

## CHAPTER 126

**AN ACT** concerning certain providers of home health and personal care services and supplementing P.L.1989, c.331 (C.34:8-43 et seq.).

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

C.34:8-45.1 Consideration as Health Care Service Firm; terms defined.

1. a. Notwithstanding any other law or regulation to the contrary, an employment agency required to be licensed pursuant to P.L.1989, c.331 (C.34:8-43 et seq.), or any other firm, company, business, agency or other entity that is not a home health care agency licensed pursuant to P.L.1971, c.136 (C.26:2H-1 et seq.), which places or arranges for the placement of personnel to provide health care or personal care services in the personal residence of a person with a disability or a senior citizen age 60 or older, regardless of the title by which the provider of the health care or personal care services is known, shall be considered a Health Care Service Firm pursuant to N.J.A.C.13:45B-14.1 et seq. and shall be subject to the rules and regulations governing Health Care Service Firms adopted by the Division of Consumer Affairs in the Department of Law and Public Safety.

As used in this subsection:

"Health care services" means any services rendered for the purpose of maintaining or restoring an individual's physical or mental health or any health related services for which a license or certification is required as a pre-condition to the rendering of such services;

"Personal care services" shall include, but not be limited to, bathing, toileting, transferring, dressing, grooming, and assistance with ambulation, exercise, or other aspects of personal hygiene.

b. An agency or other entity which places or arranges for the placement of personnel in the personal residence of a person with a disability or a senior citizen age 60 years or older for the exclusive purpose of providing companion, housekeeping, meal preparation, shopping, laundry, cleaning or transportation services shall not be considered a Health Care Service Firm pursuant to this act.

C.34:8-45.2 Rules, regulations.

2. The Director of the Division of Consumer Affairs in the Department of Law and Public Safety shall, pursuant to the "Administrative Procedure Act," P.L.1968, c.410 (C.52:14B-1 et seq.), adopt rules and regulations necessary to effectuate the purposes of this act.

3. This act shall take effect immediately.

Approved December 16, 2002.