

**10:123A-3.11 Confidentiality and disclosure of information**

(a) All personally identifiable information regarding applicants or consumers under this program obtained or maintained under this program shall be confidential and shall not be released without the written consent of the applicant or consumer or their authorized agent except as noted in (b) and (c) below. In the case of applicants or consumers who have AIDS or are HIV positive, release of any information shall also be subject to the provisions of N.J.S.A. 26:5C-5 et seq.

(b) Disclosure of information without the consent of the applicant, consumer, or his or her authorized agent shall be limited to purposes directly connected with the program pursuant to State law and regulations.

(c) The prohibition of (a) above against unauthorized disclosure shall not be construed to prevent:

1. The release of statistical or summary data or information in which applicants or consumers cannot be identified;
2. The release to the Attorney General or other legal representative of this State of information or files relating to the claim of any applicant, consumer or his or her authorized agent challenging the program's statutory or regulatory authority or a determination made pursuant thereto; or
3. The release of information or files to the State Treasurer or to his or her duly authorized representatives for an audit, review of expenditures, or similar activity authorized by law.

2. Employ individuals as personal attendants where appropriate and shall develop employment policies consistent with N.J.A.C. 10:123A-5 for individuals working as personal attendants.

**10:123A-4.2 Provider fees**

(a) Fees for services under the Personal Attendant Services Program shall be based on an hourly rate to be paid to the contracting service provider or contracting individual attendant for each hour of personal attendant service provided under this program.

(b) The reimbursement for personal attendant services shall not exceed \$11.00 per hour on weekdays and \$14.00 per hour on weekends and holidays.

(c) The fee for assessments of eligible individuals shall be \$70.00 for each initial assessment authorized by the designated county agency; \$35.00 for annual re-assessments; and \$20.00 for each follow-up assessment authorized by the designated county agency.

**10:123A-4.3 Consumer fees**

(a) The consumer fee for personal attendant services shall be based on the ability of the consumer and/or the consumer's spouse to pay for these services. The consumer fee shall apply only to a consumer and that consumer's spouse whose combined annual gross income exceeds the State's applicable income eligibility limit for social services established pursuant to the Social Services Block Grant Act (P.L. 97-35, 42 U.S.C. 1397 et seq.) and set forth at (d) below.

(b) Consumer failure to pay the appropriate consumer fee within 60 days of the date of billing pursuant to the consumer sliding fee scale at (d) below, without good cause, shall be grounds for termination or suspension from the Personal Attendant Services Program.

(c) The consumer sliding fee scale schedule at (d) below shall be applied to eligible individuals and their spouses. The percentage column indicated on the fee scale denotes the percentage of the total cost of the service to be paid by the consumer.

(d) The consumer sliding fee scale is as follows:

**SUBCHAPTER 4. CONTRACTING AND FEES**

**10:123A-4.1 Contracting for services**

- (a) The designated county agency shall either:
1. Contract with other service providers, including, but not limited to, private individuals, for the provision of personal attendant services; or

**CLIENT SLIDING FEE SCALE**

Single (One Person)	Family (Size 2)	Family (Size 3)	Family (Size 4)	Family (Size 5)	Percentage
0-15,162	0-19,827	0-24,493	0-29,158	0- 33,823	0%
15,163-18,163	19,828-22,828	24,494-27,494	29,159-32,159	33,824- 36,824	1%
18,164-21,164	22,829-25,829	27,495-30,495	32,160-35,160	36,825- 39,825	2%
21,165-24,165	25,830-28,830	30,496-33,496	35,161-38,161	39,826- 42,826	3%
24,166-27,166	28,831-31,831	33,497-36,497	38,162-41,162	42,827- 45,827	4%
27,167-29,167	31,832-33,832	36,498-38,498	41,163-43,163	45,828- 47,828	5%
29,168-31,168	33,833-35,833	38,499-40,499	43,164-45,164	47,829- 49,829	6%
31,169-33,169	35,834-37,834	40,500-42,500	45,165-47,165	49,830- 51,830	7%
33,170-35,170	37,835-39,835	42,501-44,501	47,166-49,166	51,831- 53,831	8%

