); Pou (D35) +10
Summary: Provides for coverage of community-based palliative care benefits under Medicaid.
Related: 2022:S3729
History: 02/23/2023—Introduced and referred to Assembly Senior Services Committee.
 03/20/2023—Reported out of committee with committee amendments, referred to Assembly Health Committee.
 05/18/2023—Reported out of committee with committee amendments, referred to Assembly Appropriations Committee.
 06/22/2023—Reported out of committee, 2nd reading in Assembly.
 06/30/2023—Passed in Assembly 78-0-0. Received in Senate w/o committee reference. Substituted for S-3729 (2R). Passed in Senate and sent to Governor 36-0.
 11/20/2023—Governor's conditional veto rcvd in Assembly.
 11/30/2023—1st reading in Assembly to concur with Governor's recommendations.
 2nd reading in Assembly to concur with Governor's recommendations.
 12/07/2023—Passed in Assembly 72-0-0.
 12/11/2023—Received in Senate, 2nd reading in Senate to concur with Governor's recommendations. Passed in Senate and sent to Governor 34-0.
12/21/2023—Signed by the Governor P.L.2023, c.187.
Position: Support

5. Legislation Vetoed

Bill: A5283

Sponsors: Tully (D38); Greenwald (D6); Mosquera (D4); Lagana (D38); Gopal (D11) +9

Summary: **Requires calculation of national average time needed to approve applications for initial credential in profession or occupation and use of average time as standard in New Jersey.**

Related: 2022:S3939

History: 03/09/2023—Introduced and referred to Assembly Labor Committee.
03/23/2023—Reported out of committee, 2nd reading in Assembly.
12/07/2023—Passed in Assembly 72-0-0.
12/11/2023—Received in Senate w/o committee reference, 2nd reading in Senate.
12/21/2023—Substituted for S-3939 (1R). Passed Senate 35-0; sent to Governor.
01/08/2024—Governor's absolute veto received in the Assembly.

Position: Support

Note: Governor vetoed stating that, if enacted, this bill would require over 50 professional boards to do national surveys of application processing times of all other states. He noted that other states' requirements for approval of regulated professions approval be as stringent as New Jersey's and requiring professional boards to conduct these national surveys will utilize substantial resources better used to process applications. The veto notice also states that DCA has made significant strides in improving and streamlining the boards' approval processes in recent years.

6. Legislation on Governor's Desk

Bill: A1255 AcaAcsAca (ACS/1R)

Sponsors: Stanley (D18); Conaway (D7); Benson (D14); Gopal (D11); Singer (R30) +10

Summary: **Updates requirements and standards for authorization and prior authorization of health care services.**

Related: 2022:S1794; 2020:A1972; 2020:S1850; 2018:A3845; 2018:S2685

History: 01/11/2022—Introduced and referred to Assembly Health Committee.
05/26/2022—Reported out of committee with committee amendments, referred to Assembly Financial Institutions and Insurance Committee.
12/11/2023—Reported out of committee with committee substitute, referred to Assembly Appropriations Committee.
12/18/2023—Reported out of committee with committee amendments, 2nd reading in Assembly.
12/21/2023—Passed in Assembly 73-1-1.
12/28/2023—Received in Senate w/o committee reference, 2nd reading in Senate.
01/08/2024—Substituted for A-1255. Passed Senate 35-1; sent to Governor 35-1.

Position: Monitor

Bill: A4049 AcaAcaAcaSaSa (5R)

Sponsors: McKnight (D31); Reynolds-Jackson (D15); Benson (D14); Vitale (D19); Johnson (D37) +17

Summary: **Provides for presumptive eligibility for home and community-based services and services provided through program of all-inclusive care for the elderly 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.
02/09/2023—Reported out of committee with committee amendments, referred to Assembly Appropriations Committee.
06/27/2023—Transferred to Assembly Budget Committee.
06/28/2023—Reported with committee amendments, 2nd reading in Assembly.
06/30/2023—Passed in Assembly 78-0-0.
11/27/2023—Received in Senate w/o committee reference, 2nd reading in Senate.
12/11/2023—Amended on Senate floor, 2nd reading in Senate by voice vote (Ruiz).
12/21/2023—Amended on Senate floor, 2nd reading in Senate by voice vote (Ruiz).
01/08/2024—Substituted for S-3495. Passed Senate 35-0. Received in Assembly, 2nd reading in Assembly to concur with Senate amendments. Passed Assembly 71-1-0; sent to Governor.

