

HUMAN SERVICES

DIVISION OF MEDICAL ASSISTANCE AND HEALTH SERVICES

Rehabilitative Services for Children

Readoption with Amendments: N.J.A.C. 10:77

Proposed: July 6, 2015, at 47 N.J.R. 1380(a).

Adopted: October 22, 2015, by Elizabeth Connolly, Acting Commissioner, Department of Human Services.

Filed: December 7, 2015, as R.2016 d.002, **without change.**

Authority: N.J.S.A. 30:4D-1 et seq., and 30:4J-8 et seq.

Agency Control Number: 15-A-03.

Effective Dates: December 7, 2015, Readoption;
January 4, 2016, Amendments.

Expiration Date: December 7, 2022.

Summary of Public Comments and Agency Responses:

A comment was received from: New Jersey Association of Mental Health and Addiction Agencies, Inc., (NJAMHAA), Mercerville, NJ 08619, Debra L. Wentz, Ph.D, Chief Executive Officer.

1. COMMENT: "NJAMHAA and its members have had the chance to review the proposed regulations and wish to lend their full support to their adoption."

RESPONSE: The Department appreciates the support of the commenter.

Federal Standards Statement

Sections 1902(a)(10) and 1905(a)(13) of the Social Security Act (the Act), 42 U.S.C. §§ 1396a(a)(10) and 1396d(a)(13), respectively, allow a state Medicaid program to offer other diagnostic, screening, prevention, and rehabilitation services, including any services recommended by a physician or other licensed practitioner of the healing arts within the scope of their practice under state law, for the maximum reduction of physical or mental disability and restoration of an individual to the best possible level of functioning.

Federal regulations at 42 CFR 440.130 define covered services, including screening and rehabilitative services.

Section 2101 of the Social Security Act (42 U.S.C. § 1397aa) provides funds to states to administer the State Children's Health Insurance Program (SCHIP) in an effective and efficient manner. Section 2110 of the Social Security Act (42 U.S.C. § 1397jj) provides a list of services that are eligible for reimbursement as part of SCHIP.

The Department has reviewed the Federal statutory and regulatory requirements and has determined the rules readopted with amendments do not exceed Federal standards. Therefore, a Federal standards analysis is not required.

Full text of the readopted rules can be found in the New Jersey Administrative Code at N.J.A.C. 10:77.

Full text of the adopted amendments follows:

TEX

