

ASSEMBLY HUMAN SERVICES COMMITTEE

STATEMENT TO

ASSEMBLY, No. 3145

STATE OF NEW JERSEY

DATED: DECEMBER 9, 2021

The Assembly Human Services Committee reports favorably Assembly Bill No. 3145.

This bill would allow the Assistant Commissioner of the Division of Developmental Disabilities (DDD) in the Department of Human Services to create an exception rate for individuals who are identified thereby as having highly acute needs, and to mandate specific clinical and staffing requirements in association with that rate for each individual. The rate and programmatic requirements will be established on an individual basis in order to ensure that funding is directly tied to true costs based on the programmatic requirements outlined in each case.

There is a small sub-population of individuals with developmental disabilities in New Jersey who are not able to be safely served in the current developmental disabilities system, due to inadequate staffing and clinical supports. This sub-population exhibits extremely intense self-injurious behavior, aggression towards others, or a combination of both, which significantly increases the risk of injury to these individuals, their families, facility staff, and anyone else around them.

The fee-for-service system recently implemented by the DDD does not account for this sub-population of individuals, and because these individuals represent such a small percentage of the overall population, and can be seen as outliers, the current rate structure was designed without these individuals in mind. As a result, even the highest rates do not account for the staffing ratios and clinical supports that are required to safely support these individuals.

The policies associated with the new fee-for-service system also do not ensure the safety of these individuals, as there are no requirements for mandated staffing ratios or specific clinical supports. This can lead to the dangerous placement of these individuals with service providers who are not clinically equipped to support someone with such intense needs. This bill would attempt to alleviate the system's shortcomings in this regard.

As reported by the committee, Assembly Bill No. 3145 is identical to Senate Bill No. 3333 which was reported by the committee on this date.