

**LEGAL NOTICE
STATE OF NEW JERSEY
DEPARTMENT OF HUMAN SERVICES
MEDICAID NURSING FACILITY REIMBURSEMENT**

TAKE NOTICE that, the Department of Human Services, Division of Medical Assistance and Health Services, intends to submit a State Plan Amendment to the Centers for Medicare & Medicaid Services (CMS) to change the nursing facility rate setting system in order to implement proposed State Fiscal Year (SFY) 2021 budget provisions. This Notice is intended to satisfy the requirements of federal law and regulations, specifically 42 U.S.C. §1396a (a)(13) and 42 CFR §447.205.

If this proposal is approved as part of the SFY 2021 Appropriations Act, then, notwithstanding the provisions of any law or regulation to the contrary, and subject to any federal approvals as may be required, effective October 1, 2020 through June 30, 2021, the reimbursement rate for Class I, Class II, and Class III nursing facilities shall be equal to the rate received on September 30, 2020, plus a 10 percent adjustment. Each facility shall use no less than 60 percent of the rate adjustment provided under this section for the sole purpose of increasing wages or supplemental pay for certified nurse aides providing direct care. The remainder of the rate adjustment shall be used for other costs related to coronavirus disease 2019 preparedness and response, including enhancing infection control measures, cleaning, reconfiguration of the facility to support cohorting, procurement of personal protective equipment, testing, or other staff wages and needs.

The anticipated total fee- for- service cost associated with this amendment for SFY 21 is \$24.2M (\$12.1 State share).

Any facility receiving a rate adjustment pursuant to P.L.2020, c.90. must comply with the requirements set forth therein or may be subject to recoupment of the rate adjustment by the State in an amount not to exceed the total value of the rate adjustment. Any such recoupment would reduce the anticipated fee- for- service cost associated with this amendment.

A copy of this Notice is available for public review at all Offices of the Area Agency on Aging that are situated in all twenty-one counties, as well as at the local Medical Assistance Customer Centers, County Welfare Agencies, and the DHS website at <http://www.state.nj.us/humanservices/providers/grants/public/index.html>. Comments or inquiries must be submitted in writing within 30 days of the date of this notice to:

Division Director
Division of Aging Services
PO Box 807
Trenton, New Jersey 08625-0807