Position: Support

Notes: Amendment to add nursing home services removed by December 11 Senate floor amendment

Bill: A4621 Aca (1R)

Sponsors: Mosquera (D4); Greenwald (D6); Swain (D38); Madden (D4) +2

Summary: **Requires issuance of report on certain information and data on processing of applications for professional and occupational licenses and mandates review of training and call intake in Division of Consumer Affairs.**

Related: 2022:S3156

History: 09/22/2022—Introduced and referred to Assembly Regulated Professions Committee.
02/13/2023—Reported out of committee with committee amendments, 2nd reading in Assembly.
02/27/2023—Passed in Assembly 78-0-0.
02/28/2023—Received in Senate and referred to Senate Commerce Committee.
12/18/2023—Reported out of committee, 2nd reading in Senate. Referred to Senate Budget and Appropriations Committee.
01/08/2024—Substituted for S-3156 (1R). Passed Senate 35-0; sent to Governor.

Position: Support

Bill: A5516 AcaAca (2R)
Sponsors: Reynolds-Jackson (D15); Verrelli (D15); Conaway (D7); Burgess (D28); Turner (D15) +8
Summary: Requires certain health care professionals to undergo bias training.
Related: 2022:S4047
History: 06/05/2023—Introduced and referred to Assembly Health Committee.
 12/11/2023—Reported out of committee with committee amendments, 2nd reading in Assembly.
 12/18/2023—Recommitted to Assembly Appropriations Committee. Reported out of committee with committee amendments, 2nd reading in Assembly.
 12/21/2023—Passed in Assembly 67-6-1.
 12/28/2023—Received in Senate and referred to Senate Health, Human Services and Senior Citizens Committee.
 01/04/2024—Reported out of committee, 2nd reading in Senate.
01/08/2024—Substituted for S-4047. Passed Senate 27-7; sent to Governor.
Position: Monitor
Notes: Monitor against nursing homes and assisted living facilities being added.

7. Legislative Activity

Bill: A3937 Aca (1R)
Sponsors: Moriarty (D4); Danielsen (D17); Sumter (D35) +2
Summary: Requires transparency concerning compensation with promotional opportunities and in employment listings.
Related: 2022:S3663
History: 05/12/2022—Introduced and referred to Assembly Labor Committee.
12/11/2023—Transferred to Assembly Consumer Affairs. Reported with committee amendments, referred to Assembly Appropriations Committee.
Position: Oppose

Bill: A4543
Sponsors: Jimenez (D32); McKnight (D31); Benson (D14) +4
Summary: Increases fines for failing to report suspected abuse or exploitation of institutionalized elderly person.
Related: 2022:S119; 2020:A2719; 2020:S1989
History: 09/22/2022—Introduced and referred to Assembly Senior Services Committee.
 12/11/2023—Reported out of committee, 2nd reading in Assembly.
12/21/2023—Passed in Assembly 75-0-0.
12/28/2023—Received in Senate and referred to Senate Health, Human Services and Senior Citizens Committee.
Position: Oppose
Notes: Increases the fine for the person from not more than \$500 to not more than \$1,500, and the fine for the facility from not more than \$2,500 to not more than \$5,000.

Bill: A4619 AcaAca (2R)
Sponsors: Greenwald (D6); Conaway (D7); Stanley (D18) +7
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:S3596

History: 09/22/2022—Introduced; referred to Assembly Regulated Professions Committee.
 01/12/2023—Reported out of committee with committee amendments, referred to Assembly Health Committee.
 12/11/2023—Reported out of committee with committee amendments, referred to Assembly Appropriations Committee.
 01/04/2024—Reported out of committee, 2nd reading in Assembly.
01/08/2024—Passed in Assembly 75-0-0.

Position: Support

Bill: A4857 Aca (1R)
Sponsors: Lampitt (D6); Tully (D38); Mejia (D32) +5
Summary: Authorizes temporary licensure of graduated nursing students; waives fees for nurse licensure applicants who work at long-term care facilities.

