

NEW JERSEY

Overview			
<p>Adult day health care (ADHC) providers in New Jersey (NJ) are licensed by the state Department of Health and Senior Services Division of Long Term Care Systems under <i>NJ Administrative Code (NJAC)</i>, Chapter 8:43F, whose provisions are summarized in this profile.</p> <p>New Jersey provides adult day health services, currently called medical day care services, and human immunodeficiency virus (HIV) medical day care, under the Medicaid State Plan, Medicaid waivers, and the Home Care Expansion Program, through licensed providers who also comply with <i>NJAC</i>, Chapter 8:86.</p> <p>The NJ Department of Health and Senior Services adult day services program for persons with Alzheimer's disease or related disorders is a fully state-funded program that subsidizes the cost of care in adult day services programs through letters of agreement with social adult day agencies and licensed adult day health care providers in compliance with <i>NJAC</i>, Chapter 8:92.</p> <p>New Jersey provides social adult day care under the Community Care Program for the Elderly and Disabled and the Enhanced Community Options Medicaid Waivers. The Division of Aging and Community Services also provides social adult day care through Social Services Block Grant funding administered by the Area Agencies on Aging. Social adult day care center providers do not have to be licensed.</p>			
Licensure and Certification Requirements			
Licensure Only	<input checked="" type="checkbox"/> ADHC	Certification Only	<input type="checkbox"/>
		Both Required	<input type="checkbox"/>
			Other <input type="checkbox"/>
Definitions			
<p>Adult day health services facility means a facility or a distinct part of a facility licensed by the NJ Department of Health and Senior Services to provide preventive, diagnostic, therapeutic, and rehabilitative services under medical supervision to meet the needs of functionally impaired adult participants who are not related to the members of the governing authority by marriage, blood, or adoption. Adult day health services facilities may not provide services to participants for longer than 12 hours in a calendar day.</p> <p>Adult day care program for victims of Alzheimer's disease and related disorders means a program administered by the Division of Senior Affairs, NJ Department of Health and Senior Services, that provides services to individuals who have a diagnosis by a physician as having Alzheimer's disease or a related disorder, such as Huntington's disease, Parkinson's disease with dementia, Cruetzfeldt-Jacob disease, or Pick's disease.</p> <p>HIV medical day care center means an adult day health services facility that provides additional services to individuals with HIV infection in an identifiable and separate setting and that conforms to <i>NJAC</i>, Chapter 8:43A.</p>			
Parameters for Who Can Be Served			
<p>The parameters for who can be served are specified in eligibility requirements for publicly funded adult day health services. Providers may serve individuals who need ongoing skilled nursing and/or physical, occupational, or speech therapy, and assistance in one or more activities of daily living (ADL), but who do not need services 24 hours a day on an inpatient basis in a hospital or nursing facility, except under special circumstances. Persons can be served only if their needs can be satisfactorily met by a 5-hour-a-day adult day health services program, exclusive of transportation time, 5 days per week.</p> <p>Providers may not admit or retain participants who manifest such a degree of behavioral disorder that they are a danger to themselves or others, or whose behavior may interfere with the health or safety or</p>			

well-being of other participants. Providers may discharge participants for medical reasons or for the participant's welfare or that of other participants upon the written order of the participant's physician, except in an emergency situation, in which case the administrator shall notify the physician and the family immediately following the transfer.

Inspection and Monitoring

YES **NO**

When a written application for licensure is approved and the building is ready for occupancy, the Department conducts a survey of the facility at its discretion to determine compliance with the rules. The facility shall be notified in writing of the survey's findings, including any deficiencies found. The facility shall notify the Department's Division of Long Term Care Systems when the deficiencies, if any, have been corrected, and the Assessment and Survey Program will schedule one or more resurveys of the facility prior to occupancy.

Facilities are inspected in connection with the annual renewal of the license, although inspections may be more than a year apart due to delays in scheduling. The Department shall conduct an ongoing evaluation of the day health services facility by on-site visits. Survey visits may be made to a facility at any time by the Department's authorized representatives. Such visits may include, but not be limited to, a review of all facility documents and participants' records, as well as conferences with participants.

