

SENATE BILL NO. 4816
(First Reprint)

To the Senate:

Pursuant to Article V, Section I, Paragraph 14 of the New Jersey Constitution, I am returning Senate Bill No. 4816 (First Reprint) with my recommendations for reconsideration.

Under this bill, a health care facility that provides inpatient, maternity services would be exempt from New Jersey's certificate of need process to increase its neonatal care designation from "community perinatal center-basic" to "community perinatal center - intermediate," as these terms are defined in N.J.A.C.8:33-1.3. The bill would also require the Department of Health ("DOH") to issue a certificate of need call for the designation "community perinatal center - intensive" and for the allocation of additional intensive bassinets within health care facilities that provide inpatient, maternity services. Under the bill, a health care facility that provides inpatient maternity services, as of the bill's effective date, would be permitted to increase its total number of bassinets by no more than 25 percent of its total number of bassinets that are licensed as of the bill's effective date.

I commend the sponsors of this legislation for their efforts to encourage hospitals in the State to expand Neonatal Intensive or Intermediate Care Unit (NICU) services to address the needs of families in our communities. This bill provides mechanisms that will ensure that health facilities are appropriately designated based on their capacities under DOH regulations, while helping to bring more higher-level beds online to serve vulnerable and medically complex neonates.

However, given the bill's mandate for DOH to issue a certificate of need call and allocate additional intensive bassinets within 180 days, I am recommending the removal of the

bill's provision that would create an exemption from the certificate of need process to add up to 25 percent more bassinets. This provision would overlap with the start of the certificate of need call and could complicate DOH's evaluation of need for additional beds in the State and create a competing pathway for adding beds over potentially the same time horizon.

Therefore, I herewith return Senate Bill No. 4816 (First Reprint) and recommend that it be amended as follows:

<u>Page 3, Section 2, Lines 31-40:</u>	Delete in their entirety
<u>Page 3, Section 3, Line 42:</u>	Delete "3." and insert "2."
<u>Page 4, Section 4, Line 4:</u>	Delete "4." and insert "3."
<u>Page 4, Section 5, Line 10:</u>	Delete "5." and insert "4."

[seal]

Respectfully,

/s/ Philip D. Murphy

Governor

Attest:

/s/ Stephanie M. Doherty

Deputy Chief Counsel to the Governor