This notice provides advance notice that pursuant to enabling legislation (P.L. 2020 c.89), the Commissioner of the Department of Human Services will establish a patient care ratio (PCR) reporting and rebate requirement for long term care facilities that is expected to be implemented July 1, 2021.

Under the PCR reporting and rebate requirement, long term care facilities will be required to report information concerning revenues and the use of such revenues for care of residents in the facilities. This information will be used to determine whether the amount of reported revenue expended by the facility on permitted costs meets or exceeds the percentage established by P.L. 2020, c. 89. The PCR will require that 90% of a facility’s aggregate revenue in a fiscal year is expended on the care of residents.

The Department will be authorized to conduct an audit of the financial information reported by the long term care facilities to ensure the accuracy of the information reported and compliance with the requirements of the rule.

In each case where the PCR fails to substantially comply with the ratio requirement, the long term care facility will be required to issue pro rata rebates.

This notice provides you with an opportunity to comment on the upcoming new rules by: ***December 16, 2020.***

You will also be given an additional opportunity to provide formal comments on the actual proposal within 60 days following its publication in the New Jersey Register.

You can submit comments regarding this advance notice of the upcoming proposed rulemaking using any of the methods listed below. However, please be aware that due to the on-going public health crisis, the preferred and most reliable method to submit your comments is via email.

SUBJECT: PCR Rule

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