

ASSEMBLY, No. 2771

STATE OF NEW JERSEY

219th LEGISLATURE

INTRODUCED FEBRUARY 13, 2020

Sponsored by:

Assemblywoman JOANN DOWNEY

District 11 (Monmouth)

Assemblyman ERIC HOUGHTALING

District 11 (Monmouth)

Assemblyman NICHOLAS CHIARAVALLOTI

District 31 (Hudson)

Co-Sponsored by:

Assemblywomen Speight, Vainieri Huttie and Assemblyman Benson

SYNOPSIS

Provides that persons between 18 and 21 years of age with disabilities are eligible to receive direct support professional services from DHS.

CURRENT VERSION OF TEXT

As introduced.



(Sponsorship Updated As Of: 3/5/2020)

1 **AN ACT** concerning direct support professionals and supplementing
2 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. Notwithstanding any other provision of law or regulation
8 to the contrary, any person with a disability who is between 18 and
9 21 years of age shall be eligible to receive direct support
10 professional services from the Department of Human Services.

11 b. The Commissioner of Human Services, in consultation with
12 the Commissioner of Children and Families and the Assistant
13 Commissioner of the Division of Developmental Disabilities in the
14 Department of Human Services, shall adopt rules and regulations,
15 pursuant to the “Administrative Procedure Act,” P.L.1968, c.410
16 (C.52:14B-1 et seq.), as may be necessary to implement the
17 provisions of this section.

18 c. As used in this section:

19 “Direct support professional” means an individual who provides
20 direct, non-medical supportive assistance, on a daily basis, to a
21 person who has a physical, intellectual, or developmental disability,
22 with the aim of helping the person to: become better integrated into
23 the community or the least restrictive environment; more effectively
24 understand, communicate, and advocate for, the person’s individual
25 needs and desires; identify and participate in positive employment,
26 job coaching, and training opportunities; make informed choices,
27 and better understand the options and possible consequences of
28 choices relating to physical health, safety, and emotional well-
29 being; address challenging behaviors through a person-centered
30 approach; successfully engage in the basic activities of daily living;
31 identify and participate in activities that promote a healthy lifestyle;
32 and otherwise lead a self-directed and autonomous life.

33 “Person with a disability” means a person who has a physical,
34 intellectual, or developmental disability.

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36 2. This act shall take effect immediately.

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STATEMENT

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41 This bill would provide that any person with a physical,
42 intellectual, or developmental disability who is between 18 and 21
43 years of age or older is eligible to receive direct support
44 professional services from the Department of Human Services. A
45 direct support professional provides direct, non-medical supportive
46 assistance, on a daily basis, to a person who has a physical,
47 intellectual, or developmental disability, with the aim of helping the
48 person to: become better integrated into the community or the least

1 restrictive environment; more effectively understand, communicate,
2 and advocate for, the person's individual needs and desires; identify
3 and participate in positive employment, job coaching, and training
4 opportunities; make informed choices, and better understand the
5 options and possible consequences of choices relating to physical
6 health, safety, and emotional well-being; address challenging
7 behaviors through a person-centered approach; successfully engage
8 in the basic activities of daily living; identify and participate in
9 activities that promote a healthy lifestyle; and otherwise lead a self-
10 directed and autonomous life.

11 Currently, individuals are not eligible for benefits from the
12 Department of Human Services, including services from direct
13 support professionals, until they reach the age of 21. Before the age
14 of 21, it is assumed that individuals will receive necessary services
15 at school, through the Department of Education. This bill would
16 ensure that individuals who graduate high school earlier than age 21
17 are eligible for direct support professional services.

18 The bill would require the Commissioner of Human Services, in
19 consultation with the Commissioner of Children and Families and
20 the Assistant Commissioner of the Division of Developmental
21 Disabilities in the Department of Human Services, to adopt rules
22 and regulations to implement the bill's provisions.