ASSEMBLY MILITARY AND VETERANS' AFFAIRS COMMITTEE

STATEMENT TO

ASSEMBLY, No. 5174

with committee amendments

STATE OF NEW JERSEY

DATED: JANUARY 25, 2021

The Assembly Military and Veterans' Affairs Committee reports favorably and with committee amendments Assembly Bill No. 5174.

This bill establishes, in but not of, the Department of Military and Veterans Affairs the Veterans' Memorial Homes Oversight Board. The board will be independent of any supervision or control by the department or by any officer or employee thereof.

For the purposes of this bill, the board will have oversight responsibilities for the Veterans' Memorial Home-Menlo Park, the Veterans' Memorial Home-Vineland, and the Veterans' Memorial Home-Paramus, and for any other veterans' memorial home that may be established after the effective date of this bill.

As amended, the board will be composed of 12 members with the representative from the department being a non-voting member. The board will review, in accordance with the procedures set forth in the bill, violations reported, complaints filed, and investigations conducted at each memorial home to identify systemic issues and problems related to the operation of the memorial homes.

The board will be provided with notice of violation reports, complaints filed, and investigations conducted at a veterans' memorial home that involve:

the rights or dignity of an admitted person;

physical, verbal, or mental abuse, deprivation of services necessary to maintain physical and mental health, or unreasonable confinement;

poor quality of care, including inadequate personal hygiene and slow response to requests for assistance;

improper transfer or discharge;

inappropriate use of chemical or physical restraint; and

quality of life.

COMMITTEE AMENDMENTS

The committee amended the bill to remove the provisions that would have eliminated the current veteran homes advisory councils and transferred their duties to the new board. Also, the membership of

the board was increased from 11 members to 12 members, and the member of the board who is a full-time employee of the Department of Military and Veterans Affairs will be a non-voting member. An additional amendment was made to change the frequency of the reports to the Legislature from quarterly to monthly.

MINORITY STATEMENT
By Assemblyman Dancer

I wholeheartedly commend Chairwoman Tucker for her attention to the need for enhanced oversight of the state-run veterans' memorial homes, which provide long-term care for veterans, their spouses, and Gold Star parents and spouses. The homes tragically became the locations of mass deaths of residents and staff due to Covid-19.

The approach taken in this bill in creating an oversight board to make valuable reports and recommendations is certainly a welcome step in the right direction. However, I share concerns expressed by members of the veterans' community and others that real accountability is also required in response to the horrendous events that occurred at the memorial homes.

Testimony delivered today reinforces my strong belief that a well-qualified, independent inspector general for the memorial homes is needed to go beyond enhanced oversight and provide for focused, professional investigations into matters affecting the health and welfare of the homes' residents.

Such an inspector general should have two important purposes: to keep residents safe through ongoing reviews, self-initiated investigations and immediate recommendations made directly to the homes; and to promptly look into any factors that may have caused or contributed to the high number of deaths in the homes during the Covid-19 pandemic.

A full and complete report on these terrible events by an independent, qualified inspector general would both educate policy-makers on how to avoid such a calamity in the future, and provide the accountability called for by the scope of the pandemic disaster at the homes and by the grieving families of the deceased. Importantly, the inspector general should have subpoena power and the authority to refer any possible criminal conduct to the Division of Criminal Justice for disposition.

Accordingly, I respectfully decline to support Assembly Bill No. 5174 at this time only in recognition of the need for strong accountability measures.