ASSEMBLY, No. 5815

STATE OF NEW JERSEY

219th LEGISLATURE

INTRODUCED JUNE 1, 2021

Sponsored by:
Assemblywoman LISA SWAIN
District 38 (Bergen and Passaic)
Assemblyman P. CHRISTOPHER TULLY
District 38 (Bergen and Passaic)

SYNOPSIS

Establishes Division of Intellectual and Developmental Disabilities in DCF.

CURRENT VERSION OF TEXT

As introduced.

AN ACT concerning intellectual and developmental disabilities and supplementing Title 9 of the Revised Statutes.

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

1. There is established in the Department of Children and Families a Division of Intellectual and Developmental Disabilities.

2. As used in this act:

"Commissioner" means the Commissioner of Children and Families.

"Director" means the Director of the Division of Intellectual or Developmental Disabilities and their Families.

"Division" means the Division of Intellectual and Developmental Disabilities and their Families.

"Eligible person with an intellectual or a developmental disability" means a person who is intellectually or developmentally disabled and who has been declared eligible for services provided by the division.

"Intellectual or developmental disability" means a severe, chronic disability of a person which: (1) is attributable to a mental or physical impairment or combination of mental or physical impairments; (2) is manifest before age 22; (3) is likely to continue indefinitely; (4) results in substantial functional limitations in three or more of the following areas of major life activity, that is, self-care, receptive and expressive language, learning, mobility, self-direction and capacity for independent living or economic self-sufficiency; and (5) reflects the need for a combination and sequence of special interdisciplinary or generic care, treatment, or other services which are of lifelong or extended duration and are individually planned and coordinated.

"Services for persons with intellectual or developmental disabilities" means specialized services or specialized adaptations of generic services provided by a public or private agency, organization, or institution and directed toward the alleviation of an intellectual or a developmental disability or toward the social, personal, physical or economic habilitation, or rehabilitation of a person with an intellectual or a developmental disability and includes care management, diagnosis, evaluation, treatment, personal care, day care, domiciliary care, special living arrangements, training, education, vocational training, recreation, counseling of the person with the disability and his or her family, information, and referral services, and transportation services.

3. The Director of the Division of Intellectual or Developmental Disabilities and their Families shall:

a. Provide services for eligible persons with intellectual or developmental disabilities by identifying appropriate programs to meet their needs and by facilitating the establishment of community-

based services for these persons; except that if the most appropriate services are not immediately available, the director may provide an eligible person with an intellectual or a developmental disability with alternate services;

b. Establish procedures for the determination of eligibility for services pursuant to this act and ensure that statements of eligibility advise the applicant about the particular functional services deemed most appropriate for the training, habilitation, care, and protection of that person with an intellectual or a developmental disability as of the time of the determination;

c. Establish liaison and cooperative agreements with other governmental departments and agencies which provide programs and services to persons with intellectual or developmental disabilities to prevent duplication of services and encourage a continuum of care that is required by persons with intellectual or developmental disabilities;

d. Establish standards for services that are provided for persons with intellectual or developmental disabilities, which include the scope and quality of these services and which give full recognition to the unique problems and special needs associated with intellectual or developmental disabilities;

e. Advise, consult, and provide professional assistance to organized efforts by organizations, groups, associations, and committees which work toward improving services and opportunities for persons with intellectual or developmental disabilities; and

f. Select and retain the services of consultants whose advice is considered necessary to assist the division in obtaining information or developing plans and programs required for the performance of its duties and responsibilities pursuant to this act.

4. The commissioner shall, pursuant to the provisions of the "Administrative Procedure Act," P.L. 1968, c. 410 (C. 52:14B-1 et seq.), adopt rules and regulations necessary to effectuate the purposes of this act.

5. This act shall take effect immediately.

STATEMENT

This bill establishes the Division of Intellectual and Developmental Disabilities (division) in the Department of Children and Families.

Under the bill, the director of the division is to: 1) provide services for persons with intellectual or developmental disabilities by identifying appropriate programs to meet their needs and by facilitating the establishment of community-based services for these persons; 2) establish procedures for the determination of eligibility

for services pursuant to the bill's provisions; 3) establish liaison and cooperative agreements with other governmental departments and agencies which provide programs and services to persons with intellectual or developmental disabilities to prevent duplication of services and encourage a continuum of care that is required by persons with intellectual or developmental disabilities; 4) establish standards for services that are provided for persons with intellectual or developmental disabilities, which include the scope and quality of these services and which give full recognition to the unique problems and special needs associated with intellectual or developmental disabilities; 5) advise, consult, and provide professional assistance to organized efforts by organizations, groups, associations, and committees which work toward improving services and opportunities for persons with intellectual or developmental disabilities; and 6) select and retain the services of consultants whose advice is considered necessary to assist the division in obtaining information or developing plans and programs required for the performance of its duties and responsibilities.