

CHAPTER 312
(CORRECTED COPY)

AN ACT concerning services for certain inmates and amending and supplementing various parts of the statutory law.

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

1. Section 2 of P.L.2009, c.329 (C.30:1B-6.2) is amended to read as follows:

C.30:1B-6.2 Information provided to inmate prior to release; rules, regulations.

2. The Commissioner of Corrections shall provide to each inmate at least 10 days prior to release from a State correctional facility:

- a. A copy of the inmate's criminal history record and written information on the inmate's right to have his criminal records expunged under chapter 52 of Title 2C of the New Jersey Statutes;

- b. General written information on the inmate's right to vote under R.S.19:4-1;

- c. General written information on the availability of programs, including faith-based and secular programs, that would assist in removing barriers to the inmate's employment or participation in vocational or educational rehabilitative programs, including but not limited to, information concerning the "Rehabilitated Convicted Offenders Act," P.L.1968, c.282 (C.2A:168A-1 et seq.) and the certificate of rehabilitation under P.L.2007, c.327 (C.2A:168A-7 et seq.);

- d. A detailed written record of the inmate's participation in educational, training, employment, and medical or other treatment programs while the inmate was incarcerated;

- e. A written accounting of the fines, assessments, surcharges, restitution, penalties, child support arrearages, and any other obligations due and payable by the inmate upon release;

- f. (Deleted by amendment, P.L.2020, c.45)

- g. A copy of the inmate's birth certificate, as issued by the Department of Health, Office of Vital Statistics, if the inmate was born in New Jersey;

- h. Assistance in obtaining a Social Security card;

- i. A one-day New Jersey bus or rail pass;

- j. A two-week supply of prescription medication and, to the extent consistent with clinical guidelines, a two-week prescription order with two additional refills;

- k. General written information concerning child support, including child support payments owed by the inmate, information on how to seek child support payments and information on where to seek services regarding child support, child custody, and establishing parentage; and

- l. (1) A medical discharge summary, which shall include instructions on how to obtain from the commissioner a copy of the inmate's full medical record. Upon request from the inmate, the commissioner shall provide a copy of the inmate's full medical record in a safe and secure manner, at no charge to the inmate.

- (2) Within 90 days of the effective date of this act, the commissioner, in consultation with the State Board of Medical Examiners, shall adopt rules and regulations, pursuant to the "Administrative Procedure Act," P.L.1968, c.410 (C.52:14B-1 et seq.), to ensure that these records are expeditiously and securely provided, in a manner consistent with the provision of medical records by other providers.

C.30:1B-6.2a Commissioner's assistance in obtaining inmate's birth certificate.

2. The Commissioner of Corrections shall offer each inmate, upon request, at least 180 days prior to release from a State correctional facility, assistance with obtaining a copy of the inmate's birth certificate, as issued by the Department of Health, Office of Vital Statistics, if the inmate was born in New Jersey. The commissioner shall ensure that all inmates who were born in New Jersey are notified of their ability to obtain the commissioner's assistance in accessing their birth certificates pursuant to this section.

3. Section 2 of P.L.2020, c.45 (C.30:1B-6.15) is amended to read as follows:

C.30:1B-6.15 Provision of non-driver identification card.

2. a. The Commissioner of Corrections shall provide a non-driver identification card issued by the New Jersey Motor Vehicle Commission to each inmate, free of charge, as soon as practicable, but not less than 10 days prior to the inmate's release from a State correctional facility. The New Jersey Motor Vehicle Commission shall issue the identification card and accept a former inmate's Department of Corrections identification card as two points for the purposes of applying for the identification card.

b. An inmate's Department of Corrections identification card shall be accepted by all State, county, and municipal agencies and New Jersey nonprofit organizations for six months following the date of release from incarceration to allow the released inmate to gain access to services for which the inmate is deemed eligible including, but not limited to, establishing the inmate's identity.

c. Notwithstanding the provisions of subsection b. of this section, whenever Motor Vehicle Commission agencies are closed during a declared public health emergency, pursuant to the "Emergency Health Powers Act," P.L.2005, c.222 (C.26:13-1 et seq.), a state of emergency, pursuant to P.L.1942, c.251 (C.App.A:9-33 et seq.), or both, the inmate's Department of Corrections identification card shall be accepted by all State, county, and municipal agencies and New Jersey nonprofit organizations in a manner as to allow the released inmate to gain access to services for which the inmate is deemed eligible for the duration of the public health emergency.

