

nonagricultural uses. This benefit is particularly important, as New Jersey's cranberry and blueberry production primarily occurs in the Pinelands region, and New Jersey is one of the top producers of cranberries and blueberries in the United States.

#### Regulatory Flexibility Statement

The Regulatory Flexibility Act, N.J.S.A. 52:14B-16 et seq. (RFA), requires that a rulemaking that imposes reporting, recordkeeping, or other compliance requirements on small businesses include an analysis describing the requirements and costs imposed, and the methods used to minimize any adverse economic impacts, on small businesses. A small business is any business that is resident in New Jersey, independently owned and operated, and not dominant in its field, which employs fewer than 100 full-time employees.

Farmland preservation is voluntary. Should landowners choose to preserve their farms using the Pinelands formula for development easement values, the farms will be subject to the farmland preservation restrictions set forth at N.J.A.C. 2:76-6.15. The farms would be monitored on an annual basis to ensure compliance with those restrictions, potentially triggering additional reporting and recordkeeping on the part of the landowner. However, the SADC does not perceive the proposed amendments to significantly increase recordkeeping, reporting, and compliance requirements beyond what may be necessary to ensure compliance with the voluntary deed restrictions.

#### Housing Affordability Impact Analysis

The proposed amendments will not result in a change in the affordability or the average cost associated with housing. The proposed amendments will have no impact on any aspect of housing because the rules deal with farmland preservation values pursuant to the Pinelands formula set forth at N.J.A.C. 2:76-19.4.

#### Smart Growth Development Impact Analysis

The proposed amendments will not result in a change in the housing production within Planning Areas 1 or 2, or within designated centers, pursuant to the State Development and Redevelopment Plan. This is because the rules have nothing to do with housing production, either within Planning Areas 1 or 2, within designated centers, or anywhere else in the State of New Jersey. The rules deal with farmland preservation values pursuant to the Pinelands formula within the Pinelands area.

The proposed amendments will have a positive impact on smart growth by protecting agricultural soil resources, increasing agricultural production, and improving farm businesses, thus strengthening the long-term viability of farms located primarily in the Preservation Area District, Agricultural Production Area, and Special Agricultural Production Area pursuant to the Pinelands Comprehensive Management Plan.

#### Racial and Ethnic Community Criminal Justice and Public Safety Impact

The SADC has evaluated the proposed amendments and determined that they will not have an impact on pretrial detention, sentencing, probation, or parole policies concerning adults and juveniles in the State. Accordingly, no further analysis is required.

**Full text** of the proposal follows (additions indicated in boldface **thus**; deletions indicated in brackets [thus]):

### SUBCHAPTER 19. VALUATION OF DEVELOPMENT EASEMENTS IN THE PINELANDS AREA

#### 2:76-19.4 Base value

(a) The base value of a development easement shall be determined according to whether the property is uplands or wetlands and the allocation of Pinelands Development Credits on the property from which the development easement will be conveyed.

1. For those development easements on property located in Pinelands area where the property is eligible for a Pinelands Development Credit (PDC) allocation of two PDCs per 39 acres (uplands and cultivated lands), the base value of the development easement shall be [\$1,600] **\$2,500** per acre.

2. For those development easements on property located in Pinelands Area where the property is eligible for a Pinelands Development Credit

allocation of 0.2 PDCs per 39 acres, the base value of the development easement shall be [\$160.00] **\$250.00** per acre.

3. For those development easements on property located in Pinelands area where the property is eligible for a Pinelands Development Credit allocation of one PDC per 39 acres, the base value of the development easement shall be [\$800.00] **\$1,250** per acre.

(b) If the property contains both uplands and wetlands, a weighted formula shall be utilized based [on] **upon** the percentage of uplands and the percentage of wetlands.

1. Example: A farm contains a total of 42 acres; 35.7 acres are uplands (85 percent) and 6.3 acres are wetlands (15 percent). The base value is (85 percent x [\$1,600] **\$2,500**) + (15 percent x [\$160.00] **\$250.00**), or [\$1,384] **\$2,162.50** per acre.