Required and Optional Services

	Adult Day Health Care	
	Required	Optional
ADL Assistance		
Health Education and Counseling		
Health Monitoring/Health-Related Services	X	
Medication Administration		
Nursing Services	X	
Physical Therapy, Occupational Therapy, or Speech Therapy		
Skilled Nursing Services		
Social Services		
Transportation		

Provisions Regarding Medications

Medications shall be accurately administered by properly authorized licensed nursing staff who shall ensure that the right drug is administered to the right person in the right dose through the right route of administration at the right time.

Provisions for Groups with Special Needs

Dementia Mental Retardation/Developmental Disabilities Other HIV/AIDS

Staffing Requirements

Type of staff. At a minimum, the facility shall have an *administrator/director*, a *registered professional nurse*, a *social worker*, an *activities director*, and a *medical consultant*, as well as having a *registered pharmacist* and a *qualified dietitian* as consultants. The administrator shall be a full-time employee of the facility.

A registered professional nurse shall be the director of nursing services, and the director or a designated registered professional nurse shall be on duty and available in the facility at all times when the facility is operating and services are being provided. Additional licensed professional personnel shall be present in facilities where the daily attendance exceeds 60 participants.

A social worker shall provide social work services in the facility for at least 30 minutes per week per participant equivalent, calculated on the basis of the daily census. An activities director shall be responsible for the direction, provision, and quality of the activities services. A physician shall be designated to serve as medical consultant. The facility shall designate a pharmaceutical consultant, who is not the pharmacy provider and does not have an affiliation with the pharmacy provider.

Staffing ratios. Adult day health service facilities shall provide at least one full-time, or full-time equivalent, direct care staff member for every nine participant equivalents, calculated on the basis of the daily census.

Training Requirements

The facility shall develop and implement a staff orientation and staff education plan, including plans for each service and designation of person(s) responsible for training. All personnel shall receive orientation at the time of employment and at least annual in-service education regarding, at a minimum, emergency plans and procedures, the facility's infection prevention and control services, and elder abuse.

Relevant Medicaid Contracting Requirements for Adult Day Services Providers

New Jersey provides medical day care services under the Medicaid State Plan, Medicaid waivers, and the Home Care Expansion Program through the Division of Medical Assistance and Health Services, using licensed providers who agree to comply with *NJAC*, Chapter 8:86.

Definitions

Medical day care is a program of medically supervised, health-related services provided in an ambulatory care setting to persons who are nonresidents of the facility and who, due to their physical and/or mental impairment, need health maintenance and restorative services supportive to their community living. (1.1)

Medical day care center means an identifiable part of a nursing facility, a hospital-affiliated facility, a freestanding ambulatory care facility, or such other facility that is licensed by the NJ State Department of Health and Senior Services, which possesses a valid and current provider agreement from the Division of Medical Assistance and Health Services (the Division) and which provides services required by *NJAC*, Chapter 8:86. (1.2)

A **medical day care recipient** is a person who is a Medicaid recipient, or a recipient who is served under the Division's Home Care Expansion Program, and who is eligible for services and is diagnosed as having an identifiable medical condition; lacks sufficient social support, which impacts negatively on this condition; and whose assessed physical and psychosocial needs: (1) do not require services 24 hours a day on an inpatient basis in a hospital or nursing facility, except under special circumstances; (2) cannot be met totally in any other ambulatory care setting; (3) require and can be met satisfactorily by a 7-hour, including portal-to-portal travel time, day-long active medical day care program; (4) are such that current health status would deteriorate without the direct services and health monitoring available at the center; and (5) cannot be met while a resident of a residential health care facility setting except that if a resident of a residential health care facility was in medical day care prior to admission, services can continue for a limited period to allow adjustment into the residential facility.

Admission criteria. See definition of medical day care recipient.

Discharge criteria. None specified in these regulations--to be determined through the recipient's individualized plan of care.

Inspections. The Division shall conduct an ongoing evaluation of the center's day care program by on-site visits to the medical day care center.

Required services. Skilled nursing services; medication administration; health monitoring/health related services; ADL assistance; physical, occupational, and speech-language therapy when in a recipient's individualized plan of care; social services; and transportation.

Medications. The registered professional nurse shall be responsible for administration and supervision of prescribed medications and treatments.

To ensure quality personal care, the center staff shall make daily checks to assure that recipients are receiving medications as prescribed.