4. Section 4 of P.L.2020, c.45 (C.30:1B-6.16) is amended to read as follows:

C.30:1B-6.16 Assistance with applications for enrollment in certain programs.

4. a. The Commissioner of Corrections shall ensure that an inmate is assisted with completing, obtaining any required signatures or authorizations for, and forwarding for processing to the Department of Human Services as soon as practicable but not less than 30 days prior to an inmate's release from incarceration, an online application for enrollment in the Medicaid program, established pursuant to P.L.1968, c.413 (C.30:4D-1 et seq.).

b. In addition to the requirements of subsection a. of this section, the Commissioner of Corrections shall also ensure that the inmate is assisted in completing, obtaining any required signatures or authorizations for, and forwarding for processing to the appropriate county welfare agency or board of social services, as soon as practicable but not less than 30 days prior to an inmate's release from incarceration, online applications for enrollment in the following programs:

(1) the Supplemental Nutrition Assistance Program, established pursuant to the federal "Food and Nutrition Act of 2008," Pub.L.88-525 (7 U.S.C.s.2011 et seq.); and

(2) the Work First New Jersey program, established pursuant to P.L.1997, c.38 (C.44:10-55 et seq.), which shall include, for inmates who are unable to identify a residence at the time of release, the application for emergency assistance benefits issued to Work First New Jersey recipients pursuant to section 8 of P.L.1997, c.14 (C.44:10-51).

c. The Department of Human Services shall be required to accept and process the online applications for Medicaid received from the Department of Corrections pursuant to subsection a. of this section.

d. If an inmate is unable to identify a residence at the time of application for benefits pursuant to this section, the Commissioner of Corrections shall, with the inmate's consent, ensure that the address of a reentry organization is used for the purposes of establishing proof of residence to meet any applicable eligibility requirements. The commissioner shall ensure that all inmates who are unable to identify a residence at the time of application for benefits are educated on their ability to select the address of the reentry organization as a residential address pursuant to this subsection.

e. All State, county, and municipal agencies, for the purposes of establishing applicable eligibility requirements, shall:

(1) accept the address of the reentry organization for an inmate who is unable to identify a residence at the time of application for benefits in accordance with subsection d. of this section; and

(2) accept an inmate's Department of Corrections identification card to establish the inmate's identity.

f. An inmate who appears to be eligible for Work First New Jersey assistance shall be screened for immediate need assistance.

5. Section 5 of P.L.2020, c.45 (C.30:1B-6.17) is amended to read as follows:

C.30:1B-6.17 Information provided to county welfare agency, board of social services.

5. a. The Commissioner of Corrections shall provide to the appropriate county welfare agency or board of social services, in advance of an inmate's release, the inmate's name, release date, and contact information, which shall include, but not be limited to, a telephone number or an email address.

b. The commissioner shall provide to reentry organization selected as a residential address pursuant to subsection d. of section 4 of this bill, in advance of an inmate's release, the information required in subsection a. of this section unless the inmate requests that the information not be forwarded.

C.30:8-16.14 Provisions to inmate incarcerated 90 days or longer.