(c) In the event that a landowner chooses to place a deed restriction on his or her property, limiting impervious coverage on the property pursuant to N.J.A.C. 2:76-19.13, then the base value for that property shall be:

1. [\$1,800] **\$2,800** per acre for property that is eligible for a PDC credit allocation of two PDCs per 39 acres;

2. [\$180.00] **\$280.00** per acre for property that is eligible for a PDC allocation of .2 PDCs per 39 acres; and

3. [\$900.00] **\$1,400** per acre for property that is eligible for a PDC allocation of one PDC per 39 acres.

## INSURANCE

### (a)

#### DIVISION OF INSURANCE

##### Administration

##### Proposed Amendment: N.J.A.C. 11:1-1.1

Authorized By: Justin Zimmerman, Commissioner, Department of Banking and Insurance.

Authority: N.J.S.A. 17:1-8.1, 17:1-15.e, 17:17-1 et seq., 17B:17-1 et seq., 17B:27A-58, and 34:15-103 et seq.

Calendar Reference: See Summary below for explanation of exception to calendar requirement.

Proposal Number: PRN 2025-135.

Submit comments by December 5, 2025, to:

Denise Illes, Chief  
Office of Regulatory Affairs  
New Jersey Department of Banking and Insurance  
20 West Street  
PO Box 325  
Trenton, NJ 08625-0325  
Fax: (609) 292-0896  
Email: [RuleComments@dobi.nj.gov](mailto:RuleComments@dobi.nj.gov)

The agency proposal follows:

#### Summary

The Department of Banking and Insurance (Department) is proposing to amend the Department's mission statement found at N.J.A.C. 11:1-1.1(b) to reflect its full operations. Get Covered New Jersey is the State's Official Health Insurance Marketplace, operated by the Department, where New Jerseyans can find quality affordable insurance from private health insurance companies. Get Covered New Jersey was established by law by Governor Phil Murphy on June 28, 2019. The law is part of the State's work to improve access to health coverage and care for New Jersey residents and builds on the progress made through the Affordable Care Act. Get Covered New Jersey is the only place where individuals who qualify can get financial help to reduce premium costs.

The Department is amending the mission statement at N.J.A.C. 11:1-1.1(b) to include the Department's mission related to Get Covered New Jersey. Specifically, the mission statement is proposed to be amended to include the Department's mission to increase the number of insured New Jerseyans by connecting them to quality, affordable health insurance through the innovative, professional, and effective operation of Get Covered New Jersey, the State's Official Health Insurance Marketplace.

A 60-day comment period is provided for this notice of proposal, and therefore, pursuant to N.J.A.C. 1:30-3.3(a)5, this notice is not subject to the provisions at N.J.A.C. 1:30-3.1 and 3.2 governing rulemaking calendars.

#### Social Impact

The Department's proposed amendment will provide an accurate description of the Department's mission. The proposed amendment will have a beneficial social impact in that it will enhance the public's understanding of the Department's mission.

#### Economic Impact

The Department's proposed amendment at N.J.A.C. 11:1-1.1(b) will have no economic impact as it sets forth the Department's mission statement and serves an informational purpose.

#### Federal Standards Statement

A Federal standards analysis is not required because the proposed amendment is not subject to any Federal requirements or standards.

#### Jobs Impact

The proposed amendment will not cause any jobs to be generated or lost.

#### Agriculture Industry Impact

The proposed amendment will have no impact on the agricultural industry in New Jersey.

#### Regulatory Flexibility Statement

The Department's proposed amendment does not apply to "small businesses," as defined in the Regulatory Flexibility Act, N.J.S.A. 52:14B-16 et seq. N.J.S.A. 52:14B-17 defines small businesses as any business that is resident in this State, independently owned and operated, and not dominant in its field, and that employs fewer than 100 full-time employees. The proposed amendment does not result in any costs to small businesses within the meaning of the Regulatory Flexibility Act, N.J.S.A. 52:14B-16 et seq., because there are no recordkeeping, compliance, or reporting requirements imposed on small businesses.

