ASSEMBLY, No. 821

STATE OF NEW JERSEY

219th LEGISLATURE

PRE-FILED FOR INTRODUCTION IN THE 2020 SESSION

Sponsored by:
Assemblyman ANTHONY S. VERRELLI
District 15 (Hunterdon and Mercer)

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SYNOPSIS

Requires DOC to provide substance use disorder services to every inmate in need of treatment.

CURRENT VERSION OF TEXT

As introduced.

(Sponsorship Updated As Of: 11/5/2020)

AN ACT concerning inmates and amending P.L.1986, c.71.

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

1. Section 2 of P.L.1986, c.71 (C.30:4-82.2) is amended to read as follows:

2. a. The Commissioner of Human Services and the Commissioner of Corrections shall formulate a plan to provide adequate and appropriate mental health and substance use disorder services to inmates in all State-owned, operated, or contracted correctional facilities.

The plan shall include, but need not be limited to, the following:

(1) Procedures for identifying a person in need of mental health and substance use disorder services when the person is initially admitted to a State-owned, operated, or contracted correctional facility, and while the person is confined therein;

(2) Procedures for providing a mental health and substance use disorder evaluation to a person identified under subsection a. of this section to determine whether the person is in need of mental health or substance use disorder services;

(3) Procedures for providing adequate and appropriate mental health or substance use disorder treatment to a person determined to be in need under paragraph (2) of this subsection;

(4) Enumeration of the types of mental health and substance use disorder treatment that may be provided to a person determined to be in need under paragraph (2) of this subsection, which types of treatment shall include, but need not be limited to, individual or group counseling, treatment with prescription drugs, and increased monitoring as needed to prevent harm to self or others, which may include confinement in a secure hospital setting;

(5) Procedures for the provision of medication-assisted treatment in substance use disorder treatment programs, as appropriate and available;

(6) Procedures for terminating the treatment provided under paragraph (3) of this subsection when it is no longer needed by the person receiving it;

(7) Identifying community mental health and substance use disorder treatment providers and services to assist in a person's community reintegration upon the person's discharge from a State-owned, operated, or contracted correctional facility;

(8) Procedures for ensuring cooperation between the Department of Corrections and the Department of Human Services at all personnel levels and at every stage of identification, evaluation, treatment, and termination of treatment so that adequate

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 <u>thus</u> is new matter.

and appropriate mental health and substance use disorder services are provided;

(9) Procedures for maintaining the confidentiality of mental health and substance use disorder treatment records; and

(10) Procedures for biennial review and revision of the plan developed under this section.

b. Mental health and substance use disorder treatment services in State-owned, operated, or contracted facilities, as appropriate, shall be delivered by licensed provider organizations.

c. The Department of Human Services shall adopt rules and regulations, pursuant to the "Administrative Procedure Act," P.L.1968, c.410 (C.52:14B-1 et seq.), to establish standards and requirements for the licensure of substance use disorder treatment programs operating within State-owned, operated, or contracted correctional facilities, as appropriate. In developing regulations, the department shall take into consideration the unique characteristics of treatment programs operating within a correctional environment.

d. The Department of Human Services is authorized to develop a plan to provide mental health and substance use disorder services to inmates in county-operated correctional facilities, in consultation with the county-designated individual or entity charged with the planning of treatment services for county inmates.

e. The Commissioner of Corrections shall ensure that every inmate in a State owned, operated, or contracted correctional facility that is in need of substance use disorder services receives treatment pursuant to this section.

(cf: P.L.2015. c.11, s.1)

2. This act shall take effect immediately.

STATEMENT

This bill requires the Department of Corrections to provide substance use disorder services to every inmate in need of treatment.

Under current law, the Commissioner of Human Services and the Commissioner of Corrections are required to formulate a plan to provide substance use disorder services to inmates in all State-owned, operated, or contracted correctional facilities.

In addition to other procedures, the plan is required to include: 1) procedures for identifying a person in need of substance use disorder services when the person is initially admitted to a correctional facility and while confined; 2) procedures for providing adequate and appropriate substance use disorder treatment to a person determined to be in need; and 3) identifying community substance use disorder treatment providers and services to assist in

a person's community reintegration upon the person's discharge from a State-owned, operated, or contracted correctional facility.

Current law provides that substance use disorder treatment is required to include individual or group counseling, treatment with prescription drugs, and increased monitoring as needed to prevent harm to self or others, which may include confinement in a secure hospital setting.

The provisions of this bill require the Commissioner of Corrections to ensure that every inmate in a State owned, operated, or contracted correctional facility that is in need of substance use disorder services receives this treatment.