6. The chief executive officer, warden, or keeper of each county correctional facility shall provide to each inmate incarcerated for 90 days or longer at least 30 days prior to release from a facility:

a. a copy of the inmate's criminal history record and written information on the inmate's right to have the inmate's criminal records expunged under chapter 52 of Title 2C of the New Jersey Statutes;

b. general written information on the inmate's right to vote under R.S.19:4-1;

c. general written information on the availability of programs, including faith-based and secular programs, that would assist in removing barriers to the inmate's employment or participation in vocational or educational rehabilitative programs, including but not limited to, information concerning the "Rehabilitated Convicted Offenders Act," P.L.1968, c.282

(C.2A:168A-1 et seq.) and the certificate of rehabilitation under P.L.2007, c.327 (C.2A:168A-7 et seq.);

- d. a detailed written record of the inmate's participation in educational, training, employment, and medical or other treatment programs while the inmate was incarcerated;
- e. a written accounting of the fines, assessments, surcharges, restitution, penalties, child support arrearages, and any other obligations due and payable by the inmate upon release;
- f. a copy of the inmate's birth certificate if the inmate was born in New Jersey;
- g. assistance in obtaining a Social Security card;
- h. a one-day New Jersey bus or rail pass;
- i. a two-week supply of prescription medication and, to the extent consistent with clinical guidelines, a two-week prescription order with two additional refills;
- j. general written information concerning child support, including child support payments owed by the inmate, information on how to seek child support payments and information on where to seek services regarding child support, child custody, and establishing parentage; and
- k. a medical discharge summary, which shall include instructions on how to obtain from the superintendent a copy of the inmate's full medical record; upon request from the inmate, the superintendent shall provide a copy of the inmate's full medical record in a safe and secure manner, at no charge to the inmate; the superintendent shall comply with rules and regulations, adopted pursuant to the "Administrative Procedure Act," P.L.1968, c.410 (C.52:14B-1 et seq.), that ensure that these records are expeditiously and securely provided in a manner consistent with the provision of medical records by other providers.

C.30:8-16.15 Annual appropriations for prescription medicine.

7. There shall be annually appropriated to the counties through the annual appropriations act such amounts as shall be deemed necessary to cover the cost of the prescription medicine required pursuant to the provisions of subsection i. of section 6 of P.L.2021, c.312 (C.30:8-16.14).

C.30:8-16.16 Provisions to county welfare agency, reentry organization.

8. a. The chief executive officer, warden, or keeper of each county correctional facility shall provide to the appropriate county welfare agency or board of social services, in advance of the release of an inmate who has been incarcerated for 90 days or longer, the inmate's name, release date, and contact information, which shall include, but not be limited to, a telephone number or an email address.

b. The chief executive officer, warden, or keeper of each county correctional facility shall, with the inmate's consent, provide to the reentry organization selected as a residential address pursuant to subsection d. of section 4 of this bill, in advance of the release of an inmate who has been incarcerated for 90 days or longer, the information required in subsection a. of this section unless the inmate requests that the information not be forwarded.

C.30:8-16.18 Uses of inmate's county correctional facility identification card.

9. a. The New Jersey Motor Vehicle Commission shall accept a former inmate's county correctional facility identification card as two points for the purposes of applying for a non-driver identification card.

b. An inmate's county correctional facility identification card shall be accepted by all State, county, and municipal agencies and New Jersey nonprofit organizations for six months following the date of release from incarceration to allow the released inmate to gain access to

services for which the inmate is deemed eligible including, but not limited to, establishing the inmate's identity.

c. Notwithstanding the provisions of subsection b. of this section, whenever the Motor Vehicle Commission agencies are closed during a declared public health emergency, pursuant to the "Emergency Health Powers Act," P.L.2005, c.222 (C.26:13-1 et seq.), a state of emergency, pursuant to P.L.1942, c.251 (C.App.A:9-33 et seq.), or both, the inmate's Department of Corrections identification card shall be accepted by all State, county, and municipal agencies and New Jersey nonprofit organizations in a manner as to allow the released inmate to gain access to services for which they are deemed eligible for the duration of the public health emergency.

C.30:8-16.17 Various online application enrollments; processing, acceptance.

