

Bill S3

Session 2022 - 2023



CHAPTER 79

AN ACT concerning prescription assistance, amending and supplementing P.L.1975, c.194, and supplementing Title 30 of the Revised Statutes.

BE IT ENACTED by the Senate and General Assembly of the State of New Jersey:

1. Section 2 of P.L.1975, c.194 (C.30:4D-21) is amended to read as follows:

C.30:4D-21 Pharmaceutical assistance eligibility.

2. a. Any resident of this State who is either a recipient of disability insurance benefits under Title II of the federal Social Security Act (42 U.S.C. s. 401 et seq.) or 65 years of age and over and whose annual income is less than \$52,142 if single or, if married, whose annual income combined with that of the person's spouse is less than \$59,209, shall be eligible for "Pharmaceutical Assistance to the Aged and Disabled" if the person is not otherwise qualified for assistance under P.L.1968, c.413 (C.30:4D-1 et seq.). Annual income shall not include gain from the sale of a principal residence that is excluded from gross income pursuant to N.J.S.54A:6-9.

b. (1) Except as provided in paragraph (2) of this subsection, beginning January 1, 1996 and annually thereafter, the income eligibility limits provided in subsection a. of this section shall increase by the amount of the maximum Social Security benefit cost-of-living increase for that year for single and married persons, respectively. The commissioner shall adopt the new income limits annually by regulation pursuant to the "Administrative Procedure Act," P.L.1968, c.410 (C.52:14B-1 et seq.).

(2) No cost-of-living increase shall be applied under paragraph (1) of this subsection in calendar year 2023. The cost-of-living increase shall resume beginning January 1, 2024, and the income eligibility limits shall be annually increased thereafter consistent with the requirements of paragraph (1) of this subsection.

C.30:4D-22.4 Community retail pharmacy practice site, display, Pharmaceutical Assistance to the Aged and Disabled information.

2. Notwithstanding any other provision of law to the contrary, a community retail pharmacy practice site shall prominently display at the point of sale for pharmaceuticals signage or promotional materials, promulgated by the Commissioner of Human Services, providing information about the "Pharmaceutical Assistance to the Aged and Disabled" program established pursuant to P.L.1975, c.194 (C.30:4D-20 et seq.). Payments to the pharmacy pursuant to section 3 of P.L.1975, c.194 (C.30:4D-22) may be withheld for any day that the pharmacy fails to display the signage or promotional materials required under this section, as determined by the commissioner.

C.30:4D-45.3 Community retail pharmacy practice site, display, Senior Gold Prescription Discount Program information.

3. Notwithstanding any other provision of law to the contrary, a community retail pharmacy practice site shall prominently display at the point of sale for pharmaceuticals signage or promotional materials, promulgated by the Commissioner of Human Services, providing information about the "Senior Gold Prescription Discount Program" established pursuant to P.L.2001, c.96 (C.30:4D-43 et seq.). Payments to the pharmacy pursuant to subsection c. of section 3 of P.L.2001, c.96 (C.30:4D-45) may be withheld for any day that the pharmacy fails to display the signage or promotional materials required under this section, as determined by the commissioner.

C.30:4D-35a Pharmaceutical Assistance to the Aged and Disabled program, reimbursement, prescription drug costs, remainder.

4. In addition to the reimbursement required pursuant to section 1 of P.L.1979, c.27 (C.30:4D-34), any eligible person under the Pharmaceutical Assistance to the Aged and Disabled program, upon receiving proof of eligibility from the department and submitting proof of expenditure to the department, as the department may prescribe, shall be reimbursed for the remainder of the costs of all prescription drugs purchased by such person in an amount equal to the value of the benefit the person would have received had that person been enrolled in the Pharmaceutical Assistance to the Aged and Disabled program at the time of purchase, minus the required copayment per prescription, during the period commencing 30 days before such person's properly completed application was received by the department and ending on the date on which such person received proof of eligibility from the department; provided, however, that no reimbursement under this section shall be made for any prescription drug purchased prior to the first day of the fourth month next following the effective date of sections 2 through 6 of P.L.2023, c.79 (C.30:4D-22.4 et al.).

C.30:4D-45a Senior Gold Prescription Discount Program, reimbursement, prescription drug costs, remainder.

5. In addition to the reimbursement required pursuant to subsection g. of section 3 of P.L.2001, c.96 (C.30:4D-45), any eligible person under the Senior Gold Prescription Discount Program, upon receiving proof of eligibility from the department and submitting proof of expenditure to the department, as the department may prescribe, shall be reimbursed for the remainder of the costs of all prescription drugs purchased by such person in an amount equal to the value of the benefit the person would have received had that person been enrolled in the Senior Gold Prescription Discount Program at the time of purchase, minus the required copayment per prescription, during the period commencing 30 days before such person's properly completed application was received by the department and ending on the date on which such person received proof of eligibility from the department; provided, however, that no reimbursement under this section shall be made for any prescription drug purchased prior to the first day of the fourth month next following the effective date of sections 2 through 6 of P.L.2023, c.79 (C.30:4D-22.4 et al.).

C.30:1A-15 "Senior Save Navigator Grant Program" established.

6. a. There is established in the Department of Human Services a "Senior Save Navigator Grant Program" to promote awareness of, and to assist applicants with the submission of, the NJSave application, as well as to support an applicant's enrollment in the programs accessible through the NJSave application, including the "Pharmaceutical Assistance to the Aged and Disabled" program established pursuant to P.L.1975, c.194 (C.30:4D-20 et seq.) and the "Senior Gold Prescription Discount Program" established pursuant to P.L.2001, c.96 (C.30:4D-43 et seq.).

b. Via a process and method determined by the Commissioner of Human Services, the Senior Save Navigator Grant Program shall fund the recruitment, training, and cost of Senior Save Navigators. Senior Save Navigators shall conduct outreach and assist residents in completing the NJSave application, and provide residents information about programs available through the NJSave application for which they may be eligible.

7. There is appropriated the sum of \$6,700,000 from the General Fund to the Department of Human Services to effectuate the provisions of sections 2 through 6 of this act.

8. Section 1 of this act shall take effect January 1, 2024. Sections 2 through 7 of this act shall take effect immediately, but the Commissioner of Human Services shall not withhold payment pursuant to sections 2 and 3 of this act for a pharmacist's or pharmacy's failure to display a poster until the first day of the first month next following the commissioner's promulgation of the poster or posters required by those sections.

Approved June 30, 2023.

