

ASSEMBLY, No. 5248

STATE OF NEW JERSEY

219th LEGISLATURE

INTRODUCED JANUARY 12, 2021

Sponsored by:

Assemblywoman JOANN DOWNEY

District 11 (Monmouth)

Assemblyman ERIC HOUGHTALING

District 11 (Monmouth)

Assemblyman JOE DANIELSEN

District 17 (Middlesex and Somerset)

Co-Sponsored by:

Assemblyman Benson

SYNOPSIS

Establishing Advisory Committee on Family Services and Communications in Division of Developmental Disabilities in DHS.

CURRENT VERSION OF TEXT

As introduced.



(Sponsorship Updated As Of: 3/1/2021)

1 **AN ACT** concerning the Division of Developmental Disabilities in
2 the Department of Human Services and the division's
3 interactions with, and provision of services and supports to, the
4 family members and legal guardians of individuals with
5 developmental disabilities in the State, and supplementing Title
6 30 of the Revised Statutes.

7
8 **BE IT ENACTED** *by the Senate and General Assembly of the State*
9 *of New Jersey:*

10

11 1. a. The Advisory Committee on Family Services and
12 Communications is established in the Division of Developmental
13 Disabilities in the Department of Human Services. The purpose of
14 the advisory committee shall be to identify, and work with division
15 leadership to redress, any inefficiencies, shortcomings, or other
16 problems that may be associated with the division's outreach to,
17 communications with, or provision of appropriate services and
18 supports to, the family members and legal guardians of individuals
19 with developmental disabilities.

20 b. The advisory committee shall be composed of nine
21 members, as follows:

22 (1) the division's Family Outreach Liaison, the division's
23 Communications and Constituent Inquiries Liaison, and the chair of
24 the Family Advisory Council, or their designees, who shall serve ex
25 officio; and

26 (2) six public members, to be appointed by the Governor,
27 including: (a) two residents from Bergen, Essex, Hudson, Morris,
28 Passaic, Sussex, or Warren County, one of whom shall be a family
29 member of an individual with a developmental disability and one of
30 whom shall be the legal guardian of an individual with a
31 developmental disability; (b) two residents from Hunterdon,
32 Mercer, Middlesex, Monmouth, Ocean, Somerset, or Union County,
33 one of whom shall be a family member of an individual with a
34 developmental disability and one of whom shall be the legal
35 guardian of an individual with a developmental disability; and (c)
36 two residents from Atlantic, Burlington, Camden, Cape May,
37 Cumberland, Gloucester, or Salem County, one of whom shall be a
38 family member of an individual with a developmental disability and
39 one of whom shall be the legal guardian of an individual with a
40 developmental disability.

41 c. The public members of the advisory committee shall serve
42 for terms of two years, except that, of the members first appointed
43 to the committee, three shall serve an initial term of one year, and
44 three shall serve an initial term of two years.

45 d. Vacancies in the membership of the advisory committee
46 shall be filled in the same manner provided for the original
47 appointments. Public members shall be eligible for reappointment
48 to the commission following the conclusion of their terms.

1 e. The advisory committee shall organize as soon as
2 practicable, but not more than 30 days after the appointment of a
3 majority of its members. Upon its organization, the advisory
4 committee shall select a chairperson from among its membership,
5 and the chairperson shall appoint a secretary, who need not be a
6 member of the advisory committee.

7 f. The advisory committee shall meet at the times and places
8 designated by the chair, but not less than twice per year. The
9 advisory committee may conduct business without a quorum, but
10 may only vote on recommendations when a quorum is present.

11 g. The members of the advisory committee shall serve without
12 compensation, but may be reimbursed for travel and other
13 miscellaneous expenses incurred in the necessary performance of
14 their duties, within the limits of funds made available to the
15 advisory committee for its purposes.

16 h. The division shall provide professional, stenographic, and
17 clerical staff, support, and resources to the advisory committee, as
18 may be necessary to ensure the proper effectuation of the
19 committee's duties under this act.

