

# ASSEMBLY HUMAN SERVICES COMMITTEE

## STATEMENT TO

### ASSEMBLY, No. 5247

# STATE OF NEW JERSEY

DATED: JANUARY 25, 2021

The Assembly Human Services Committee reports favorably Assembly Bill No. 5247.

This bill would amend the law pertaining to investigations of incidents involving the abuse, neglect, and exploitation of an individual with a developmental disability in order to make it easier for a guardian, family member, or other person who is responsible for the welfare of such an individual to obtain detailed information related to investigations of allegations of abuse, neglect, or exploitation affecting that individual.

First, the bill would clarify that the Office of Investigations will be required to provide a written summary of any investigation involving allegations of abuse, neglect, or exploitation of an individual 18 years of age or older with a developmental disability to: 1) the individual's legal guardian; or 2) if there is no legal guardian, to the family member or other person who is responsible for the individual's welfare. The bill would further clarify that, in any case where there is no legal guardian of the individual with a developmental disability, the written summary of the investigation is to be provided, not only to the family member or other person who is responsible for the individual's welfare, but also to any other family member of the individual who requests such summary, unless the individual with a developmental disability has expressly prohibited such family member from receiving the summary.

Finally, the bill provides that, in addition to the receipt of a written investigation summary, the legal guardian, family member, or other person responsible for the welfare of an individual with a developmental disability who is the subject of an investigation into allegations of abuse, neglect, or exploitation will further be entitled to receive a copy of all of the actual records and reports that were maintained or produced by the Office of Investigations in association with the investigation. The bill requires the Office of Investigations to ensure that all such records and reports are made available to the person entitled to review them within 10 days after the written summary of the investigation is provided to the person.