

CHAPTER 60

HOME CARE SERVICES

Authority

N.J.S.A. 30:4D-6b(2), 7, 7a, 7b and 7c; 30:4D-12, 30:34E; Federal Regulations 42 CFR 440.70, 170, 180, and 181, and Section §§ 1905(a) of the Social Security Act (42 U.S.C. §§ 1396(a)(7)).

Source and Effective Date

R.2001 d.14, effective December 7, 2000.
See: 32 N.J.R. 3940(a), 33 N.J.R. 66(a).

Executive Order No. 66(1978) Expiration Date

Chapter 60, Home Care Services, expires on December 7, 2005.

Chapter Historical Note

Chapter 60, Home Health Services Manual, was adopted as R.1971 d.56, effective April 21, 1971. See: 3 N.J.R. 42(a), 3 N.J.R. 83(a).

Pursuant to Executive Order No. 66(1978), Chapter 60, Home Care Services Manual, was readopted as R.1985 d.488, effective August 27, 1985. See: 17 N.J.R. 28(a), 17 N.J.R. 2433(a).

Pursuant to Executive Order No. 66(1978), Chapter 60, Home Care Services Manual, was readopted as R.1990 d.458, effective August 15, 1990. See: 22 N.J.R. 1663(a), 22 N.J.R. 2966(c).

Subchapter 4, Home Care Expansion Program, was adopted as R.1990 d.466, effective September 17, 1990. See: 22 N.J.R. 597(a), 22 N.J.R. 2967(a).

Chapter 60, Home Care Services Manual, was repealed and Chapter 60, Home Care Services, was adopted as new rules by R.1991 d.65, effective February 19, 1991, operative March 1, 1991. See: 22 N.J.R. 3116(a), 23 N.J.R. 420(b).

Subchapter 2, Covered Home Care Services (Home Health Care Services and Personal Care Assistant Services), was repealed, Subchapter 3, Home and Community-Based Services Waiver Programs, was recodified as Subchapter 2, Home and Community-Based Services Waiver Programs, Subchapter 4, Home Care Extension Program, was recodified as Subchapter 3, Home Care Extension Program, Subchapter 5, HCFA Common Procedure Coding System (HCPCS), was recodified as Subchapter 4, HCFA Common Procedure Coding System (HCPCS), and Subchapter 6, Billing Procedures for Home Care Services, was repealed by R.1994 d.41, effective January 18, 1994. See: 25 N.J.R. 2803(a), 26 N.J.R. 364(c).

Subchapter 5, Traumatic Brain Injury Program, was adopted as new rules by R.1994 d.426, effective August 15, 1994. See: 26 N.J.R. 1566(a), 26 N.J.R. 3466(b).

Pursuant to Executive Order No. 66(1978), Chapter 60, Home Care Services, was readopted as R.1996 d.18, effective December 7, 1995. See: 27 N.J.R. 3667(a), 28 N.J.R. 184(a).

Pursuant to Executive Order No. 66(1978), Chapter 60, Home Care Services, was readopted as R.2001 d.14, effective December 7, 2000, and Subchapter 3, Home Care Expansion Program, was repealed and Subchapter 3, Personal Care Assistant (PCA) Services, was adopted as new rules, Subchapter 4, HCFA Common Procedure Coding System (HCPCS), was recodified as Subchapter 11, HCFA Common Procedure Coding System (HCPCS), and Subchapter 4, Personal Care Assistant Services for the Mentally Ill, was adopted as new rules, Subchapter 5, Traumatic Brain Injury Program, was recodified as Subchapter 9, Home and Community-Based Services Waiver for Persons with Traumatic Brain Injuries (TBI Waiver), Subchapter 5, Private Duty Nursing (PDN) Services, was adopted as new rules, and Subchapter 8, Home and Community-Based Services Waiver for Medically Fragile Children

Under Division of Youth and Family Services Supervision (ABC Waiver), was adopted as new rules by R.2001 d.14, effective January 2, 2001. See: Source and Effective Date. See, also, section annotations.

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SUBCHAPTER 1. GENERAL PROVISIONS

10:60-1.1 Purpose and scope

(a) The purpose of the home care services program, as delineated in this chapter, is to provide home care services to those individuals determined eligible.

(b) This chapter provides requirements for, and information about, the following services and programs:

1. Home health services;
2. Personal care assistant services;
3. Early and Periodic Screening, Diagnosis and Treatment/Private Duty Nursing (EPSDT/PDN) Services;
4. Home and Community-Based Services Waiver programs, which are administered by the Department of Human Services through 42 U.S.C. § 1915(c) waivers, as follows:
 - i. Home and Community-Based Services Waiver for Blind or Disabled Children and Adults (Model Waivers 1, 2, and 3);
 - ii. Home and Community-Based Services Waiver for Persons with AIDS and Children up to the age of 13 who are HIV Positive, known as AIDS Community Care Alternatives Program (ACCAP);
 - iii. Home and Community-Based Services Waiver for Persons with Traumatic Brain Injuries (TBI);
 - iv. Home and Community-Based Services Waiver for the Mentally Retarded and Developmentally Disabled (DDD-CCW) Individuals; and
 - v. Home and Community-Based Services Waiver Program for Medically Fragile Children under the Division of Youth and Family Services (DYFS) Supervision (ABC); and
5. Home and Community-Based Services Waiver programs (1915(c) waivers) administered by the Department of Health and Senior Services (DHSS):
 - i. Community Care Program for the Elderly and Disabled (CCPED); and
 - ii. Enhanced Community Options Waiver (ECO), which provides home and community-based services to aged or disabled adults.

(c) Home health agencies, homemaker agencies, hospice agencies, and private duty nursing agencies are eligible to participate as Medicaid and NJ KidCare fee-for-service home care services providers. The services which each type of agency may provide and the qualifications required to participate as a Medicaid provider are listed in N.J.A.C. 10:60-1.2 and 1.3.

(d) General information about the home health agency services program and the personal care assistant services program are outlined in this subchapter. Specific program requirements are provided in N.J.A.C. 10:60-2 and 3, respectively.

(e) Requirements of the Home and Community-Based Services Waiver Programs are provided in N.J.A.C. 10:60-6, 7, 8 and 9.