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)

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

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

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

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

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

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

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

d. Vacancies in the membership of the advisory committee shall be filled in the same manner provided for the original

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

4. This act shall take effect immediately.

STATEMENT

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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