

ASSEMBLY, No. 3014

STATE OF NEW JERSEY

219th LEGISLATURE

INTRODUCED FEBRUARY 20, 2020

Sponsored by:
Assemblywoman PAMELA R. LAMPITT
District 6 (Burlington and Camden)

SYNOPSIS

Transfers administration of programs for certain individuals with developmental disabilities from DHS to DCF.

CURRENT VERSION OF TEXT

As introduced.



1 AN ACT concerning services for individuals with developmental
2 disabilities and amending P.L.2012, c.16.

3

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

6

7 1. Section 158 of P.L.2012, c.16 (C.30:4C-4.4) is amended to
8 read as follows:

9 158. a. Notwithstanding any law, rule, or regulation to the
10 contrary, commencing on or after the effective date of [P.L.2012,
11 c.16 (C.52:27D-43.9a et al.)] P.L. , c. (C.) (pending before
12 the Legislature as this bill) and subject to the provisions of
13 subsection b. of this section, the Division of Children's System of
14 Care in the Department of Children and Families shall determine
15 eligibility and provide support and services, deemed clinically and
16 functionally appropriate by the Department of Children and
17 Families, as limited by service availability and appropriations and
18 other monies available, and to become available, for persons with
19 developmental disabilities, as defined in section 3 of P.L.1977, c.82
20 (C.30:6D-3), under [21] 30 years of age. The Division of
21 Children's System of Care shall be responsible for licensing,
22 inspection, and standard-setting with regard to facilities providing
23 services for persons with developmental disabilities under [21] 30
24 years of age.

25 With the exception of the services provided to adults over the
26 age of 18 by the Moderate Security Unit, established pursuant to
27 P.L.2006, c.5 (C.30:4-25.13 et seq.), the Division of Developmental
28 Disabilities in the Department of Human Services shall cease
29 providing services for those persons with developmental disabilities
30 under [21] 30 years of age as of the date that the Division of
31 Children's System of Care in Department of Children and Families
32 commences determining eligibility and providing services for these
33 persons, except that, as agreed to by the Department of Children
34 and Families and the Department of Human Services pursuant to
35 subsection b. of this section, the Division of Developmental
36 Disabilities may continue to provide services to individuals under
37 [21] 30 years of age determined eligible for such services prior to
38 the effective date of [P.L.2012, c.16 (C.52:27D-43.9a et al.)] P.L. ,
39 c. (C.) (pending before the Legislature as this bill). The
40 Division of Developmental Disabilities may establish rules and
41 procedures for the transition of persons receiving services from the
42 Department of Children and Families to adult services provided by
43 the Division of Developmental Disabilities, including, but not
44 limited to, a redetermination of eligibility for services. There shall
45 not be a presumption of eligibility for persons seeking adult

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 thus is new matter.

1 services through the Division of Developmental Disabilities in the
2 Department of Human Services.

3 The Division of Developmental Disabilities shall retain all
4 responsibility for and authority over the operation of State
5 developmental centers pursuant to R.S.30:1-7.

6 b. The Commissioner of Human Services and the
7 Commissioner of Children and Families, or the commissioners'
8 designees, shall establish and enter into an inter-agency agreement
9 as necessary for the purposes of subsection a. of this section.

10 c. The Commissioners of Human Services and Children and
11 Families, pursuant to the "Administrative Procedure Act," P.L.1968,
12 c.410 (C.52:14B-1 et seq.), shall adopt, notwithstanding any
13 provision of P.L.1968, c.410 (C.52:14B-1 et seq.) to the contrary,
14 immediately upon filing with the Office of Administrative Law,
15 such rules and regulations as the **Commissioners** commissioners
16 deem necessary to effectuate the purposes of section 158 of
17 P.L.2012, c.16 (C.30:4C-4.4) and P.L. , c. (C.) (pending
18 before the Legislature as this bill), which shall be effective for a
19 period not to exceed 12 months following the effective date of
20 P.L.2012, c.16 (C.52:27D-43.9a et al.) and P.L. , c. (C.)
21 (pending before the Legislature as this bill), as applicable. The
22 regulations shall thereafter be amended, adopted, or readopted by
23 the commissioners in accordance with the provisions of P.L.1968,
24 c.410 (C.52:14B-1 et seq.).

25 d. Whenever any current law, rule, regulation, or order,
26 pertaining to persons with developmental disabilities, as defined in
27 section 3 of P.L.1977, c.82 (C.30:6D-3), under **[21]** 30 years of age
28 refers to the Division of Developmental Disabilities in the
29 Department of Human Services, the same shall mean and refer to
30 the Division of Children's System of Care in the Department of
31 Children and Families.

32 (cf: P.L.2012, c.16, s.158)

33
34 2. This act shall take effect on the first day of the thirteenth
35 month next following the date of enactment, except that the
36 Commissioner of Human Services and the Commissioner of
37 Children and Families may take administrative action in advance
38 thereof as may be necessary for the implementation of this act.

41 STATEMENT

42
43 This bill would transfer the responsibility for providing services
44 to individuals aged 21-29 with developmental disabilities from the
45 Division of Developmental Disabilities (DDD) in the Department of
46 Human Services to the Children's System of Care (CSOC) in the
47 Department of Children and Families. Current law provides for
48 individuals with developmental disabilities who are eligible to

A3014 LAMPITT

4

- 1 receive functional services to receive services through the CSOC
- 2 until age 21, at which time they transition to receiving services from
- 3 DDD. The bill would delay the transition until age 30.