

ASSEMBLY, No. 2663

STATE OF NEW JERSEY

219th LEGISLATURE

INTRODUCED FEBRUARY 13, 2020

Sponsored by:

Assemblywoman VALERIE VAINIERI HUTTLE

District 37 (Bergen)

Assemblywoman SHANIQUE SPEIGHT

District 29 (Essex)

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 introduced.



(Sponsorship Updated As Of: 2/13/2020)

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

43 b. The division shall assign a transition case manager to each
44 individual with a developmental disability who is scheduled for
45 transition to a community placement as a result of the closure of a
46 developmental center. The transition case manager shall:

47 (1) Develop a customized plan of services and supports for the
48 transition of the individual with a developmental disability to a

1 community placement. The plan shall include, but not be limited
2 to, a comparable level of the following services and supports, as
3 needed by the individual:

- 4 (a) primary services;
- 5 (b) physical and nutritional management;
- 6 (c) adaptive equipment;
- 7 (d) physical, occupational, and speech therapy;
- 8 (e) services from a psychologist or social worker; and
- 9 (f) emergency services; and

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

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

24
25 3. The division shall ensure that a follow-up review of the
26 implementation of the customized plan of services and supports,
27 developed pursuant to section 2 of this act, is conducted at 30, 60,
28 and 90 days and one and two years following the date of the move
29 of an individual with a developmental disability to a community
30 placement pursuant to this act. The division shall utilize the review
31 to monitor whether the individual is receiving a comparable level of
32 services and supports in the community placement, as provided for
33 in section 2 of this act, and shall make such changes as necessary to
34 the provision of services and supports to ensure that the individual
35 receives the comparable level of services and supports.

36
37 4. Nothing in this act shall preclude additional assessments of
38 the needs of an individual with a developmental disability or the
39 development of an additional service plan for the individual, in
40 order to provide any services needed for a safe transition of an
41 individual with a developmental disability from a developmental
42 center to a community placement.

43
44 5. The Commissioner of Human Services shall, in accordance
45 with the "Administrative Procedure Act," P.L.1968, c.410
46 (C.52:14B-1 et seq.), adopt any rules and regulations as the
47 commissioner deems necessary to carry out the provisions
48 of this act.

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

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7 STATEMENT

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9 This bill provides that for each individual with a developmental
10 disability who is scheduled for transition to a community placement
11 as a result of the closure of a State developmental center, the
12 Commissioner of Human Services is to ensure that the individual is
13 transitioned to a community placement which is located within 30
14 miles of the developmental center to be closed, and that the
15 individual is provided with a comparable level of services and
16 supports in the community placement that the individual received
17 while residing in the State developmental center, as provided for in
18 the bill.

19 A transition case manager is to be assigned to each individual
20 with a developmental disability scheduled for the transition. This
21 case manager is required to develop a customized plan of services
22 and supports which is to include, but not be limited to, a
23 comparable level of the following services and supports in the
24 community placement to those provided to the individual while
25 residing in a State developmental center, as needed by the
26 individual: primary services; physical and nutritional management;
27 adaptive equipment; physical, occupational, and speech therapy;
28 services from a psychologist or social worker; and emergency
29 services. The transition case manager is to ensure that the services
30 and supports are in place prior to the move to a community
31 placement, and is to oversee the plan.

32 A community services case manager is to provide follow-up case
33 management of the individual with a developmental disability while
34 the individual resides in a community placement, and the two case
35 managers are to collaborate to ensure that the individual with a
36 developmental disability receives a comparable level of services
37 and supports.

38 Lastly, the bill provides for follow-up review of the
39 implementation of the plan, which is to be conducted 30, 60 and 90
40 days and one and two years following the date of the move to a
41 community placement. The division is to utilize the review to
42 monitor whether the individual is receiving the comparable level of
43 services and supports in the community placement and make any
44 necessary changes to the services and supports provided.