

the Commissioner of Human Services, has reviewed existing N.J.A.C. 8:40 and determined that, pending the finalization of the anticipated rulemaking described above, the existing chapter remains necessary, proper, reasonable, efficient, understandable, and responsive for the purposes for which it was originally promulgated, as amended and supplemented over time, and should be readopted. Therefore, pursuant to N.J.S.A. 52:14B-5.1.c(1), N.J.A.C. 8:40 is readopted and shall continue in effect for seven years.

## HUMAN SERVICES

### (a)

#### DIVISION OF MEDICAL ASSISTANCE AND HEALTH SERVICES

##### **Notice of Readoption**

##### **Adult Mental Health Rehabilitation Services Provided In/By Community Residence Programs**

##### **Readoption: N.J.A.C. 10:77A**

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

Authorized By: Sarah Adelman, Commissioner, Department of Human Services.

Agency Control Number: 23-NA-03.

Effective Date: August 14, 2023.

New Expiration Date: August 14, 2030.

**Take notice** that pursuant to N.J.S.A. 52:14B-5.1, N.J.A.C. 10:77A, the Adult Mental Health Rehabilitation Services Provided In/By Community Residence Programs chapter, was scheduled to expire on December 20, 2023.

The chapter sets forth requirements for Medicaid/NJ FamilyCare-approved Community Residence Programs that render Adult Mental Health Rehabilitation services. These services are rendered in/by community residential programs approved by the Division of Mental Health and Addiction Services (DMHAS) and licensed in accordance with DMHAS rules at N.J.A.C. 10:37A.

The Department of Human Services (Department) has reviewed N.J.A.C. 10:77A and finds that the rules should be readopted.

The chapter contains three subchapters, as described below:

N.J.A.C. 10:77A-1, General Provisions, sets forth sections addressing scope and purpose, definitions, provider participation, and beneficiary eligibility.

N.J.A.C. 10:77A-2, Program Operations, sets forth sections addressing program requirements, levels of care, nursing assessments, staff training, basis of reimbursement, and recordkeeping.

N.J.A.C. 10:77A-3, Healthcare Common Procedure Coding System (HCPCS), includes an introduction, HCPCS codes, and a maximum fee allowance schedule.

The Department of Human Services is issuing this notice of readoption in order to avoid expiration of the rules at N.J.A.C. 10:77A and to allow adequate time to address public comments that may be received on proposed amendments that will be published in an upcoming proposed rulemaking.

The Department has reviewed the rules and has determined them to be necessary, reasonable, and proper for the purpose for which they were originally promulgated. Therefore, pursuant to N.J.S.A. 30:4D-1 et seq., and 30:4J-8 et seq., and in accordance with N.J.S.A. 52:14B-5.1.c(1), these rules are readopted and shall continue in effect for a seven-year period.

## INSURANCE

### (b)

#### OFFICE OF LIFE AND HEALTH

##### **Notice of Readoption**

##### **New Jersey Workers' Compensation Managed Care Organizations**

##### **Readoption with Technical Changes: N.J.A.C. 11:6**

Authority: N.J.S.A. 17:1-8.1, 17:1-15.e, and 17:48H-1 et seq.

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

Effective Dates: October 6, 2023, Readoption; November 6, 2023, Technical Changes.

New Expiration Date: October 6, 2030.

**Take notice** that pursuant to the provisions at N.J.S.A. 52:14B-5.1, the rules at N.J.A.C. 11:6 were scheduled to expire on November 7, 2023. The rules, which are found at Subchapter 2, provide a framework for encouraging the use of managed care to furnish injured employees with such medical, surgical, and other treatments and hospital services, as may be necessary, to cure and relieve the employee of the effects of the injury. The framework further serves to contain medical costs under workers' compensation coverage by providing eligible employers with a method whereby they may select a managed care alternative to traditional workers' compensation medical care at a reduced premium.

The rules at N.J.A.C. 11:6 continue to be necessary, reasonable, and proper for the purposes for which they were originally promulgated. Accordingly, pursuant to N.J.S.A. 52:14B-5.1.c(1), these rules are readopted and shall continue in effect for a seven-year period, with the following technical changes:

The website at N.J.A.C. 11:6-2.4(a) has been updated to reflect an updated web address. In addition, the mailing address provided for the submission of the annual report has been updated to "Office of Consumer Protection Services, Managed Care."

The mailing address provided to applicants seeking Department of Banking and Insurance approval at N.J.A.C. 11:6-2.5(a) has been updated from "Office of Solvency Regulation" to "Office of Consumer Protection Services, Managed Care" and the associated zip code has been updated. The website at N.J.A.C. 11:6-2.5(b)7 has been updated to reflect an updated web address.

The address provided for the submission of the audited annual report appearing at N.J.A.C. 11:6-2.15(f) has been updated to include an email address where filings may be made electronically.

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

##### 11:6-2.4 Requirements of approved workers' compensation managed care organizations

(a) The WCMCO shall file an annual report with the Department of Banking and Insurance by April 30th of each year on a form provided by the Department, which can be found on the Department's website: [[http://www.state.nj.us/dobi/division\\_insurance/managedcare/wcmco\\_anualrpt2014.pdf](http://www.state.nj.us/dobi/division_insurance/managedcare/wcmco_anualrpt2014.pdf)] [https://www.nj.gov/dobi/division\\_insurance/managedcare/wcmco.htm](https://www.nj.gov/dobi/division_insurance/managedcare/wcmco.htm), and which shall include income, expenses, gains or losses, number of new cases received since the prior report, number of claims submitted since the prior report, total provider charges, and total sums paid to providers. The annual report shall be submitted to the following address:

New Jersey Department of Banking and Insurance  
Office of Consumer Protection Services

##### **Managed Care**

Attn: Workers' Compensation MCO Annual Report  
20 West State Street  
PO Box 329  
Trenton, NJ 08625-0329

(b)-(c) (No change.)