

CHAPTER 81

AN ACT concerning enrollment in State children's health insurance programs and making an appropriation.

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

1. The Legislature finds and declares that:
 - a. An estimated 70,000 low-income children in New Jersey lack health insurance, despite the fact that they probably are eligible for publicly-funded health insurance programs such as NJ FamilyCare and Medicaid;
 - b. A lack of health care coverage frequently results in health problems that often interfere with a child's ability to learn;
 - c. Despite substantial outreach efforts by the NJ FamilyCare and Medicaid programs, many uninsured, eligible children are not enrolled in these programs;
 - d. Many of these uninsured, low-income children receive free or reduced-price lunches through the National School Lunch Program, and our State's schools are uniquely positioned to promote student enrollment in NJ FamilyCare and Medicaid because of their relationship of trust with children and their parents; and
 - e. Facilitating enrollment in NJ FamilyCare and Medicaid of uninsured, low-income students who are eligible for the school lunch program will enhance the ability of these uninsured children to succeed in the classroom.

2. There is established the "NJ Express Enrollment for Children's Health Care Coverage" pilot program.

The Commissioner of Education, in conjunction with the Commissioner of Human Services, shall establish the pilot program in eight school districts in the State, of which at least two each are in the northern, central and southern areas of the State, respectively, and at least four of which are Abbott districts.

3. a. The Commissioner of Human Services, in consultation with the Commissioner of Education, shall, within the limits of funds appropriated for this purpose, contract with the Rutgers Center for State Health Policy to:

(1) facilitate enrollment of children in NJ FamilyCare and Medicaid, through use of information obtained through the school lunch application process, as provided in this act;

(2) develop a form, which shall be attached to or included with the school lunch application form for the 2004-2005 school year in those school districts that are participating in the pilot program, that requests information concerning the health insurance status of the child who is the subject of the school lunch application and that provides an opportunity for the parent or guardian to give consent for information to be shared with the Department of Human Services for the purpose of determining eligibility for NJ FamilyCare and Medicaid. The center may consult with the Secretary of Agriculture and the Commissioners of Education and Human Services in developing the form; and

(3) conduct an analysis of the effectiveness of the pilot program in identifying children who are eligible for NJ FamilyCare and Medicaid and in increasing enrollment of uninsured children in these programs.

b. The center shall:

(1) report its preliminary findings concerning the pilot program by January 2005 to the Departments of Human Services and Education and the Senate Health, Human Services and Senior Citizens and Assembly Family, Women and Children's Services Committees; and

(2) issue a final report by April 1, 2005 to the Departments of Human Services and Education and the Senate Health, Human Services and Senior Citizens and Assembly Family, Women and Children's Services Committees, which report shall include any recommendations the center deems appropriate.

c. The Departments of Education and Human Services shall provide such information about school lunch applicants and children enrolled in NJ FamilyCare and Medicaid as the center requires to carry out its responsibilities under this act.

4. The Commissioner of Education, in consultation with the Commissioner of Human

Services, shall ensure that:

a. each participating school district includes in its cover letter to parents for the school lunch application for the 2004-2005 school year a request that the parent or guardian sign both the school lunch application and the health insurance status information inquiry;

b. upon receipt of the completed school lunch application and health insurance status information inquiry forms, each participating school district determines if a child is eligible for free or reduced price school lunch, and if the child is eligible, makes a notation on the health insurance status information inquiry form indicating the child's eligibility status for free or reduced price school lunch, respectively; and

c. each participating school district forwards the completed health insurance status information inquiry form that is returned by a parent or guardian to the Rutgers Center for State Health Policy.

5. a. The Rutgers Center for State Health Policy shall promptly notify the Department of Human Services about any child who qualifies for school lunch and whose parent or guardian has indicated that the child is not insured and has given consent to share information with the department for the purpose of determining eligibility for NJ FamilyCare and Medicaid.

b. Upon receipt of notification from the center, the Division of Medical Assistance and Health Services in the Department of Human Services shall deem a child who is eligible for school lunch as presumptively eligible for Medicaid or NJ FamilyCare, as applicable.

c. The division shall:

(1) promptly make reasonable efforts to contact the child's parent or guardian in order to complete the eligibility determination process and enroll the child in NJ FamilyCare or Medicaid; and

(2) accept the income and State residency information provided on the school lunch application and verified by the school district as proof of income and residency for the purposes of determining a child's eligibility for NJ FamilyCare or Medicaid.

6. The Commissioners of Education and Human Services, in consultation with the Secretary of Agriculture, shall report jointly to the Legislature and the Governor by May 1, 2005 on the pilot program. The report shall include, but not be limited to, a discussion of any administrative obstacles that were encountered in carrying out the program. The report shall also make recommendations as to whether the program should be expanded Statewide.

7. There is appropriated \$90,000 from the General Fund to the Department of Human Services for the purpose of contracting with the Rutgers Center for State Health Policy as provided in section 3 of this act.

Approved July 2, 2004.