10. a. As soon as practicable but not less than 30 days prior to the release of an inmate incarcerated for 90 days or longer, the chief executive officer, warden, or keeper of each county correctional facility shall ensure that an inmate is assisted with completing, obtaining any required signatures or authorizations for, and forwarding for processing to the Department of Human Services an online application for enrollment in the Medicaid program, established pursuant to P.L.1968, c.413 (C.30:4D-1 et seq.).

b. In addition to the requirements of subsection a. of this section, the chief executive officer, warden, or keeper also shall ensure that such inmate is assisted in completing, obtaining any required signatures or authorizations for, and forwarding for processing to the appropriate county welfare agency or board of social services, as soon as practicable but not less than 30 days prior to an inmate's release from incarceration, online applications for enrollment in the following programs:

(1) the Supplemental Nutrition Assistance Program, established pursuant to the federal "Food and Nutrition Act of 2008," Pub.L.88-525 (7 U.S.C. s.2011 et seq.); and

(2) the Work First New Jersey program, established pursuant to P.L.1997, c.38 (C.44:10-55 et seq.), which shall include, for inmates who are unable to identify a residence at the time of release, the application for emergency assistance benefits issued to Work First New Jersey recipients pursuant to section 8 of P.L.1997, c.14 (C.44:10-51).

c. The Department of Human Services shall be required to accept and process the online applications for Medicaid received from the county correctional facilities pursuant to subsection a. of this section.

d. If an inmate is unable to identify a residence at the time of application for benefits pursuant to this section, the chief executive officer, warden, or keeper of each county correctional facility, with the inmate's consent, shall ensure that the address of the reentry organization is used for the purposes of establishing proof of residence to meet any applicable eligibility requirements. The chief executive officer, warden, or keeper of each county correctional facility shall ensure that all inmates incarcerated for 90 days or longer are educated on their ability to select a reentry organization as a residential address pursuant to this subsection.

e. All State, county, and municipal agencies, for the purposes of establishing applicable eligibility requirements, shall:

(1) accept the address of the reentry organization for an inmate who is unable to identify a residence at the time of application for benefits; and

(2) accept an inmate's county correctional facility identification card to establish the inmate's identity.

f. An inmate who appears to be eligible for Work First New Jersey assistance shall be screened for immediate need assistance.

C.30:8-16.19 County reentry coordinator.

11. a. The governing body of each county in this State may, by duly adopted ordinance or resolution, appoint a county reentry coordinator who shall be responsible for evaluating the needs of, and navigating the appropriate treatment and services for, each inmate in a county correctional facility in this State.

b. The county reentry coordinator shall evaluate each inmate in a county correctional facility who has been sentenced to a term of incarceration or ordered detained pending trial following a pretrial detention hearing. The purpose of the evaluation shall be to:

(1) identify which social services and reentry and rehabilitative programs would benefit the inmate including, but not limited to, the Work First New Jersey Substance Abuse Initiative;

(2) determine whether the inmate is eligible to apply for federal, State, and county public assistance program benefits including, but not limited to, State and federal Supplemental Nutrition Assistance Program benefits, Medicaid, and housing assistance program benefits;

(3) determine whether the inmate would benefit from substance use disorder treatment including, but not limited to, medication-assisted treatment; and

(4) identify other appropriate treatment, services, and programs which would benefit the inmate.

c. The evaluation required pursuant to subsection b. of this section shall be conducted in conjunction with the clinical screening of inmates as part of the initial classification process.

d. The county reentry coordinator shall offer assistance to the inmate in accessing any services deemed appropriate for the inmate, based on the evaluation conducted pursuant to subsection b. of this section, by:

(1) assisting the inmate with scheduling and otherwise accessing appropriate treatment, services, and programming upon the inmate's release from the facility;

(2) providing information concerning, and assistance in completing, applications for appropriate State and county public assistance program benefits which shall include, but not be limited to, State and federal Supplemental Nutrition Assistance Program benefits, Medicaid, and housing assistance program benefits. The county reentry coordinator shall make every effort to ensure that the inmate is actively enrolled in appropriate programming upon or as soon as practicable following the inmate's release from the facility;

(3) providing information concerning available substance use disorder treatment and services including, but not limited to, medication-assisted treatment. The county reentry coordinator shall assist the inmate with scheduling and otherwise accessing appropriate treatment and services upon the inmate's release from the facility;

