



NJSHA 2023 LEGISLATIVE AND REGULATORY SUCCESSSES

NJSHA's Legislative Committee, chaired by immediate past-president Kathy Palatucci, works hand-in-hand with our governmental affairs consultants, Lynn Nowak & Jacy Lance at Porzio Governmental Affairs. In 2023, NJSHA tracked 293 bills introduced and moving through the legislative process. We have testified over a dozen times in front of various legislative committees on issues of importance to NJSHA, and have had many more conversations with bill sponsors and staff to educate lawmakers about proposals that impact speech-language pathologists and audiologists. We have been supportive of bills that eliminate barriers and reduce red tape for military spouses – even though those bills have not yet become law, we have supported and worked to advance them throughout the legislative process. We continue to recommend NJSHA members for appointments to boards and committee positions as appropriate. Below is a brief outline of successes that NJSHA achieved in 2023.

EDUCATOR CERTIFICATION / CREDENTIALING FEES WAIVED

- On June 30, 2023, Governor Murphy signed S3941 into law, waiving certain certification and credentialing fees within the Department of Education for one year.
- This “Educator Certification Fee Holiday” includes the SLS certificate and waives customary fees associated with educator certification applications, renewals and related services from July 1, 2023 through June 30, 2024. This occurred due to NJSHA's advocacy to add SLSs.

TPAF RETIREE RE-EMPLOYMENT 2023-2024

- On July 20, 2023, Governor Murphy signed S3798 into law, allowing teachers and professional staff members who provide special services, who retired from TPAF, to return to employment for up to two years without reenrollment in TPAF if employment commences during the 2023-2024 school year.
- This law is an extension of a law previously passed for the 2021-2022 and 2022-2023 school years, which per NJSHA request, was amended to specifically include “professional staff member providing special services, including but not limited to a speech language specialist or a therapist.”

AUTISM / COMMUNICATION DISORDERS POLICE TRAINING & GUIDANCE

- On May 15, 2023, Governor Murphy signed S761 into law, requiring the Motor Vehicle Commission (MVC) when requested, to provide a notation on a driver's license or identification card of a diagnosis of autism spectrum or communication disorder. NJSHA actively lobbied to include communication disorders on this legislation which initially only included autism.
- This law also requires the development and distribution of guidance to assist law enforcement officers in effectively communicating with a person who has been diagnosed with an autism spectrum or communication disorder.
- This guidance is to be jointly developed by the Commissioner of Human Services and the Attorney General, in consultation with the Superintendent of the Division of State Police within the Department of Law and Public Safety, and at least one organization that advocates on behalf of persons who have been diagnosed with an autism spectrum and communication disorder.
- NJSHA has been included as one of the named organizations and has been working with the Department of Human Services on creating this guidance since the summer of 2023, and we are nearing the completion of the guidance document as well as other related materials which will be distributed to each police department in the State!

TELEHEALTH PAY PARITY EXTENSION

- On December 21, 2023, Governor Murphy signed A5757/S4127 into law, which extends certain pay parity regarding telemedicine and telehealth for one year.
- Previous versions of this bill included multiple changes to the telemedicine/telehealth payment structure, but NJSHA advocated for an extension of the current law. This will allow the required Telehealth Study from the original 2017 law to be conducted so that the State has additional information to review when they consider future changes to the telehealth/telemedicine reimbursement law.

EXPANSION OF GRACE'S LAW

- On January 16, 2024, Governor Murphy signed S2535/A4048. This new law is an update of "Grace's Law," legislation originally enacted in 2008, which initially mandated a level of hearing aid coverage for children 15 and younger. The newly enacted changes to Grace's Law expand various health benefits coverages for hearing aids and now also provide coverage for cochlear implants. These new amendments to Grace's Law will go into effect 90 days after the bill's signing date (January 16, 2024), meaning changes will start in mid-April of 2024.
- NJSHA and our lobbyists worked closely with the Senate Minority Office, the Assembly Majority Office and the Governor's Office on a series of amendments to the bill to ensure that it would provide the best benefits to children and others with hearing disorders.
- During the discussions surrounding proposed updates to Grace's Law, the Governor's Office ascertained that the Affordable Care Act does not allow for payment limits on "essential health benefits." Further, recent guidance from CMS in its "Final 2023 Notice of Benefits and Payment Parameters" stated that age limits in insurance mandate bills are discriminatory. As the original "Grace's Law" predated both federal actions, the payment and age limits established in Grace's Law remained in effect in NJ and were not updated in accordance with federal rule (until now).
- As signed, the new Grace's Law now removes the age and monetary limit on a hearing aid benefit for all individuals covered by a small number of state-regulated plans such as individual and small group plans.
- The majority of individuals in state-regulated plans are covered by the State Health Benefits Plan (SHBP) or the School Employees Health Benefits Plan (SEHBP). These plans do not have to comply with federal laws/guidelines. Consequently, for these two plans in which a monetary limit does remain in place, NJSHA was successful in proposing a new limit of \$2,500 per hearing aid for each hearing-impaired ear every 60 months, (versus the \$1,000 per hearing aid for each hearing-impaired ear every 24 months in current law).
- The only plan which maintains an age limit for the hearing aid benefit is the SHBP, which increased from 15 years old in the prior version of Grace's Law, to 21 years old in the newly approved law.
- Probably the most critical addition to Grace's law is coverage for cochlear implants. As drafted, the bill originally only covered the cost of treatment related to **initial** cochlear implants, including implementation and costs for parts, attachments or accessories. NJSHA's audiology team advocated for the inclusion of language to cover the "**replacement of obsolete external cochlear implant processors,**" and this amendment was added for all state-regulated plans including the SHBP and SEHBP and is now in law.
- NJSHA is proud to continue our work on this important legislation affecting children who are deaf or hearing impaired. NJSHA worked on the original 2008 law and is proud to have established a relationship with Grace's mother, Jeanine Gleba, who now serves as a public member of the New Jersey Audiology and Speech-Language Pathology Advisory Committee.