

ASSEMBLY, No. 683

STATE OF NEW JERSEY

219th LEGISLATURE

PRE-FILED FOR INTRODUCTION IN THE 2020 SESSION

Sponsored by:

Assemblywoman VALERIE VAINIERI HUTTLE

District 37 (Bergen)

Assemblyman CHRISTOPHER P. DEPHILLIPS

District 40 (Bergen, Essex, Morris and Passaic)

Assemblywoman YVONNE LOPEZ

District 19 (Middlesex)

Co-Sponsored by:

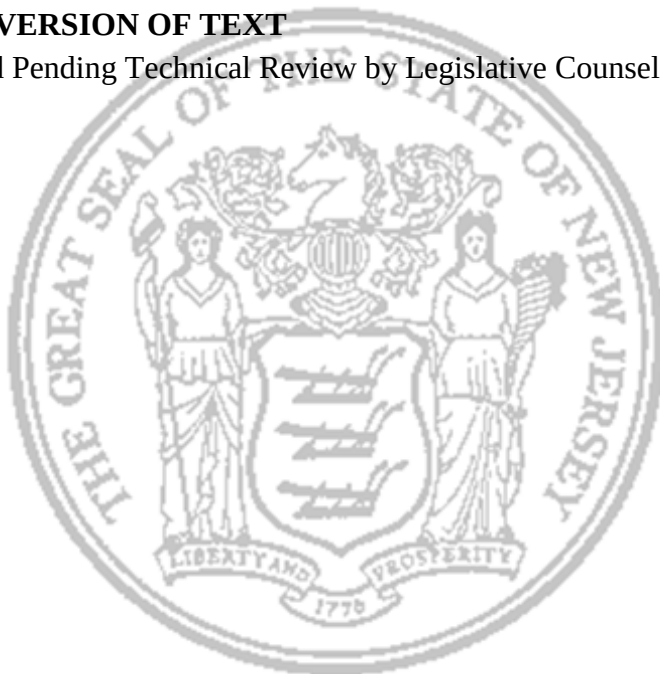
Assemblymen Mukherji, Benson and Assemblywoman Dunn

SYNOPSIS

Establishes Office of Ombudsman for Mental Health and Addiction Services.

CURRENT VERSION OF TEXT

Introduced Pending Technical Review by Legislative Counsel.



(Sponsorship Updated As Of: 3/16/2020)

1 **AN ACT** establishing the Office of the Ombudsman for Mental
2 Health and Addiction Services and supplementing Title 30 of the
3 Revised Statutes.

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

7
8 1. a. There is established, in but not of the Department of the
9 Treasury, the Office of the Ombudsman for Mental Health and
10 Addiction Services. For the purpose of complying with the
11 provisions of Article V, Section IV, paragraph 1 of the New Jersey
12 Constitution, the Office of the Ombudsman for Mental Health and
13 Addiction Services is hereby allocated within the Department of the
14 Treasury, but notwithstanding this allocation, the office shall be
15 independent of any supervision or control by the department or any
16 board or officer thereof, or any other cabinet-level department,
17 board, or officer thereof. The purpose of the ombudsman shall be
18 support individuals with mental illness and addiction.

19 b. The Governor shall appoint an Ombudsman for Mental
20 Health and Addiction Services, who shall be qualified by training
21 and experience to perform the duties of the office. The ombudsman
22 shall be a person of recognized judgment, integrity, and objectivity,
23 and shall be skilled in communication, conflict resolution, and
24 professionalism.

25 c. The ombudsman shall organize and direct the work of the
26 office, including the work of professional and clerical staff, as may
27 be necessary to carry out the ombudsman's duties.

28
29 2. a. The duties of the Ombudsman Mental Health and
30 Addiction Services shall include, but shall not be limited to:

31 (1) helping individuals with mental illness and addiction find
32 effective treatment facilities and programs, including substance use
33 disorder recovery services, health care services, mental health
34 services, medication-assisted treatment services, and other
35 substance use disorder treatment services;

36 (2) ensuring that individuals with mental illness and addiction,
37 including patients and residents within mental health facilities and
38 programs, are receiving proper care and treatment;

39 (3) providing educational programs, confidential drug
40 counseling, and vocational guidance and job placement for
41 individuals with mental illness and addiction;

42 (4) educating individuals about the harm caused by substance
43 use disorders with respect to individuals, families, and society; and

44 (5) creating public information programs to educate individuals
45 with mental illness and addiction of the duties of and resources
46 provided by the ombudsman.

47 b. The ombudsman shall treat communications received in the
48 course of the ombudsman's duties, including personally identifiable

1 information regarding individuals with mental illness and addiction
2 or others from whom information is acquired, as confidential,
3 except when disclosure is necessary to enable the ombudsman to
4 perform the duties of the office, and consent for the disclosure is
5 obtained. Upon the receipt of information that by law is
6 confidential or privileged, the ombudsman shall maintain the
7 confidentiality of the information, and shall not disclose or
8 disseminate the information, except as provided by applicable State
9 or federal law.

10
11 3. a. The Ombudsman for Mental Health and Addiction
12 Services shall annually issue a written report to the Commissioner
13 of Human Services. The report shall include a summary of the
14 services the ombudsman provided during the year, and any specific
15 recommendations the ombudsman deems appropriate and necessary
16 concerning the State's provision of services and support to
17 individuals with mental illness and addiction.

18 b. The ombudsman also shall issue the report prepared pursuant
19 to subsection a. of this section to the Governor, and pursuant to
20 section 2 of P.L.1991, c.164 (C.52:14-19.1) to the Legislature.

21
22 4. This act shall take effect immediately.
23
24

25 STATEMENT

26
27 This bill establishes the Office of the Ombudsman for Mental
28 Health and Addiction Services, in but not of the Department of the
29 Treasury, to support individuals with mental illness and addiction.
30 Under the bill, the Governor is to appoint an Ombudsman for
31 Mental Health and Addiction Services, who is to be qualified by
32 training and experience to perform the duties of the office. The
33 ombudsman is to be a person of recognized judgment, integrity, and
34 objectivity, and is to be skilled in communication, conflict
35 resolution, and professionalism.

36 The duties of the Ombudsman Mental Health and Addiction
37 Services are to include, but not be limited to, the following: (1)
38 helping individuals with mental illness and addiction find effective
39 treatment facilities and programs, including substance use disorder
40 recovery services, health care services, mental health services,
41 medication-assisted drug treatment services, and other substance
42 use disorder treatment services; (2) ensuring that individuals with
43 mental illness and addiction, including patients and residents within
44 mental health facilities and programs, are receiving proper care and
45 treatment; (3) providing educational programs; confidential drug
46 counseling; and vocational guidance and job placement for
47 individuals with mental illness and addiction; (4) educating
48 individuals about the harm caused by substance use disorder with

1 respect to individuals, families, and society; and (5) creating public
2 information programs to educate individuals with mental illness and
3 addiction of the duties of and resources provided by the
4 ombudsman.

5 The bill provides that the Ombudsman for Mental Health and
6 Addiction Services is to annually issue a written report to the
7 Commissioner of Human Services, the Governor, and the
8 Legislature. The report is to include a summary of the services the
9 ombudsman provided during the year, and any specific
10 recommendations the ombudsman deems appropriate and necessary
11 concerning the State's provision of services and support to
12 individuals with mental illness and addiction.