#### Housing Affordability Impact Analysis

The proposed amendment will not have any impact on housing affordability in this State, and it will not evoke a change in the average costs associated with housing in that the proposed amendment relates to the Department's mission.

#### Smart Growth Development Impact Analysis

The proposed amendment will not have an impact on smart growth in this State and will not evoke a change in housing production in Planning Areas 1 and 2, or within designated centers, pursuant to the State Development and Redevelopment Plan in New Jersey because the proposed amendment relates to the mission of the Department.

#### Racial and Ethnic Community Criminal Justice and Public Safety Impact

The Department has evaluated this rulemaking and determined that it will not have an impact on pretrial detention, sentencing, probation, or parole policies concerning adults and juveniles in the State. Accordingly, no further analysis is required.

**Full text** of the proposal follows (additions indicated in boldface **thus**):

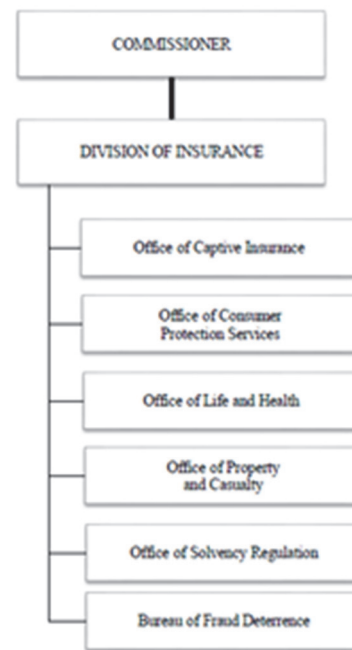
### SUBCHAPTER 1. ORGANIZATION

#### 11:1-1.1 Organization

(a) (No change.)

(b) The mission of the Department of Banking and Insurance is to regulate the banking, insurance, and real estate industries in a professional and timely manner that protects and educates consumers and promotes the growth, financial stability, and efficiency of those industries. **Additionally, the Department's mission is to increase the number of insured New Jerseyans by connecting them to quality, affordable health insurance through the innovative, professional, and effective operation of Get Covered New Jersey, the State's Official Health Insurance Marketplace.**

### DEPARTMENT OF BANKING AND INSURANCE



## LAW AND PUBLIC SAFETY

(a)

### DIVISION OF CONSUMER AFFAIRS

### STATE BOARD OF NURSING

### Family Member Certification as Homemaker-Home Health Aide

### Proposed New Rule: N.J.A.C. 13:37-14.9A

Authorized By: Board of Nursing, Mary Fortier, Executive Director.

Authority: N.J.S.A. 45:11-24.

Calendar Reference: See Summary below for explanation of exception to calendar requirement.

Proposal Number: PRN 2025-133.

Submit written comments by December 5, 2025, to:

Mary Fortier, Executive Director

State Board of Nursing

PO Box 45010

Newark, New Jersey 07101

or electronically at: <http://www.njconsumeraffairs.gov/Proposals/Pages/default.aspx>

The agency proposal follows:

#### Summary

P.L. 2023, c. 90 permits a family member of an enrollee in Medicaid or NJ FamilyCare to obtain certification as a certified homemaker-home health aide. The Board of Nursing (Board) proposes a new rule to effectuate P.L. 2023, c. 90.

Proposed new N.J.A.C. 13:37-14.9A requires a family member seeking to provide homemaker-home health aide services to an enrollee in Medicaid or NJ FamilyCare to apply to the Board for certification and to meet the qualifications for certification set forth at N.J.A.C. 13:37-14.9. A home care services agency that will employ a family member to provide services to an enrollee will be required to pay the application and initial certification fee for that family member.