

SENATE HEALTH, HUMAN SERVICES AND SENIOR
CITIZENS COMMITTEE

STATEMENT TO

SENATE, No. 313

STATE OF NEW JERSEY

DATED: DECEMBER 7, 2020

The Senate Health, Human Services and Senior Citizens Committee reports favorably Senate Bill No. 313.

This bill establishes the Disparity in Treatment of Persons with Disabilities in Underrepresented Communities Commission in, but not of, the Department of Community Affairs. Minorities often have less access to health care, educational opportunities, and treatment for disabling conditions, which may serve to exacerbate the impact of the disability. Noting the large number of minority residents in New Jersey, it is vital that the State provide all assistance possible to these individuals so that they may achieve the same quality of life enjoyed by so many New Jersey residents.

The commission shall consist of 10 public members who will be permitted to vote on matters before the commission. Four of the public members will be appointed by the Governor. The Speaker of the General Assembly and President of the Senate shall each appoint three public members, respectively. Two of the members appointed by the Governor must have academic expertise in the field of statistical analysis. Eight of the public members shall be leaders of community-based or civil rights organizations with experience in community and urban affairs in traditionally underserved populations. Of those eight, two appointed by the Governor and one each appointed by the President of the Senate and the Speaker of the General Assembly, respectively, shall have experience in cross-disability issues. Ten nonvoting members of the commission shall come from State government and will include representatives of the Department of Community Affairs, the Department of Labor and Workforce Development, the Department of Human Services, the Department of Health, the Department of Corrections, the Department of Law and Public Safety, the Department of Education, the Department of Children and Families, the Department of Banking and Insurance, and a representative of the Juvenile Justice Commission.

All appointments to the commission shall be made within 90 days of the effective date of this bill and the commission shall hold its first meeting within 150 days of the effective date. The Governor shall appoint a chairperson of the commission from one of the six members appointed by the President of the Senate and the Speaker of the

General Assembly. The commission shall meet at least once a month, at a time and place to be determined by the chairperson.

The commission will solicit proposed topics of study from the public and then determine which issue will be studied. Further public hearing are to be conducted in order to receive expert testimony or public comment on issues being studied by the commission. The hearings must be at a time and place which allows for members of the general public most affected by the issue being studied to attend.

The commission is to select its first topic of study within 60 days of its first meeting. The commission shall study the unique concerns of racial or ethnic minorities with disabilities and the effect their status as a racial or ethnic minority has on exacerbating the impact of the disability. The studies shall include, but not be limited to, disparity in the treatment of racial or ethnic minorities and their access to educational opportunities, employment opportunities, health care, and other services provided by both the private and public sectors. A person is deemed to be disabled if their condition is defined as a disability by the federal Americans with Disabilities Act of 1990. Following the review of an issue, the commission shall provide a report to the Governor and the Legislature detailing its findings, and making recommendations as to any potential legislative and administrative remedies that may be available. The commission shall issue at least one report each calendar year, no later than October 31 of each year.

This bill was pre-filed for introduction in the 2020-2021 session pending technical review. As reported, the bill includes the changes required by technical review, which has been performed.