Staffing type. Other specified staff members are a center administrator/director, social worker, activities coordinator, pharmaceutical consultant, dietician, and medical director. Various staff positions can combine functions within one person, but in adult medical day care programs serving 36 or more recipients, the director may not serve a dual function. Adult programs with less than ten recipients may have no fewer than two full-time staff positions.

A registered professional nurse shall be available on the premises of the medical day care center at all times when the center is operating. The registered professional nurse shall be responsible for the supervision of ancillary nursing staff.

Staffing ratios. Additional registered professional nurses shall be present in centers where the daily attendance exceeds 60 participants.

Adequate staff is defined as a ratio of one regular full-time, or full-time equivalent, staff person to nine recipients, calculated on the basis of the daily census. The ratio shall include the center administrator/director and all other personnel (except the medical director) who are involved in direct patient care, excluding volunteers.

Training. The center's medical director shall be responsible for providing staff with training on medically related topics.

The registered professional nurse shall be responsible for providing in-service training to center staff about the recipient's health care needs.

NJAC, Chapter 8:86, as cited in this profile, is currently under revision.

Location of Licensing, Certification, or Other Requirements

1. <http://www.state.nj.us/health/ltc/documents/regnjac843f.pdf>
2. <http://www.state.nj.us/health/rules/njac886.pdf> [NJAC, Chapter 8:86, is currently under revision]
3. On file at RTI, provided by the Division of Aging and Community Services.

Citations

1. *Adult Day Health Services Manual--Standards for Services and Licensure of Adult and Pediatric Day Health Services Facilities.* NJAC, Chapter 8:43F, NJ Department of Health and Senior Services. [Undated]
2. *Medical Day Care Services,* Chapter 8:86, Adult and Pediatric Health Services Rules, Division of Medical Assistance and Health Services, NJ Department of Health and Senior Services. [Undated]
3. *Alzheimer's Day Services Program for Persons with Alzheimer's Disease or Related Disorders.* NJ Register, Chapter 92. 33 N.J.R. 1198 – 1201. [April 16, 2001]

Additional Information

Adult day services program for persons with Alzheimer's disease or related disorders (NJAC, Chapter 8:92). The NJ Department of Health and Senior Services adult day services program for

persons with Alzheimer's disease or related disorders is a fully state-funded program that subsidizes the cost of care in adult day services programs through letters of agreement with social adult day agencies and licensed adult day health care providers in compliance with *NJAC*, Chapter 8:92.

Definitions. The adult day services program for persons with Alzheimer's disease or related disorders is intended to provide relief and support to family caregivers of persons with Alzheimer's disease or a related disorder through the provision of subsidized adult day services.

Adult day services means a community-based group program designed to meet the needs of functionally or cognitively impaired adults through an individual plan of care structured to provide a variety of health, social, and related supportive services in a protective setting during any part of a day, but less than 24 hours.

Admission criteria. Since most clients served shall be in moderate to severe stages of dementia, and the applicant is most likely incompetent or discharge planning, initiated at the time of admission, shall address the potential for progressive deterioration, which would alter the appropriateness of day care and necessitate helping the caregiver to access alternative resources.

Required services. Provide or arrange for transportation, counseling, education, and referral services.

Medications. A registered professional nurse shall dispense medications in accordance with the established procedures.

Staffing type. It is specified that the agency shall provide services from a registered professional nurse as needed by clients.

Staffing ratios. The agency shall maintain a minimum staff-to-client ratio of one-to-five for programming for clients with a form of dementia.

Training. New staff shall receive an orientation within 30 days of employment, which, in addition to job responsibilities, includes methods of dealing with the specific problems encountered in the care of people with Alzheimer's disease, such as communicating with clients, necessary safety measures, and common behavior concerns, and an overview of the progression of dementia and the different types of dementia.

Staff shall regularly attend specialized training through, for instance, associations and universities, in order to have the most current information about people affected with Alzheimer's disease and related disorders.

REGULATORY REVIEW OF ADULT DAY SERVICES: Final Report

PDF Files Available for This Report

Cover, Table of Contents, Acknowledgments and Introduction

<http://aspe.hhs.gov/daltcp/reports/adultday.pdf>

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<http://aspe.hhs.gov/daltcp/reports/adultday1.pdf>

SECTION 2. State Regulatory Profiles

<http://aspe.hhs.gov/daltcp/reports/adultday2.pdf>

Each state can also be viewed separately at:

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