[First Reprint]

ASSEMBLY, No. 4239

STATE OF NEW JERSEY

219th LEGISLATURE

INTRODUCED JUNE 8, 2020

Sponsored by:
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SYNOPSIS

Requires Division of Developmental Disabilities, during public health emergency, to develop guidance for in-person visitation at community-based residential settings for individuals with developmental disabilities and require providers to allow such visitation.

CURRENT VERSION OF TEXT

As reported by the Assembly Human Services Committee on June 25, 2020, with amendments.

(Sponsorship Updated As Of: 7/30/2020)

AN ACT concerning certain community-based residential programs and group homes and supplementing Title 30 of the Revised Statutes.

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

1. As used in this act:

"Community-based residential program" means a developmental center, supervised apartment, community care residence, nursing home[1],[1] or [1]**[**any**]**[1] other residential setting [1]for individuals with developmental disabilities[1], which is licensed and regulated by the Department of Human Services.

[1]"Developmental disability" means the same as that term is defined by section 3 of P.L.1977, c.82 (C.30:6D-3).[1]

"Group home" means a living arrangement that is operated in a residence or residences leased or owned by an individual licensed by the Department of Human Services; which provides the opportunity for individuals with developmental disabilities to live together in a home, sharing in chores and the overall management of the residence; and in which staff provides supervision, training, or assistance in a variety of forms and intensity as required to assist the individuals as they move toward independence.

"Resident" means any child or adult whose primary residence is [1]in[1] a community-based residential program or group home [1]**[**that is operated by, or under contract with, the Department of Human Services**]**[1].

2. [1]**[**a.**]**[1] During [1]**[**the**]** a declared[1] public health emergency [1]**[**declared pursuant to P.L.2005, c.222 (C.26:13-1 et seq.) in response to the coronavirus disease 2019 (COVID-19),**]** the Division of Developmental Disabilities in[1] the Department of Human Services[1], in consultation with the Department of Health,[1] shall [1]develop guidance for, and shall[1] require the operator of a community-based residential program or group home to allow[1],[1] in-person visitation between a resident of the community-based residential program or group home and the resident's immediate family members and legal guardian.

[1]**[**b. Each visitor of a resident of a community-based residential program or group home pursuant to subsection a. of this section shall be subject to all restrictions and limitations imposed by the department in response to the coronavirus disease 2019 (COVID-19), which may, but not limited to requiring each visitor to:

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.
Matter enclosed in superscript numerals has been adopted as follows:
[1]Assembly AHU committee amendments adopted June 25, 2020.

(1) undergo a complete screening for exposure to, or symptoms of the coronavirus disease 2019 (COVID-19);

(2) practice social distancing, including maintaining a six foot distance between the visitor and all residents and staff while in, or on the premises of, the community-based residential program or group home; and

(3) wear a non-medical facial covering while in, or on the premises of, the community-based residential program or group home.**]**[1]

[[1]3. The Department of Human Services, pursuant to the "Administrative Procedures Act," P.L.1968, c.410 (C.52:14B-1 et seq.) shall adopt rules and regulations necessary to effectuate the purposes of this act.**]**[1]

[[1]4.**]** 3.[1] This act shall take effect immediately.