

SENATE, No. 3383

STATE OF NEW JERSEY
219th LEGISLATURE

INTRODUCED JANUARY 28, 2021

Sponsored by:

Senator VIN GOPAL

District 11 (Monmouth)

Senator RICHARD J. CODEY

District 27 (Essex and Morris)

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: 1/28/2021)

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

1 appointments. Public members shall be eligible for reappointment
2 to the commission following the conclusion of their terms.

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

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

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

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

22

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

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

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

46 (3) solicit, receive, and review complaints, suggestions, and
47 recommendations from relevant organizations and from the family

1 members and legal guardians of individuals with developmental
2 disabilities regarding the ways in which the division can improve its
3 systems, policies, procedures, protocols, and practices to more
4 efficiently, effectively, transparently, and respectfully serve and
5 respond to the needs, questions, and concerns of the family
6 members and legal guardians of individuals with developmental
7 disabilities;

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

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

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

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

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

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

1 3. The Assistant Commissioner of the Division of
2 Developmental Disabilities, in consultation with the Commissioner
3 of Human Services, shall adopt rules and regulations, pursuant to
4 the “Administrative Procedure Act,” P.L.1968, c.410 (C.52:14B-
5 1 et seq.), as may be necessary to implement the provisions of this
6 act.

7
8 4. This act shall take effect immediately.

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11 STATEMENT

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

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

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

38 1) provide the family members and legal guardians of
39 individuals with developmental disabilities with comprehensive
40 information, upon request, regarding: the nature and details of the
41 agency’s family outreach and communications systems, policies,
42 procedures, protocols, and practices; the nature and type of services
43 and supports that are available from the division to assist the family
44 members and guardians of individuals with developmental
45 disabilities; and any proposed or actualized changes in these areas;

46 2) engage in the ongoing evaluation of existing division
47 systems, policies, procedures, protocols, and practices that are used

1 to facilitate the division's outreach to, communications with, and
2 provision of services and supports to, the family members and legal
3 guardians of individuals with developmental disabilities, and
4 determine the extent to which those systems, policies, procedures,
5 protocols, and practices, or components thereof, are resulting in
6 inefficiencies, ineffectiveness, or a lack of transparency or
7 responsiveness in association with the division's outreach to,
8 communications with, or provision of services and supports to, the
9 family members or legal guardians of individuals with
10 developmental disabilities;

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

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

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

37 In effectuating its duties under the bill, the advisory committee
38 will be authorized to:

39 1) consult with, and solicit and receive testimony, information,
40 documents, and input from, division staff, relevant external
41 organizations, and the family members and legal guardians of
42 individuals with developmental disabilities; and

43 2) solicit and receive, from the Ombudsman for Individuals
44 with Intellectual or Developmental Disabilities and Their Families,
45 any complaints received by the ombudsman that involve concerns
46 related to the division's outreach to, communications with, or
47 provision of services and supports to, the family members or

1 guardians of individuals with developmental disabilities. The
2 ombudsman will be required to promptly provide the advisory
3 committee, upon request, with any such complaints received
4 thereby.

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

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