20

21 2. a. The Advisory Committee on Family Services and
22 Communications shall have the duty to:

23 (1) provide the family members and legal guardians of
24 individuals with developmental disabilities with comprehensive
25 information, upon request, regarding: (a) the nature and details of
26 the division's family outreach and communications systems,
27 policies, procedures, protocols, and practices; (b) the nature and
28 type of services and supports that are available from the division to
29 assist the family members and guardians of individuals with
30 developmental disabilities; and (c) any proposed or actualized
31 changes in these areas;

32 (2) engage in the ongoing evaluation of existing division
33 systems, policies, procedures, protocols, and practices that are used
34 to facilitate the division's outreach to, communications with, and
35 provision of services and supports to, the family members and legal
36 guardians of individuals with developmental disabilities, and
37 determine the extent to which those systems, policies, procedures,
38 protocols, and practices, or components thereof, are resulting in
39 inefficiencies, ineffectiveness, or a lack of transparency or
40 responsiveness in association with the division's outreach to,
41 communications with, or provision of services and supports to, the
42 family members or legal guardians of individuals with
43 developmental disabilities;

44 (3) solicit, receive, and review complaints, suggestions, and
45 recommendations from relevant organizations and from the family
46 members and legal guardians of individuals with developmental
47 disabilities regarding the ways in which the division can improve its
48 systems, policies, procedures, protocols, and practices to more

1 efficiently, effectively, transparently, and respectfully serve and
2 respond to the needs, questions, and concerns of the family
3 members and legal guardians of individuals with developmental
4 disabilities;

5 (4) identify elements within the division's existing systems,
6 policies, procedures, protocols, and practices that can be improved
7 or modernized, and other remedial actions that can be undertaken
8 by division staff, to redress the inefficiencies or other problems
9 identified pursuant to paragraph (2) of this subsection; and

10 (5) recommend, and work with division leadership to facilitate
11 the implementation of, changes to the division's systems, policies,
12 procedures, protocols, and practices, as may be necessary to ensure
13 that division staff is consistently engaging in efficient, effective,
14 responsive, and fully transparent outreach to, communications with,
15 and provision of appropriate services and supports to, the family
16 members and legal guardians of individuals with developmental
17 disabilities. Recommendations developed pursuant to this
18 paragraph shall be presented, in writing, to the Assistant
19 Commissioner of the Division of Developmental Disabilities in the
20 Department of Human Services, within one year after the effective
21 date of this act and annually thereafter.

22 b. In effectuating its duties under this section, the advisory
23 committee shall be authorized to:

24 (1) consult with, and solicit and receive testimony, information,
25 documents, and input from, division staff, relevant external
26 organizations, and the family members and legal guardians of
27 individuals with developmental disabilities; and

28 (2) solicit and receive, from the Ombudsman for Individuals
29 with Intellectual or Developmental Disabilities and Their Families,
30 any complaints received by the ombudsman that involve concerns
31 related to the division's outreach to, communications with, or
32 provision of services and supports to, the family members or
33 guardians of individuals with developmental disabilities. The
34 ombudsman shall promptly provide the advisory committee, upon
35 request, with any such complaints received thereby.

36 c. Within 10 days after the advisory committee is organized
37 pursuant to subsection e. of section 1 of this act, the division shall
38 publish, on its Internet website, the names of the committee's
39 members, and the contact information that can be used by relevant
40 organizations and by the family members and legal guardians of
41 individuals with developmental disabilities to submit questions,
42 concerns, or suggestions to the committee. The division shall
43 update its website, within 10 days following any change in the
44 committee membership.

45
46 3. The Assistant Commissioner of the Division of
47 Developmental Disabilities, in consultation with the Commissioner
48 of Human Services, shall adopt rules and regulations, pursuant to

1 the “Administrative Procedure Act,” P.L.1968, c.410 (C.52:14B-1
2 et seq.), as may be necessary to implement the provisions of this
3 act.

4
5 4. This act shall take effect immediately.

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8 STATEMENT

9
10 This bill establishes the Advisory Committee on Family Services
11 and Communications in the Division of Developmental Disabilities
12 in the Department of Human Services. The purpose of the advisory
13 committee will be to identify, and work with division leadership to
14 redress, any inefficiencies, shortcomings, or other problems that
15 may be associated with the division’s outreach to, communications
16 with, or provision of appropriate services and supports to, the
17 family members and legal guardians of individuals with
18 developmental disabilities.

