

CHAPTER 92

ADULT DAY SERVICES PROGRAM FOR PERSONS
WITH ALZHEIMER'S DISEASE OR RELATED
DISORDERS

Authority

N.J.S.A. 26:2M-1, 26:2M-9; Reorganization Plan 001-1996.

Source and Effective Date

R.2001 d.130, effective April 16, 2001.
See: 32 N.J.R. 3371(a), 33 N.J.R. 1197(a).

Executive Order No. 66(1978) Expiration Date

Chapter 92 Adult Day Services Program for Persons with Alzheimer's Disease or Related Disorders, expires on April 16, 2006.

Chapter Historical Note

Chapter 92, Adult Day Services Program for Persons with Alzheimer's Disease or Related Disorders, was adopted as R.2001 d.130, effective April 16, 2001. See: Source and Effective Date.

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SUBCHAPTER 1. GENERAL PROVISIONS

8:92-1.1 Purpose

Pursuant to N.J.S.A. 26:2M-9 et seq., the Department of Health and Senior Services intends the Adult Day Services Program for Persons with Alzheimer's Disease or Related Disorders to provide relief and support to family caregivers of a person with Alzheimer's disease or a related disorder through the provision of subsidized adult day services.

8:92-1.2 Scope

The rules in this chapter are applicable to social adult day agencies and medical adult day health service agencies licensed by the Department that are operating under a Letter of Agreement with this Department. Medical adult day health service agencies must also abide by standards outlined in N.J.A.C. 8:43F.

8:92-1.3 Target population; prioritizing target individuals

(a) The target population is limited to those individuals who have a diagnosis of Alzheimer's disease or a related dementia.

(b) Priority shall be given to those individuals in moderate to severe ranges of disability.

8:92-1.4 Definitions

The following words and terms, when used in this chapter, shall have the following meanings, unless the context clearly indicates otherwise.

"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.

"Agency" means an adult day services program, either public or private, nonprofit or proprietary, which contracts with the Department of Health and Senior Services for the provision of services under this program.

"Applicant" means a person for whom an application for services under this program is made.

"Authorized agent" means a person who is initiating an application for services under this program on behalf of a potential client as described in N.J.A.C. 8:92-5.2.

"Caregiver" means a spouse, parent, child, relative, or other person who is 18 years of age or older and who has the primary responsibility of providing daily care for the client and who does not receive financial remuneration for the care.

“Care plan” means an interdisciplinary written plan of services designed to provide the client with appropriate services and treatment in accordance with his or her assessed needs.

“Client” means an individual receiving services under this program.

“Co-payment” means financial participation in service costs by the client according to a sliding fee scale approved by the Department (see N.J.A.C. 8:92-3.2(a)).

“Department” means the New Jersey Department of Health and Senior Services.

“Liquid resources” means assets that can be converted to cash within 20 working days, including savings accounts, stocks, bonds, certificate of deposits (CD) and life insurance policies which have a cash surrender value and annuities which can be liquidated without incurring heavy penalties and tax payments.

SUBCHAPTER 2. ADMINISTRATIVE ORGANIZATION

8:92-2.1 Department of Health and Senior Services

The Department of Health and Senior Services is the administrative unit of State government which has control over the administration of the Adult Day Services Program for Persons with Alzheimer’s Disease or Related Disorders. Under the terms of N.J.S.A. 26:2M-9 et seq., the Department is responsible for the general policies governing administration of the Adult Day Services Program for Persons with Alzheimer’s Disease or Related Disorders, for effecting the issuance of rules and procedures in accordance with the Administrative Procedure Act (N.J.S.A. 52:14B-1 et seq.) for implementing the statutory provisions and for Statewide coordination of the program.

SUBCHAPTER 3. APPLICATION PROCESS AND RESPONSIBILITIES OF AGENCIES

8:92-3.1 General provisions

An agency interested in participating in the program shall provide supportive documentation describing its existing program and services to persons with a form of dementia and their families. The application must include the agency’s cost proposal, statement of need, goals and objectives, staffing, programming, revenue projection, census data and operating budget.

8:92-3.2 Funding requirements

(a) The agency shall submit a cost proposal, which shall itemize all costs incurred in the operation of the agency, with supportive documentation. No more than 15 percent of the total operating budget shall be allowed for administrative costs and no more than one percent of the total operating budget shall be allowed for advertising costs. The Department shall analyze the cost proposal and contrast costs with comparable facilities within their region to determine the agency’s allowable cost per unit of service. The Department shall reimburse from 20 percent to 75 percent of the agency’s allowable costs.

(b) For clients whose income falls below 300 percent of SSI, the Department shall pay 75 percent of the agency’s allowable costs. The agency shall obtain up to the remaining 25 percent of the agency’s allowable costs (not reimbursed by the Department) from other sources such as donations, foundation funds, or from the client’s families or funds in accordance with the sliding fee scale developed in accordance with the table in (c) below. The amount of the center’s per diem cost reimbursed by clients and/or families shall not exceed 25 percent of the per diem rate established by the Department for these clients.

(c) For clients whose income falls between 300 percent of SSI and 80 percent of the maximum moderate income limit for the highest income region published by the Council on Affordable Housing (COAH), effective July 1 of each year, incorporated herein by reference, the Department will subsidize between 20 and 60 percent of the agency’s allowable costs in accordance with the sliding fee scale developed in accordance with the table below. The percentage of the agreed upon rate not paid by DHSS will be the responsibility of the client. The following table reflects the formulas used to calculate income levels for each rate of reimbursement.

Income Guidelines				
Percent of COAH for Highest Single Person’s Income	Formula for Highest Couple’s Income	Percent Paid by DHSS	Percent Paid by Client	Agency Responsibility
80%	80% COAH* + F**	20%	80%	0%
70%	2x300% SSI for Single	30%	70%	0%
60%	60% COAH + F	45%	55%	0%
50%	50% COAH + F	60%	40%	0%
% of SSI for Highest Single Person’s Income				
300%	300% SSI + F	75%	25%	0%
269%	269% SSI + F	75%	20%	5%
238%	238% SSI + F	75%	15%	10%
207%	207% SSI + F	75%	10%	15%
175%	175% + F	75%	5%	20%