History: 11/14/2022—Introduced and referred to Assembly Senior Services Committee.
 12/11/2023—Reported out of committee with committee amendments, referred to Assembly Appropriations Committee.
 12/18/2023—Reported out of committee, 2nd reading in Assembly.
12/21/2023—Passed in Assembly 70-2-0.
 12/28/2023—Received in Senate Health Committee.

Position: Support

Bill: A5248 Aca (1R)
Sponsors: Stanley (D18); Atkins (D20); Sampson (D31) +5
Summary: Regulates provision of pharmaceutical services in nursing homes.

Related: 2022:S3609

History: 02/28/2023—Introduced and referred to Assembly Health Committee.
 11/20/2023—Reported with committee amendments, 2nd reading in Assembly.
12/07/2023—Passed in Assembly 71-0-0.
 12/11/2023—Received in Senate and referred to Senate Health, Human Services and Senior Citizens Committee.

Position: Monitor

Notes: Bill was amended at HCANJ request to exclude assisted living facilities, and others, limiting bill to only nursing homes.

Bill: A5793 Aca (1R)
Sponsors: Quijano (D20); Wimberly (D35); Reynolds-Jackson (D15)
Summary: Prohibits certain dissemination of criminal history background information until record is updated.

Related: 2022:S4210

History: 11/30/2023—Introduced; Assembly Law and Public Safety Committee.
12/18/2023—Transferred to Assembly Judiciary Committee. Reported out of committee with committee amendments, 2nd reading in Assembly.

Position: Monitor

Bill: S2624 Sca (1R)
Sponsors: Madden (D4)
Summary: Prohibits disclosure of personal information pertaining to certain health care workers who are victims of assault; establishes civil penalty for each violation.
Related: 2022:A930; 2020:A697; 2018:A1985; 2016:A1136; 2014:A4862
History: 05/16/2022—Introduced and referred to Senate Law and Public Safety Committee.
12/18/2023—Reported out of committee with committee amendments, 2nd reading in Senate. Referred to Senate Budget and Appropriations Committee.
Position: Monitor

Bill: S4033
Sponsors: Codey (D27)
Summary: Establishes minimum Medicaid and NJ FamilyCare reimbursement rate for pediatric special care nursing facilities.
Related: 2022:A5617
History: 06/27/2023—Introduced and referred to Senate Health, Human Services and Senior Citizens Committee.
12/14/2023—Reported out of committee, 2nd reading in Senate. Referred to Senate Budget and Appropriations Committee.
Position: Review

Bill: S4193
Sponsors: Sarlo (D36); O'Scanlon (R13)
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: 2022:A5832
History: 12/04/2023—Introduced and referred to Senate Budget and Appropriations Committee.
12/14/2023—Reported out of committee, 2nd reading in Senate.
01/08/2024—Passed in Senate 36-0.
Position: Support

8. Legislation Introduced

Bill: A5864
Sponsors: DiMaio (R23) +1
Summary: Requires criminal history background check for individuals seeking licensure issued by boards regulating certain health care professions.
History: 12/11/2023—Introduced and referred to Assembly Regulated Professions Committee.
Position: Monitor

Bill: A5898
Sponsors: Quijano (D20); Sampson (D31)
Summary: Establishes occupational heat stress standard and "Occupational Heat-Related Illness and Injury Prevention Program" in DOLWD.
Related: 2022:S4243
History: 12/18/2023—Introduced and referred to Assembly Labor Committee.
Position: Review
Comments: Need to clarify page 6 line 16 – “data on environmental and physiological measurements related to heat.” Check if bill is consistent with existing OSHA standards.

Bill: S4210
Sponsors: Stack (D33)
Summary: Prohibits certain dissemination of criminal history background information until record is updated.
Related: 2022:A5793
History: 12/07/2023—Introduced and referred to Senate Law and Public Safety Committee.
Position: Monitor

Bill: S4224
Sponsors: Bucco (R25)
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.
History: 12/11/2023—Introduced and referred to Senate Labor Committee.
Position: Review

Bill: S4243
Sponsors: Cryan (D20)
Summary: Establishes occupational heat stress standard and "Occupational Heat-Related Illness and Injury Prevention Program" in DOLWD.
Related: 2022:A5898
History: 12/14/2023—Introduced and referred to Senate Labor Committee.
Position: Review
Comments: Need to clarify page 6 line 16 – “data on environmental and physiological measurements related to heat.” Check if bill is consistent with existing OSHA standards.