

HUMAN SERVICES

DIVISION OF MEDICAL ASSISTANCE AND HEALTH SERVICES

Hospital Services Manual

Outpatient Psychiatric Services: Unit Rates

Adopted Amendment: N.J.A.C. 10:52-4.3

Proposed: March 3, 2014, at 46 N.J.R. 419(a).

Adopted: June 3, 2014, by Jennifer Velez, Commissioner, Department of Human Services.

Filed: June 24, 2014, as R.2014 d.118, **without change**.

Authority: N.J.S.A. 30:4D-1 et seq. and 30:4J-8 et seq.

Agency Control Number: 13-A-01.

Effective Date: July 21, 2014.

Expiration Date: December 6, 2017.

Summary of Public Comment and Agency Response:

A comment was received from: New Jersey Hospital Association, Princeton, NJ, Mr. Randy Minniear, Senior Vice President, Government Relations and Policy and Mr. Neil Eicher, Director, Government Relations and Policy.

COMMENT: The commenters expressed support for the codification of the increased rates and the exclusion of costs related to those services from the outpatient cost settlements.

RESPONSE: The Department thanks the commenters for their support.

Federal Standards Statement

42 U.S.C. § 1396d(a) requires a state Title XIX program to provide hospital services to most eligibility groups. Federal regulations at 42 CFR 440.2 and 440.20, provide definitions of outpatient hospital services.

Section 1902(a)(13) of the Social Security Act, 42 U.S.C. § 1396a(a)(13), describes the public process a state Medicaid program must use when establishing or amending hospital rates. Federal regulations at 42 CFR 447.321 establish upper payment limits for outpatient services and clinic services.

Sections 1902(a)(10) and 1905(a)(9) of the Social Security Act, 42 U.S.C. §§ 1396a(a)(10) and 1396d(a)(9), respectively, allow a state Title XIX program to provide clinic services.

Title XXI of the Social Security Act allows states to establish a children's health insurance program for targeted low-income children. New Jersey elected this option through implementation of the NJ FamilyCare Children's Program. Section 2103 of the Act, 42 U.S.C. § 1397cc, provides broad coverage guidelines for the program. Section 2110 of the Act, 42 U.S.C. § 1397jj, allows hospital services for the children's health insurance program.

The Department has reviewed the applicable Federal laws and regulations and that review indicates that the adopted amendments do not exceed Federal standards. Therefore, a Federal standards analysis is not required.

Full text of the adoption follows:

TEXT