Single (One Person)	Family (Size 2)	Family (Size 3)	Family (Size 4)	Family (Size 5)	Percentage
35,171-36,171	39,836-40,836	44,502-45,502	49,167-50,167	53,832- 54,832	9%
36,172-37,172	40,837-41,837	45,503-46,503	50,168-51,168	54,833- 55,833	10%
37,173-38,173	41,838-42,838	46,504-47,504	51,169-52,169	55,834- 56,834	11%
38,174-39,174	42,839-43,839	47,505-48,505	52,170-53,170	56,835- 57,835	12%
39,175-39,675	43,840-44,340	48,506-49,006	53,171-53,671	57,836- 58,336	13%
39,676-40,176	44,341-44,841	49,007-49,507	53,672-54,172	58,337- 58,837	14%
40,177-40,677	44,842-45,342	49,508-50,008	54,173-54,673	58,838- 59,338	15%
40,678-41,178	45,343-45,843	50,009-50,509	54,674-55,174	59,339- 59,839	16%
41,179-41,679	45,844-46,344	50,510-51,010	55,175-55,675	59,840- 60,340	17%
41,680-42,180	46,345-46,845	51,011-51,511	55,676-56,176	60,341- 60,841	18%
42,181-42,681	46,846-47,346	51,512-52,012	56,177-56,677	60,842- 61,342	19%
42,682-43,182	47,347-47,847	52,013-52,513	56,678-57,178	61,343- 61,843	20%
43,183-43,683	47,848-48,348	52,514-53,014	57,179-57,679	61,844- 62,344	21%
43,684-44,184	48,349-48,849	53,015-53,515	57,680-58,180	62,345- 62,845	22%
44,185-44,685	48,850-49,350	53,516-54,016	58,181-58,681	62,846- 63,346	23%
44,686-45,186	49,351-49,851	54,017-54,517	58,682-59,182	63,347- 63,847	24%
45,187-45,687	49,852-50,352	54,518-55,018	59,183-59,683	63,848- 64,348	25%
45,688-46,188	50,353-50,853	55,019-55,519	59,684-60,184	64,349- 64,849	26%
46,189-46,689	50,854-51,354	55,520-56,020	60,185-60,685	64,850- 65,350	27%
46,690-47,190	51,355-51,855	56,021-56,521	60,686-61,186	65,351- 65,851	28%
47,191-47,691	51,856-52,356	56,522-57,022	61,187-61,687	65,852- 66,352	29%
47,692-48,192	52,357-52,857	57,023-57,523	61,688-62,188	66,353- 66,853	30%
48,193-48,693	52,858-53,358	57,524-58,024	62,189-62,689	66,854- 67,354	31%
48,694-49,194	53,359-53,859	58,025-58,525	62,690-63,190	67,355- 67,855	32%
49,195-49,695	53,860-54,360	58,526-59,026	63,191-63,691	67,856- 68,356	33%
49,696-50,196	54,361-54,861	59,027-59,527	63,692-64,192	68,357- 68,857	34%
50,197-50,697	54,862-55,362	59,528-60,028	64,193-64,693	68,858- 69,358	35%
50,698-51,198	55,363-55,863	60,029-60,529	64,694-65,194	69,359- 69,859	36%
51,199-51,699	55,864-56,364	60,530-61,030	65,195-65,695	69,860- 70,360	37%
51,700-52,200	56,365-56,865	61,031-61,531	65,696-66,196	70,361- 70,861	38%
52,201-52,701	56,866-57,366	61,532-62,032	66,197-66,697	70,862- 71,362	39%
52,702-53,202	57,367-57,867	62,033-62,533	66,698-67,198	71,363- 71,863	40%
53,203-53,703	57,868-58,368	62,534-63,034	67,199-67,699	71,864- 72,364	41%
53,704-54,204	58,369-58,869	63,035-63,535	67,700-68,200	72,365- 72,865	42%
54,205-54,705	58,870-59,370	63,536-64,036	68,201-68,701	72,866- 73,366	43%
54,706-55,206	59,371-59,871	64,037-64,537	68,702-69,202	73,367- 73,867	44%
55,207-55,707	59,872-60,372	64,538-65,038	69,203-69,703	73,868- 74,368	45%
55,708-56,208	60,373-60,873	65,039-65,539	69,704-70,204	74,369- 74,869	46%
56,209-56,709	60,874-61,374	65,540-66,040	70,205-70,705	74,870- 75,370	47%
56,710-57,210	61,375-61,875	66,041-66,541	70,706-71,206	75,371- 75,871	48%
57,211-57,711	61,876-62,376	66,542-67,042	71,207-71,707	75,872- 76,372	49%
57,712-58,212	62,377-62,877	67,043-67,543	71,708-72,208	76,373- 76,873	50%
58,213-58,713	62,878-63,378	67,544-68,044	72,209-72,709	76,874- 77,374	51%
58,714-59,214	63,379-63,879	68,045-68,545	72,710-73,210	77,375- 77,875	52%
59,215-59,715	63,880-64,380	68,546-69,046	73,211-73,711	77,876- 78,376	53%
59,716-60,216	64,381-64,881	69,047-69,547	73,712-74,212	78,377- 78,877	54%
60,217-60,717	64,882-65,382	69,548-70,048	74,213-74,713	78,878- 79,378	55%
60,718-61,218	65,383-65,883	70,049-70,549	74,714-75,214	79,379- 79,879	56%
61,219-61,719	65,884-66,384	70,550-71,050	75,215-75,715	79,880- 80,380	57%
61,720-62,220	66,385-66,885	71,051-71,551	75,716-76,216	80,381- 80,881	58%
62,221-62,721	66,886-67,386	71,552-72,052	76,217-76,717	80,882- 81,382	59%
62,722-63,222	67,387-67,887	72,053-72,553	76,718-77,218	81,383- 81,883	60%
63,223-63,723	67,888-68,388	72,554-73,054	77,219-77,719	81,884- 82,384	61%
63,724-64,224	68,389-68,889	73,055-73,555	77,720-78,220	82,385- 82,885	62%
64,225-64,725	68,890-69,390	73,556-74,056	78,221-78,721	82,886- 83,386	63%
64,726-65,226	69,391-69,891	74,057-74,557	78,722-79,222	83,387- 83,887	64%
65,227-65,727	69,892-70,392	74,558-75,058	79,223-79,723	83,888- 84,388	65%
65,728-66,228	70,393-70,893	75,059-75,559	79,724-80,224	84,389- 84,889	66%
66,229-66,729	70,894-71,394	75,560-76,060	80,225-80,725	84,890- 85,390	67%
66,730-67,230	71,395-71,895	76,061-76,561	80,726-81,226	85,391- 85,891	68%
67,231-67,731	71,896-72,396	76,562-77,062	81,227-81,727	85,892- 86,392	69%
67,732-68,232	72,397-72,897	77,063-77,563	81,728-82,228	86,393- 86,893	70%
68,233-68,733	72,898-73,398	77,564-78,064	82,229-82,729	86,894- 87,394	71%
68,734-69,234	73,399-73,899	78,065-78,565	82,730-83,230	87,395- 87,895	72%
69,235-69,735	73,900-74,400	78,566-79,066	83,231-83,731	87,896- 88,396	73%