ASSEMBLY, No. 3479



STATE OF NEW JERSEY

219th LEGISLATURE



INTRODUCED FEBRUARY 25, 2020

Sponsored by:

Assemblywoman VALERIE VAINIERI HUTTLE

District 37 (Bergen)

SYNOPSIS

Permits change in case manager for persons with developmental disabilities under certain circumstances.

CURRENT VERSION OF TEXT

As introduced.



An Act concerning persons with developmental disabilities and amending P.L.1983, c.524.

Be It Enacted by the Senate and General Assembly of the State of New Jersey:

1. Section 2 of P.L.1983, c.524 (C.30:6D-14) is amended to read as follows:

2. As used in this act:

a. "Department" means the Department of Human Services.

b. "Community residential facility" means any residential arrangement, public or private, other than an institution, in which one or more **[**developmentally disabled**]** persons with developmental disabilities reside under the sponsorship of the department. A family home in which all of the **[**developmentally disabled**]** persons with developmental disabilities residing within are related to the head of the household by blood, marriage, or adoption is not a community residential facility.

c. "Transfer" means moving a **[**developmentally disabled**]** person with a developmental disability from an institution to a community residential facility, from one community residential facility to another, from a community residential facility to an institution, or from receiving self-directed support services as defined in section 3 of P.L.2008, c.128 (C.30:6D-12.3) to a community residential facility as defined in this section or a facility as defined in section 3 of P.L.1977, c.82 (C.30:6D-3). The placement of a person who has never before received services from the department directly into a community residential facility is a transfer.

d. "Authorized family member" means a relative of the person with a developmental disability authorized by the person's guardian, or by the person if the person is his own guardian, to make a request pursuant to subsection b. of section 8 of P.L.1983, c.524 (C.30:6D-20).

(cf: P.L.2008, c.128, s.7)

2. Section 8 of P.L.1983, c.524 (C.30:6D-20) is amended to read as follows:

8. a. The department shall ensure that every **[**developmentally disabled**]** person with a developmental disability covered by **[**this act**]** P.L.1983, c.524 (C.30:6D-13 et seq.) is visited at least monthly by a case manager employed by the department or by an agency under contract to the department.

b. A guardian or authorized family member of a person with a developmental disability may request that the department assign a different case manager to the person with a developmental disability, and the department shall honor the request if the request is approved by the supervisor of the current case manager of the person with a developmental disability.

(cf: P.L.1983, c.524, s.8)

3. This act shall take effect on the first day of the third month next following the date of enactment.

STATEMENT

This bill provides that a guardian or "authorized family member" of a person with a developmental disability may request that the Department of Human Services (DHS) assign a different case manager to the person with a developmental disability. DHS is to honor the request if the request is approved by the supervisor of the current case manager of the person with a developmental disability. "Authorized family member" is defined as a relative of the person with a developmental disability who is authorized by the person's guardian, or by the person if the person is his own guardian, to make the request.