

## CHAPTER 53

AN ACT concerning measurement of elder economic security and supplementing Title 44 of the Revised Statutes .

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

C.44:15-1 Findings, declarations relative to elder economic security.

1. The Legislature finds and declares that low-income elderly residents of the State are pressured by a widening gap between their increasing housing, health care, fuel, and utility expenses and their fixed incomes. Unfortunately, when income falls short of needs, the value of public support programs is often compromised by insufficient funding, low income limits, and asset limits that discourage savings.

The New Jersey Elder Economic Security Standard Index (NJ Elder Index) is a tool that measures the income older adults require to make ends meet and to remain in their own homes. The NJ Elder Index and related data helps elders and policymakers quantify elder economic security; examine the components of economically secure elders' basic expenses; measure how well public policies can help fill these gaps; evaluate current income support programs' ability to move individuals toward economic security; calculate New Jersey's elder economic insecurity rate; and identify who is most likely to lack security.

C.44:15-2 Utilization of NJ Elder Index by DHS.

2. a. The Department of Human Services shall utilize the NJ Elder Index to improve the coordination and delivery of public benefits and services to older adults residing in the State and as a planning tool to allocate public resources more efficiently.

b. The department shall update the NJ Elder Index annually using the most recent publicly available data on the costs to live in each county of the State. The department shall further provide the number and percentage of single elder and elder couple households with incomes below the Index by gender, by housing status, by race and ethnicity, and by age 65 to 74 years and 75 or more years, as data sources allow. The data sources to be used shall include:

(1) fair market rents, published by the U.S. Department of Housing and Urban Development;

(2) home ownership costs, published by the U.S. Census Bureau in the American Community Survey Public Use Microdata Sample;

(3) the low-cost food plan, published by the U.S. Department of Agriculture;

(4) Medicare Part A and Part B and out-of-pocket costs, published by the U.S. Department of Health & Human Services;

(5) Medicare Advantage and Part D contract and enrollment data, published by the U.S. Department of Health & Human Services;

(6) annual miles driven by seniors, from the National Household Travel Survey, published by the U.S. Department of Transportation;

(7) automobile operation costs per miles driven, published by the U.S. Internal Revenue Service; and

(8) miscellaneous expenses, including clothing, shoes, paper products, cleaning products, household items, personal hygiene items, and a landline telephone, calculated at 20 percent of housing, food, health care, and transportation.

c. In addition to the core NJ Elder Index, long-term care costs shall be calculated as a significant element of elders' living costs. The department shall calculate home and community-based long-term care costs. Projections shall include weekly costs for six hours,

16 hours, and 36 hours, with and without adult day services. Data sources to be used in determining these costs shall include:

(1) public long-term care costs for homemakers, home health aides, case management, and adult day health services and transportation rates, provided by the New Jersey Department of Human Services; and

(2) private long-term care costs, published in the Genworth Cost of Care Survey and adjusted according to the Consumer Price Index published by the U.S. Bureau of Labor Statistics.

d. When updating the NJ Elder Index and related data pursuant to this section, the department shall provide the NJ Elder Index and related data for the State and each county and any other geographic unit for which index data is deemed relevant and desirable.

C.44:15-3 Report by department; referral to NJ Elder Index and related data.

3. a. In any case in which the department reports on the incomes of public benefit participants, the department shall compare participant incomes to their local county NJ Elder Index.

b. The department shall refer to the NJ Elder Index and related data when:

(1) making recommendations for funding to the Governor and the Legislature;

(2) establishing public benefit income eligibility limits;

(3) calculating the change in economic security levels in order to benchmark the impact of public benefit programs for seniors;

(4) designing public outreach programs; and

(5) evaluating case management initiatives that capture the incomes of public benefit program participants and track the impact of the resulting economic security benefit for these participants.

C.44:15-4 Compliance subject to appropriation of sufficient funds, funding availability, resources.

4. Compliance with the requirements of P.L.2015, c.53 (C.44:15-1 et seq.) shall be subject to the appropriation of sufficient funds and the availability of sufficient resources. If sufficient funds and resources are unavailable to the department to enable full compliance with the provisions of P.L.2015, c.53 (C.44:15-1 et seq.), the department shall comply with its provisions to the extent possible within the limits of available funding and resources.

5. This act shall take effect immediately.

Approved May 7, 2015.