

[First Reprint]
SENATE, No. 2158

STATE OF NEW JERSEY
216th LEGISLATURE

INTRODUCED JUNE 9, 2014

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**Senators Pou, Ruiz, Beck, Gordon, Madden, Assemblyman Benson,
Assemblywomen Tucker, Pintor Marin and Caride**

SYNOPSIS

Requires comparable level of services and supports to be provided to former residents of developmental centers transitioning to community placements and for placements to be located within 30 miles of closed centers.

CURRENT VERSION OF TEXT

As reported by the Senate Budget and Appropriations Committee on June 23, 2014, with amendments.

(Sponsorship Updated As Of: 6/27/2014)

1 AN ACT concerning individuals with developmental disabilities and
2 supplementing chapter 6D of Title 30 of the Revised Statutes.

3

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

6

7 1. A used in this act:

8 "Community placement" means a group home, apartment, or
9 supportive housing arrangement which provides services and
10 supports to an individual with a developmental disability who
11 transitions to the community from a State developmental center.

12 "Community services case manager" means the case manager
13 who is assigned to an individual with a developmental disability
14 pursuant to section 8 of P.L.1983, c.524 (C.30:6D-20).

15 "Developmental disability" means developmental disability as
16 defined in section 3 of P.L.1977, c.82 (C.30:6D-3).

17 "Division" means the Division of Developmental Disabilities in
18 the Department of Human Services.

19 "Health care services" means nursing intervention and
20 monitoring of the treatment of an individual with a developmental
21 disability, and includes, but is not limited to, treatment for asthma,
22 diabetes, gastritis, arthritis, and cardiac issues.

23 "Personal care" means assistance in the activities of an individual
24 with a developmental disability in daily living, including, but not
25 limited to, bathing, oral hygiene, and grooming.

26 "Primary services" means services that include, but are not
27 limited to, health care services, ambulation, personal care, and
28 behavioral support.

29 "Transition case manager" means a case manager who is
30 assigned to an individual with a developmental disability who is
31 scheduled for transition from a State developmental center to a
32 community placement.

33

34 2. a. ¹**[For]** Except as provided in subsection d. of this
35 section, for¹ each individual with a developmental disability who is
36 scheduled for transition to a community placement as a result of the
37 closure of a State developmental center, the Commissioner of
38 Human Services shall ensure that the individual is transitioned to a
39 community placement which is located within 30 miles of the
40 developmental center to be closed, and that the individual is
41 provided with a comparable level of services and supports in the
42 community placement that the individual received while residing in
43 the State developmental center, as provided for in this section.

44 b. The division shall assign a transition case manager to each
45 individual with a developmental disability who is scheduled for

EXPLANATION – Matter enclosed in bold-faced brackets **[thus]** in the above bill is
not enacted and is intended to be omitted in the law.

Matter underlined thus is new matter.

Matter enclosed in superscript numerals has been adopted as follows:

¹Senate SBA committee amendments adopted June 23, 2014.

1 transition to a community placement as a result of the closure of a
2 developmental center. The transition case manager shall:

3 (1) Develop a customized plan of services and supports for the
4 transition of the individual with a developmental disability to a
5 community placement. The plan shall include, but not be limited
6 to, a comparable level of the following services and supports, as
7 needed by the individual:

- 8 (a) primary services;
- 9 (b) physical and nutritional management;
- 10 (c) adaptive equipment;
- 11 (d) physical, occupational, and speech therapy;
- 12 (e) services from a psychologist or social worker; and
- 13 (f) emergency services; and

14 (2) Ensure that the services and supports provided for in the
15 plan are in place prior to the individual with a developmental
16 disability moving to a community placement.

17 c. The transition case manager shall oversee the plan developed
18 pursuant to subsection b. of this section. The transition case
19 manager shall provide a copy of the plan to the division, which
20 shall share the plan with the appropriate community services case
21 manager who shall provide follow-up case management of the
22 individual with a developmental disability while the individual
23 resides in a community placement. The transition case manager and
24 the community services case manager shall collaborate as necessary
25 to ensure that the individual with a developmental disability
26 receives a comparable level of services and supports, as provided
27 for in this section.

28 ¹d. The requirement for a transition to a community placement
29 which is located within 30 miles of a developmental center, as
30 provided for in subsection a. of this section, shall not apply in the
31 case of an individual with a developmental disability or the
32 individual's guardian who expresses a preference for a community
33 placement which is located more than 30 miles from the
34 developmental center.¹

35
36 3. The division shall ensure that a follow-up review of the
37 implementation of the customized plan of services and supports,
38 developed pursuant to section 2 of this act, is conducted at 30, 60
39 and 90 days and one and two years following the date of the move
40 of an individual with a developmental disability to a community
41 placement pursuant to this act. The division shall utilize the review
42 to monitor whether the individual is receiving a comparable level of
43 services and supports in the community placement, as provided for
44 in section 2 of this act, and shall make such changes as necessary to
45 the provision of services and supports to ensure that the individual
46 receives the comparable level of services and supports.

1 4. Nothing in this act shall preclude additional assessments of
2 the needs of an individual with a developmental disability or the
3 development of an additional service plan for the individual, in
4 order to provide any services needed for a safe transition of an
5 individual with a developmental disability from a developmental
6 center to a community placement.

7
8 5. The Commissioner of Human Services shall, in accordance
9 with the "Administrative Procedure Act," P.L.1968, c.410
10 (C.52:14B-1 et seq.), adopt any rules and regulations as the
11 commissioner deems necessary to carry out the provisions of this
12 act.

13 6. This act shall take effect on the first day of the seventh
14 month next following the date of enactment, but the Commissioner
15 of Human Services may take such administrative action in advance
16 thereof as shall be necessary for the implementation of this act.