19 The advisory committee is to be composed of nine members,
20 including the division’s Family Outreach Liaison and
21 Communications and Constituent Inquiries Liaison, as well as the
22 chair of the Family Advisory Council, or their designees, who
23 would serve ex officio, and six public members to be appointed by
24 the Governor. The six public members are to include: 1) three
25 residents, one from each of the northern, central, and southern
26 regions of the State, who are family members of an individual with
27 a developmental disability; and 2) three residents, one from each of
28 the northern, central, and southern regions of the State, who are
29 legal guardians of an individual with a developmental disability.
30 The advisory committee will be required to organize as soon as
31 practicable, but not more than 30 days after the appointment of a
32 majority of its members.

33 Under the bill’s provisions, the Advisory Committee on Family
34 Services and Communications will have the duty to:

35 1) provide the family members and legal guardians of
36 individuals with developmental disabilities with comprehensive
37 information, upon request, regarding: the nature and details of the
38 agency’s family outreach and communications systems, policies,
39 procedures, protocols, and practices; the nature and type of services
40 and supports that are available from the division to assist the family
41 members and guardians of individuals with developmental
42 disabilities; and any proposed or actualized changes in these areas;
43 2) engage in the ongoing evaluation of existing division
44 systems, policies, procedures, protocols, and practices that are used
45 to facilitate the division’s outreach to, communications with, and
46 provision of services and supports to, the family members and legal
47 guardians of individuals with developmental disabilities, and
48 determine the extent to which those systems, policies, procedures,

1 protocols, and practices, or components thereof, are resulting in
2 inefficiencies, ineffectiveness, or a lack of transparency or
3 responsiveness in association with the division's outreach to,
4 communications with, or provision of services and supports to, the
5 family members or legal guardians of individuals with
6 developmental disabilities;

7 3) solicit, receive, and review complaints, suggestions, and
8 recommendations from relevant organizations and from the family
9 members and legal guardians of individuals with developmental
10 disabilities regarding the ways in which the division can improve its
11 systems, policies, procedures, protocols, and practices to more
12 efficiently, effectively, transparently, and respectfully serve and
13 respond to the needs, questions, and concerns of the family
14 members and legal guardians of individuals with developmental
15 disabilities;

16 4) identify elements within the division's existing systems,
17 policies, procedures, protocols, and practices that can be improved
18 or modernized, and other remedial actions that can be undertaken
19 by division staff, to redress the inefficiencies or other problems
20 identified by the committee; and

21 5) recommend, and work with division leadership to facilitate
22 the implementation of, changes to the division's systems, policies,
23 procedures, protocols, and practices, as may be necessary to ensure
24 that division staff is consistently engaging in efficient, effective,
25 responsive, and fully transparent outreach to, communications with,
26 and provision of appropriate services and supports to, the family
27 members and legal guardians of individuals with developmental
28 disabilities. Recommendations developed by the committee are to
29 be presented, in writing, to the Assistant Commissioner of the
30 Division of Developmental Disabilities in the Department of
31 Human Services, within one year after the bill's effective date and
32 annually thereafter.

33 In effectuating its duties under the bill, the advisory committee
34 will be authorized to:

35 1) consult with, and solicit and receive testimony, information,
36 documents, and input from, division staff, relevant external
37 organizations, and the family members and legal guardians of
38 individuals with developmental disabilities; and

39 2) solicit and receive, from the Ombudsman for Individuals
40 with Intellectual or Developmental Disabilities and Their Families,
41 any complaints received by the ombudsman that involve concerns
42 related to the division's outreach to, communications with, or
43 provision of services and supports to, the family members or
44 guardians of individuals with developmental disabilities. The
45 ombudsman will be required to promptly provide the advisory
46 committee, upon request, with any such complaints received
47 thereby.

1 The advisory committee is to meet at the times and places
2 designated by the chair, but not less than twice per year. The
3 committee may conduct business without a quorum, but may only
4 vote on recommendations when a quorum is present.

5 The division will be required to provide professional,
6 stenographic, and clerical staff, support, and resources to the
7 advisory committee, as may be necessary to ensure the proper
8 effectuation of the committee's duties. The division will also be
9 required to publish, on its Internet website, the names of the
10 committee's members, and the contact information that can be used
11 by relevant organizations and the family members and legal
12 guardians of individuals with developmental disabilities to submit
13 questions, concerns, or suggestions to the committee. The website
14 is to be updated within 10 days following any change in the
15 committee membership.