

SENATE, No. 2249

STATE OF NEW JERSEY 216th LEGISLATURE

INTRODUCED JUNE 23, 2014

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District 14 (Mercer and Middlesex)

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District 38 (Bergen and Passaic)

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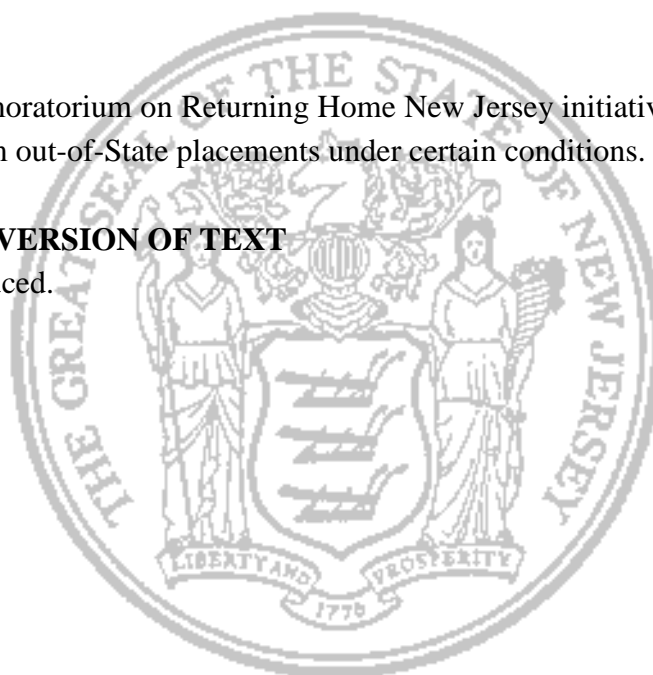
Senators Weinberg, Codey and Greenstein

SYNOPSIS

Imposes moratorium on Returning Home New Jersey initiative and prohibits transfers from out-of-State placements under certain conditions.

CURRENT VERSION OF TEXT

As introduced.



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

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

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

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7 1. a. The Department of Human Services shall impose a
8 moratorium on the transfer of an individual with a developmental
9 disability, whom the Division of Developmental Disabilities had
10 placed in an out-of-State facility, to a new residential placement in
11 this State under the Returning Home New Jersey initiative or any
12 similar initiative or program transferring individuals with
13 developmental disabilities from out-of-State placements to new
14 residential placements in this State, until the department prepares a
15 comprehensive written plan as provided for in this section and posts
16 the plan on the website of the department.

17 b. The comprehensive written plan shall include, but not be
18 limited to, a requirement to provide an individual with a
19 developmental disability with:

20 (1) care and services in the new residential placement in this
21 State that are substantially similar to the care and services which the
22 individual received in an out-of-State placement and which shall be
23 safe and appropriate for the individual; and

24 (2) living conditions which are medically and behaviorally
25 appropriate for the individual.

26

27 2. The Division of Developmental Disabilities shall not transfer
28 an individual with a developmental disability to a new residential
29 placement in this State under the Returning Home New Jersey
30 initiative or any similar initiative or program transferring
31 individuals with developmental disabilities from out-of-State
32 placements to new residential placements in this State if:

33 a. the transfer is opposed by the individual or the individual's
34 guardian;

35 b. the individual has resided in an out-of-State placement for
36 10 or more years; or

37 c. a medical evaluation of the individual indicates that the
38 transfer to a new residential placement in this State would be
39 harmful to the health or safety of the individual.

40

41 3. This act shall take effect immediately.

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STATEMENT

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46 This bill requires the Department of Human Services (DHS) to
47 impose a moratorium on the transfer of an individual with a
48 developmental disability to this State under the Returning Home

1 New Jersey initiative or any similar initiative or program
2 transferring individuals with developmental disabilities from out-of-
3 State placements to new residential placements in this State, until
4 DHS prepares a comprehensive written plan and posts the plan on
5 its website. The plan is to include a requirement to provide: care
6 and services in the new residential placement that are substantially
7 similar to the care and services received in an out-of-State
8 placement and which are to be safe and appropriate for the
9 individual; and living conditions which are medically and
10 behaviorally appropriate for the individual.

11 The bill also provides that the Division of Developmental
12 Disabilities in DHS is not to transfer an individual with a
13 developmental disability under the Returning Home New Jersey
14 initiative if: the transfer is opposed by the individual or the
15 individual's guardian; the individual has resided in an out-of-State
16 placement for 10 or more years; or a medical evaluation of the
17 individual indicates that the transfer to a new residential placement
18 in this State would be harmful to the health or safety of the
19 individual.