

ASSEMBLY HUMAN SERVICES COMMITTEE

STATEMENT TO

ASSEMBLY, No. 4239

with committee amendments

STATE OF NEW JERSEY

DATED: JUNE 25, 2020

The Assembly Human Services Committee favorably reports, with committee amendments, Assembly Bill No. 4239.

As amended by the committee, this bill would provide for the Division of Developmental Disabilities (DDD) in the Department of Human Services (DHS), acting in consultation with the Department of Health during a declared public health emergency, to develop guidance for, and to require the operator of a DHS-licensed community-based residential program or group home to allow, 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.

A "community-based residential program" includes a developmental center, supervised apartment, community care residence, nursing home, or other residential setting for individuals with developmental disabilities, which is licensed and regulated by the DHS.

A "group home" is a living arrangement that is operated in a residence or residences leased or owned by an individual licensed by the DHS; 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.

COMMITTEE AMENDMENTS:

The committee amended the bill to make it applicable to all public emergencies, not just the COVID-19 public health emergency. The amendments remove the provision that would have provided for the formal adoption of rules and regulations on this issue and instead require the DDD to develop guidance on in-person visitation. The committee amendments also alter the bill to remove specific requirements pertaining to in-person visitation in order to give the DDD flexibility and discretion with respect the development of policies and guidance on this issue. Finally, the amendments update the bill's synopsis to reflect the revised purpose of the bill.