

# 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.



1 AN ACT concerning persons with developmental disabilities and  
2 amending P.L.1983, c.524.

3

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

6

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

9 2. As used in this act:

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

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

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

30 d. "Authorized family member" means a relative of the person  
31 with a developmental disability authorized by the person's guardian,  
32 or by the person if the person is his own guardian, to make a request  
33 pursuant to subsection b. of section 8 of P.L.1983, c.524 (C.30:6D-  
34 20).

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

36

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

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

44 b. A guardian or authorized family member of a person with a

**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 developmental disability may request that the department assign a  
2 different case manager to the person with a developmental  
3 disability, and the department shall honor the request if the request  
4 is approved by the supervisor of the current case manager of the  
5 person with a developmental disability.

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

7  
8 3. This act shall take effect on the first day of the third month  
9 next following the date of enactment.

10  
11  
12 STATEMENT

13  
14 This bill provides that a guardian or "authorized family member"  
15 of a person with a developmental disability may request that the  
16 Department of Human Services (DHS) assign a different case  
17 manager to the person with a developmental disability. DHS is to  
18 honor the request if the request is approved by the supervisor of the  
19 current case manager of the person with a developmental disability.  
20 "Authorized family member" is defined as a relative of the person  
21 with a developmental disability who is authorized by the person's  
22 guardian, or by the person if the person is his own guardian, to  
23 make the request.