

these rules are readopted and shall continue in effect for a seven-year period.

originally promulgated. Therefore, pursuant to N.J.S.A. 52:14B-5.1.c(1), N.J.A.C. 10:164B is readopted and shall continue in effect for seven years.

(a)

**DIVISION OF AGING SERVICES
Notice of Readoption
Statewide Respite Care Program
Readoption: N.J.A.C. 10:164B**

Authority: N.J.S.A. 30:4F-7 et seq., particularly 30:4F-12; and P.L. 2012, c. 17, P.L. 2014, c. 29, and P.L. 2015, c. 289.

Authorized By: Sarah Adelman, Commissioner, Department of Human Services.

Effective Date: March 5, 2024.

New Expiration Date: March 5, 2031.

Take notice that pursuant to N.J.S.A. 52:14B-5.1.c, the rules at N.J.A.C. 10:164B were scheduled to expire on April 26, 2024. N.J.A.C. 10:164B establishes the rules governing the Statewide Respite Care Program (SCRP).

The following is a summary of the subchapters within N.J.A.C. 10:164B:

Subchapter 1, General Provisions, sets forth the purpose and intent of the chapter, the scope of service, the target population, and provides the definitions of terms used in the chapter, as they pertain to the SCRCP.

Subchapter 2, Administrative Organization, addresses the designation of the Department of Human Services (the Department) as the controlling administrative unit over its governance and requires each county, through the Advisory Council of the Area Agency on Aging, to select a sponsor agency to process applications for services.

Subchapter 3, Application Process, sets forth the process to apply for the SCRCP, including general provisions, the recognition of authorized agents, and the time frame for processing applications.

Subchapter 4, Eligibility, establishes eligibility standards, as well as the requirement to maintain the confidentiality and nondisclosure of all personally identifiable information regarding applicants, eligible persons, or caregivers.

Subchapter 5, Sponsors and Providers, sets forth the qualifications and requirements for the SCRCP sponsors and providers, specifically: the responsibilities of the sponsor agency in administering the SCRCP at the county level, including what data they are required to submit to the Department monthly, quarterly, and annually; the responsibilities and mandatory requirements of provider agencies, their employees, and subcontractors; as well as when the Department may terminate a contract with a provider agency.

Subchapter 6, Cost Limitations and Co-Payment Fee Scale, establishes the maximum cost of services an eligible person may receive annually; how a sponsor may request an exception to an eligible person's service level; limitations on an eligible person being placed in a facility; restrictions on duplicative services; the sliding co-payment fee scale; when a sponsor agency will bill for services; when a sponsor agency must suspend service and what notices must first be provided; as well as the requirements for requesting and receiving a reduction or waiver of co-payments.

Subchapter 7, Reimbursement and Payment, establishes the reimbursement rates for services, and establishes the program as the secondary payer when services are covered in whole or in part by another government program or private insurance.

Subchapter 8, Appeals, sets forth the appeal process when an applicant is determined to be ineligible for benefits.

While the Department is readopting these rules, it recognizes that further rulemaking may be necessary to update the chapter to reflect current practices. Thus, the Department will continue to review the rules and may consider making substantial amendments prior to the next scheduled expiration.

The Department has reviewed the rules and has determined them to be necessary, reasonable, and proper for the purposes for which they were

(b)

**DIVISION OF DEVELOPMENTAL DISABILITIES
Notice of Administrative Change
Contribution to Care and Maintenance
Requirements
Notice of Family Maintenance Standard, Medical
Cost Standard, Tuition Deduction, and the Cost
of Care and Maintenance Rates
N.J.A.C. 10:46D-3.2**

Effective Date: January 1, 2024.

Take notice that, in accordance with N.J.A.C. 10:46D-3.2, the Department of Human Services (Department) announces that the following family maintenance standard (N.J.A.C. 10:46D-3.2(a)), medical cost standard (N.J.A.C. 10:46D-3.2(a)), tuition deduction standard (N.J.A.C. 10:46D-3.2(a) and (f)), and the cost of care and maintenance rates that shall be utilized in the determination of eligibility and the contribution to care and maintenance of individuals residentially placed by the Division of Developmental Disabilities (Division) and their legally responsible relatives for the period beginning January 1, 2024. The approved calendar year 2024 patient payment per diem rate for State developmental centers is \$1,482. The approved calendar year 2024 patient payment per diem rate for residential functional services is \$378.00. These changes were effective January 1, 2024. This notice of administrative changes is published pursuant to N.J.A.C. 1:30-2.7.

Full text of the changed rule follows (additions indicated in boldface **thus**; deletions indicated in brackets [thus]):

SUBCHAPTER 3. TREASURY FORMULA-DDD

10:46D-3.2 DDD Formula B-DDD (B) for individuals under age 18

(a) This section shall apply to the individual under age 18 being served, LRR(s), or any other person responsible for the estate of such individual and/or LRR(s). The family maintenance standard for a family of four, for calendar year [2023] **2024**, is [\$38,627] **\$39,996**, the medical cost standard for a family of four is [\$10,287] **\$9,896**, and the tuition deduction shall be revised annually, using the Consumer Price Index figures then applicable and the cost for in-State tuition at Rutgers, the State University, ([\$12,900] **\$13,674** for school year [2022-23] **2023-24**). These revisions shall be published annually by the Department as public notices in the New Jersey Register. Additionally, the Department shall publish in the New Jersey Register, the cost of care and maintenance rates as established by the Commissioner.

(b)-(e) (No change.)

(f) The deduction for college tuition shall be the actual college tuition cost paid, but shall not exceed the maximum of the annual in-State tuition expenses for Rutgers University. The deduction shall be the net of any scholarships, awards, or grants, and shall cover tuition paid, but shall not cover such items as room, board, books, and lab fees. The maximum college tuition deduction for school year [2022-2023] **2023-2024** is [\$12,900] **\$13,674**. This shall be revised annually as required at (a) above.

(g)-(j) (No change.)