(4) providing information concerning relevant social services and reentry and rehabilitative programs including, but not limited to, the Work First New Jersey Substance Abuse Initiative. The county reentry coordinator shall assist the inmate with completing applications for and otherwise accessing appropriate services and programming upon the inmate's release from the facility;

(5) providing information concerning services provided by the State's One-Stop Career Centers. The county reentry coordinator shall schedule appointments for the inmate to meet with representatives from the career center and shall register the inmate for participation in any mandatory programming upon the inmate's release from the facility;

(6) providing information concerning insurance eligibility and assistance in completing applications for insurance coverage; the county reentry coordinator shall make every effort to

ensure that coverage for the inmate is active upon or as soon as practicable following the inmate's release from the facility; and

(7) providing information concerning any other treatment, services, and programming deemed appropriate based on the evaluation required pursuant to this section.

e. The county reentry coordinator also shall:

(1) provide assistance to each inmate, upon release from a county correctional facility, with obtaining a non-driver identification card;

(2) ensure, to the best of the coordinator's ability, and conditioned on discharge information provided by the Administrative Office of the Courts, that each inmate is released from custody during regular business hours so that the inmate may access appropriate treatment and services immediately upon release; and

(3) ensure each inmate at the time of discharge is provided with the prescription medication required pursuant to paragraph (9) of subsection a. of section 6 of P.L.2021, c.312 (C.30:8-16.14).

f. The county reentry coordinator shall consult and coordinate with the county board of social services or welfare agency, as appropriate, when providing information or assistance with respect to a benefit or service administered by the board or welfare agency.

C.30:8-16.20 Recording of data.

12. a. The county reentry coordinator shall record data regarding: the number of inmates who are offered services pursuant to section 10 of P.L.2021, c.312 (C.30:8-16.17); the number of inmates who accept the services offered; the types of services provided to each inmate who accepts the services offered; the race, gender, ethnicity, and age of each inmate; a record of any crimes committed by inmates who are released from the facility and the types of crimes committed for a period of three years following the inmate's release; and the number of inmates who were not released, and the reasons why they were not released, from a county correctional facility during regular business hours.

b. The data shall be analyzed to determine whether the rates and nature of rearrests and convictions differ according to whether an inmate received services in accordance with section 10 of P.L.2021, c.312 (C.30:8-16.17). The county reentry coordinator shall annually prepare and transmit the findings to the chief executive officer, warden, or keeper of each county correctional facility, as appropriate; the superintendent, director, or other chief administrative officer of the County Board of Social Services or welfare agency, as appropriate; the governing body of the county in which the correctional facility is located; and the Commissioner of Corrections.

C.30:8-16.21 Peer counseling program development.

13. The county reentry coordinator shall, in collaboration with the chief executive officer, warden, or keeper of a county correctional facility, develop peer counseling programs in the county correctional facility that support the treatment of county inmates with substance use disorders. The warden, director, or administrator may additionally develop initiatives to provide inmates in the custody of the county correctional facility with access to professional substance use disorder counseling.

C.30:8-16.22 Annual meeting.

14. a. The county reentry coordinator shall meet annually with community stakeholders who may offer guidance for evaluating the needs of and providing services to inmates in county correctional facilities including, but not limited to:

- (1) the Commissioner of Corrections, or a designee;
- (2) the Commissioner of Human Services, or a designee;
- (3) the chief executive officer, warden, or keeper of the county correctional facility;
- (4) the superintendent, director, or other chief administrative officer of the County Board of Social Services or welfare agency, as appropriate;
- (5) the county human services director, or a designee;
- (6) the county mental health administrator, or a designee;
- (7) the president of a county community college, or a designee;
- (8) reentry services providers in the county;
- (9) substance use disorder treatment providers in the county; and
- (10) a person who previously has received substance use disorder services in the county.

b. Based on the guidance received during the meetings conducted pursuant to subsection a. of this section, the county reentry coordinator shall:

- (1) establish best practices for preparing county inmates for release;
- (2) identify services available in the county that may be needed by inmates upon release from a county correctional facility including, but not limited to, housing, food, medical care, clothing, substance use disorder treatment; mental health services, employment assistance, and education assistance;
- (3) make appropriate recommendations to the county correctional facility and County Board of Social Services or welfare agency with respect to preparing county inmates for successful reentry into the community and reducing recidivism.

