



**State of New Jersey
Department of Human Services**

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To: Medicaid Managed Care Organizations, Hospitals, and Medicaid/ NJ FamilyCare-contracted providers

From: Carole Johnson, Commissioner

Subject: Certificate of Waiver of Medicaid/ NJ FamilyCare and Charity Care Co-payments for COVID-19 Testing, Visits for Testing and Testing-related Services

Effective: March 10, 2020

Pursuant to Executive Order No. 103, the Department of Human Services (the Department) issues the following waiver of the regulatory and/or contractual requirement(s) for the payment of contribution to care related to COVID-19 testing (co-payments), visits for testing, and testing-related-services for all Medicaid/NJ members and NJ Charity Care recipients. The Department also issues a waiver of the regulatory and/or contractual requirement(s) for the collection of contribution to care (co-payments) related to COVID-19 testing, visits for testing and testing-related services for Medicaid/NJ FamilyCare and NJ Charity Care providers. These waivers are effective March 10, 2020, and shall continue until further direction. As of the date of this waiver, no Medicaid/NJ FamilyCare enrollee or NJ Charity Care recipient should be required to pay and no Medicaid/NJ FamilyCare provider or NJ Charity Care provider will collect any contribution to care (co-payments) related to COVID-19 testing, visits for testing and testing-related services.

The Department is taking these actions in response to the outbreak of respiratory disease caused by a novel coronavirus, called coronavirus disease 2019 (COVID-19). On January 31, 2020, U.S. Health and Human Services Secretary Alex Azar declared a public health emergency for the United States to aid the nation's health care community in responding to COVID-19. The Centers for Disease Control and Prevention and the State of New Jersey public health laboratories are testing for the virus that causes COVID-19 to help prevent further transmission and mitigate community impact. To ensure that no Medicaid/NJ FamilyCare member or NJ Charity Care recipient experiences any barriers to testing related to cost, the Department is taking prompt action to waive any co-payments associated with testing and testing-related services.

Medicaid/NJ FamilyCare

Medicaid/NJ FamilyCare is the State of New Jersey's Medicaid and Children's Health Insurance Program. Various regulations require NJ FamilyCare enrollees to contribute to the cost of their care, including N.J.A.C. 10:49-9.1 (Provider and Beneficiary's Rights and Responsibilities); N.J.A.C. 10:51-1.12 (Pharmaceutical Services); N.J.A.C. 10:52-4.8 (Hospital Services); N.J.A.C. 10:54-4.2 (Physician Services); N.J.A.C. 10:58A-1.6 (Advanced Practice Nurse Services) and N.J.A.C. 10:66-1.7 (Independent Clinics). Effective March 10, 2020, the Department of Human Services, Division of Medical Assistance and Health Services (DMAHS) waives these regulations to the extent they require contribution to care related to COVID-19 testing, visits for testing and testing-related-services. DMAHS will not require NJ FamilyCare enrollees to pay co-payments for testing for the novel coronavirus disease 2019 (COVID-19); will not require co-payments for office visits, urgent care visits, emergency room visits or visits in any approved alternative site of care for COVID-19 testing; and will not require co-payments for COVID-19 testing-related services.

DMAHS directs all contracted Medicaid managed care and fee-for-service organizations to make all appropriate system changes to implement this action immediately.

For purposes of executing this directive, the Department is waiving the related requirements in the existing contract between DMAHS and each contracted Medicaid managed care organization. Specifically, in those instances where standard contract terms would require enrollee co-payments for laboratory testing and associated visits, when the suspected condition is COVID-19 such co-payments shall be waived.

Charity Care Assistance

N.J.A.C. 10:52-11.8, which provides income eligibility criteria for NJ Charity Care Assistance, requires certain eligible individuals to pay a portion of costs for health services that are otherwise funded through the Charity Care program. Effective March 10, 2020 the Department waives this regulation to the extent it requires such payment related to COVID-19 testing, visits for testing and testing-related-services. The Department directs hospitals not to impose costs for these services on individuals eligible for NJ Charity Care.

For questions concerning this action, please contact Gerard Hughes at Gerard.Hughes@dhs.nj.gov.

/s/Carole Johnson