

SENATE COMMERCE COMMITTEE

STATEMENT TO

SENATE, No. 1814

with committee amendments

STATE OF NEW JERSEY

DATED: MAY 13, 2024

The Senate Commerce Committee reports favorably and with committee amendments Senate Bill No. 1814.

As amended, this bill requires the New Jersey Board of Nursing to defer consideration or withhold the certification of a homemaker-home health aide under certain circumstances.

Homemaker-home health aides are persons certified by the board who perform certain nursing tasks delegated through the authority of a duly licensed registered professional nurse and are employed by a home care services agency. Homemaker-home health aides work in a variety of assisted living residences, as well as the homes of individual patients. Current law requires criminal history record background checks for all certified homemaker-home health aides and disqualifies any certified person, or any applicant for certification, if the person is found to have been convicted of certain crimes and offenses.

The bill requires the board to defer consideration or withhold the approval of a certification or conditional certification with respect to any person who is a certified homemaker-home health aide or is an applicant for certification and for whom the board has received the following:

(1) notification of a charge or complaint filed against the person by a law enforcement agency that alleges abuse, neglect, or violence inflicted by the person on a patient; or

(2) credible evidence supporting an allegation of abuse, neglect, or violence inflicted by the person on a patient.

The deferred consideration or withholding of approval of a certification or conditional certification pursuant to the provisions of this bill must remain in effect pending the final disposition of any inquiry or investigation conducted by the board, or pending the final disposition of any civil or criminal proceedings resulting from a court action, except that the deferred consideration or withholding of approval shall not exceed 120 days unless the charge or complaint remains pending or is extended for other good cause shown.

This bill was pre-filed for introduction in the 2024-2025 session pending technical review. As reported, the bill includes the changes required by technical review, which has been performed.

COMMITTEE AMENDMENTS:

The committee amended the bill to remove language designating the bill as “Maria’s Law.”