C.30:8-16.23 Annual appropriations for county reentry coordinator implementations.

15. There shall be annually appropriated through the annual appropriations act such amounts as shall be deemed necessary to implement the provisions of sections 11 through 14 of P.L.2021, c.312 (C.30:8-16.19 through C.30:8-16.22) concerning the county reentry coordinator.

C.30:1B-6.18 Inmate's use of the reentry organization's address.

16. An inmate released from a State or county correctional facility shall be authorized to use the address of a reentry organization as a mailing address in an application for benefits under the:

- a. Medicaid program, established pursuant to P.L.1968, c.413 (C.30:4D-1 et seq.);
- b. Supplemental Nutrition Assistance Program, established pursuant to the federal "Food and Nutrition Act of 2008," Pub.L.88-525 (7 U.S.C.s.2011 et seq.); and
- c. Work First New Jersey program, established pursuant to P.L.1997, c.38 (C.44:10-55 et seq.), provided the inmate consents to the use of the reentry organization's address as their mailing address.

17. Section 5 of P.L.1997, c.14 (C.44:10-48) is amended to read as follows:

C.44:10-48 Eligibility of citizens, eligible aliens.

5. a. Only those persons who are United States citizens or eligible aliens shall be eligible for benefits under the Work First New Jersey program. Single adults or couples without dependent children who are legal aliens who meet federal requirements and have applied for citizenship, shall not receive benefits for more than six months unless (1) they attain citizenship, or (2) they have passed the English language and civics components for

citizenship, and are awaiting final determination of citizenship by the federal Immigration and Naturalization Service.

b. The following persons shall not be eligible for assistance and shall not be considered to be members of an assistance unit:

(1) non-needy caretakers, except that the eligibility of a dependent child shall not be affected by the income or resources of a non-needy caretaker;

(2) Supplemental Security Income recipients, except for the purposes of receiving emergency assistance benefits pursuant to section 8 of P.L.1997, c.14 (C.44:10-51);

(3) illegal aliens;

(4) other aliens who are not eligible aliens;

(5) a person absent from the home who is incarcerated in a federal, State, county or local corrective facility or under the custody of correctional authorities, except as provided by regulation of the commissioner;

(6) a person who: is fleeing to avoid prosecution, custody or confinement after conviction, under the laws of the jurisdiction from which the person has fled, for a crime or an attempt to commit a crime which is a felony or a high misdemeanor under the laws of the jurisdiction from which the person has fled; or is violating a condition of probation or parole imposed under federal or state law;

(7) (Deleted by amendment, P.L.2021, c.312)

(8) a person found to have fraudulently misrepresented his residence in order to obtain means-tested, public benefits in two or more states or jurisdictions, who shall be ineligible for benefits for a period of 10 years from the date of conviction in a federal or state court; or

(9) a person who intentionally makes a false or misleading statement or misrepresents, conceals or withholds facts for the purpose of receiving benefits, who shall be ineligible for benefits for a period of six months for the first violation, 12 months for the second violation, and permanently for the third violation.

c. A person who makes a false statement with the intent to qualify for benefits and by reason thereof receives benefits for which the person is not eligible is guilty of a crime of the fourth degree.

d. Pursuant to the authorization provided to the states under 21 U.S.C. s.862a(d)(1), this State elects to exempt from the application of 21 U.S.C. s.862a(a):

(1) needy persons and their dependent children domiciled in New Jersey for the purposes of receiving benefits under the Work First New Jersey program and food assistance under the federal "Food and Nutrition Act of 2008," Pub.L.110-234 (7 U.S.C. s.2011 et seq.); and

(2) single persons and married couples without dependent children domiciled in New Jersey for the purposes of receiving food assistance under Pub.L.110-234.

18. This act shall take effect immediately.

Approved December 21, 2021.