

ASSEMBLY, No. 3015

STATE OF NEW JERSEY

219th LEGISLATURE

INTRODUCED FEBRUARY 20, 2020

Sponsored by:

Assemblywoman PAMELA R. LAMPITT

District 6 (Burlington and Camden)

SYNOPSIS

Directs certain recoveries of federal funds for services to persons with developmental disabilities be used for grants to support community infrastructure purposes.

CURRENT VERSION OF TEXT

As introduced.



1 **AN ACT** concerning distribution of federal Community Care Waiver
2 funds and supplementing Title 30 of the Revised Statutes.

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

6
7 1. a. If the Department of Human Services receives federal
8 reimbursement, including but not limited to retroactive
9 reimbursement, through a Community Care Waiver for services for
10 persons with developmental disabilities that are in excess of the
11 amount anticipated in the annual appropriations act, the excess
12 amount shall be used first to offset any deficits that may exist
13 respecting contracts between the Division of Developmental
14 Disabilities and community provider agencies, after which any
15 remaining funds shall be deposited in the Developmental
16 Disabilities Community Infrastructure Fund established pursuant to
17 section 2 of this act and used solely as set forth in subsection b. of
18 this section.

19 b. Any federal funds identified in subsection a. of this section
20 shall be used to provide one-time grants for purposes that directly
21 benefit persons with developmental disabilities who live in the
22 community or who seek to live in community settings. Persons may
23 apply for grants through a community provider under contract with
24 the division, and the division shall award grants in accordance with
25 the following priorities:

- 26 (1) updating and repairing facilities and infrastructure that
27 directly affect residential and transportation needs;
28 (2) purchasing accessibility equipment; and
29 (3) assistive technology.

30
31 2. a. There is established a nonlapsing fund in the Department
32 of Human Services to be known as the Developmental Disabilities
33 Community Infrastructure Fund. Any monies identified in section 1
34 of this act shall be deposited in the fund and used to provide one-
35 time grants as provided in section 1 of this act.

36 b. The Director of the Division of Developmental Disabilities
37 shall establish eligibility criteria for receipt of grants from the fund
38 and the procedures for applying for a grant.

39
40 3. Within 12 months following the effective date of this act,
41 and annually thereafter, the Director of the Division of
42 Developmental Disabilities shall prepare and submit a report, in
43 accordance with section 2 of P.L.1991, c.164 (C.52:14-19.1), to the
44 Senate Health, Human Services and Senior Citizens and Assembly
45 Human Services committees that details the expenditures made
46 pursuant to section 1 of P.L. , c. (C.) (pending before the
47 Legislature as this bill).

1 4. This act shall take effect immediately.

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STATEMENT

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6 This bill creates a fund in the Department of Human Services for
7 any excess unanticipated federal funds received through a
8 Community Care Waiver for the provision of services to persons
9 with developmental disabilities, and establishes priorities for
10 spending those funds. The purpose of this bill is to ensure that
11 federal funds which the State receives for the benefit of persons
12 with developmental disabilities in the community are used to
13 directly benefit those individuals.

14 Specifically, the bill provides that if the Department of Human
15 Services receives federal reimbursement, including but not limited
16 to retroactive reimbursement, through a community care waiver for
17 services for persons with developmental disabilities and the funds
18 exceed the amount anticipated in the annual appropriations act, the
19 excess funds shall be used first to offset any deficits that may exist
20 respecting contracts between the Division of Developmental
21 Disabilities and community provider agencies. Any remaining
22 funds will be deposited in the Developmental Disabilities
23 Community Infrastructure Fund and used solely to fulfill the
24 following priorities: updating and repairing facilities and
25 infrastructure that directly affect residential and transportation
26 needs, purchasing accessibility equipment, and purchasing assistive
27 technology.

28 The bill also requires that the Director of the Division of
29 Developmental Disabilities report annually to the Senate Health,
30 Human Services and Senior Citizens and Assembly Human Services
31 committees, detailing the expenditures made under this bill.