

SENATE, No. 3461

STATE OF NEW JERSEY
219th LEGISLATURE

INTRODUCED FEBRUARY 17, 2021

Sponsored by:

Senator VIN GOPAL

District 11 (Monmouth)

SYNOPSIS

Establishes resume bank in Division of Vocational Rehabilitation Services in DOLWD.

CURRENT VERSION OF TEXT

As introduced.



1 **AN ACT** concerning employment assistance for individuals with
2 disabilities and amending and supplementing P.L.1955, c.64
3 (C.34:16-20 et seq.).

4
5 **BE IT ENACTED** *by the Senate and General Assembly of the State*
6 *of New Jersey:*

7
8 1. Section 1 of P.L.1955, c.64 (C.34:16-20) is amended to read
9 as follows:

10 1. As used in this chapter:

11 "Division" means the Division of Vocational Rehabilitation
12 Services in the Department of Labor and Workforce Development,
13 for the rehabilitation of persons with disabilities.

14 "Maintenance" means payments to cover the basic living
15 expenses of a person with a disability, such as: food, shelter,
16 clothing, health maintenance, and other subsistence expenses
17 essential to achievement of the individual's vocational rehabilitation
18 or independent living rehabilitation objective.

19 "Individual with a disability" means, for the purpose of
20 vocational rehabilitation services, any individual who has a physical
21 or mental disability which constitutes a substantial impediment to
22 employment, but which is of such a nature that vocational
23 rehabilitation services may reasonably be expected to give the
24 individual suitable skills to achieve gainful employment outcomes.

25 "Individual with a severe disability" means, for the purpose of
26 independent living rehabilitation services, an individual who has a
27 physical or mental disability, as defined by rules and regulations of
28 the division, as to require institutional care or nursing home care or
29 attendance in the individual's household continuously or for a
30 substantial portion of the time, but who reasonably can be expected
31 as a result of independent living rehabilitation services to achieve
32 an independent living status.

33 "Independent living status" means that degree of independence
34 for individuals with severe disabilities which will eliminate the
35 need for institutional care or nursing home care or eliminate or
36 substantially reduce the need for an attendant's care at home and
37 which may in many instances make such persons capable of
38 achieving vocational rehabilitation.

39 "Prosthetic device" means any appliance designed to support or
40 take the place of a part of the body, or to increase the acuity of a
41 sensory organ.

42 "Vocational rehabilitation services" means diagnostic and related
43 services (including transportation) incidental to the determination of
44 eligibility for and the nature and scope of services to be provided;
45 training, books, and training material, including necessary small

**EXPLANATION – Matter enclosed in bold-faced brackets [thus] in the above bill is
not enacted and is intended to be omitted in the law.**

Matter underlined thus is new matter.

1 tools, such prosthetic devices as are essential to obtaining or
2 retaining employment, occupational licenses, guidance and
3 placement services for individuals with disabilities; the
4 establishment of an electronic resume bank for resumes of
5 individuals with disabilities to provide a central database for
6 individuals with disabilities to submit their resumes so that
7 employers can search the database for individuals who may have
8 relevant work experience or an interest in working in the
9 employer's industry; and in the case of an individual found to
10 require financial assistance with respect to these services, after full
11 consideration of the individual's eligibility for any similar benefit
12 by way of pension, compensation, and insurance, any other goods
13 and services necessary to give the individual suitable skills to
14 achieve gainful employment outcomes (including gainful
15 homebound work), including but not limited to the following
16 physical rehabilitation and other goods and services:

17 (1) Corrective surgery or therapeutic treatment to correct or
18 improve a physical or mental condition which constitutes a
19 substantial impediment to employment;

20 (2) Necessary hospitalization in connection with surgery or
21 treatment specified in paragraph (1);

22 (3) Maintenance, not exceeding the estimated cost of
23 subsistence, during rehabilitation;

24 (4) Tools, equipment, initial stocks, and supplies, including
25 equipment and initial stocks and supplies for vending stands;

26 (5) Transportation (except where necessary in connection with
27 determination of eligibility or nature and scope of services);

28 (6) Acquisition of vending stands or other equipment, and initial
29 stocks and supplies for small business enterprises conducted by
30 individuals with severe disabilities under the supervision of the
31 State agency;

32 (7) The establishment of public and other nonprofit
33 rehabilitation facilities to provide services for individuals with
34 disabilities and the establishment of public and other nonprofit
35 workshops for individuals with severe disabilities.

36 "Vocational rehabilitation services" (for purposes of the
37 determination of rehabilitation potential) also means: diagnosis and
38 related services (including transportation), training, books, and
39 training material, including necessary small tools, prosthetic
40 devices, and guidance, which are provided to an individual who has
41 a physical or mental disability which constitutes a substantial
42 impediment to employment, during the period specified to be
43 necessary for and which are provided for the purpose of
44 ascertaining whether it may be reasonably expected that the
45 individual will be able to achieve gainful employment through the
46 provision of goods and services described in the preceding
47 paragraph; and in the case of any such individual found to require
48 financial assistance with respect thereto, after full consideration of

1 the individual's eligibility for any similar benefit by way of pension,
2 compensation, and insurance, any other goods and services
3 necessary to the determination of a rehabilitation potential,
4 including but not limited to physical rehabilitation and other goods
5 and services.

6 "Independent living rehabilitation service" means counseling,
7 diagnostic, and related services (including transportation) provided
8 to individuals with severe disabilities, and needed prosthetic
9 appliances, books training materials, and other devices which will
10 contribute to independent living, training in the use of these
11 devices, and in the case of any individual found to require financial
12 assistance with respect thereto, after full consideration of the
13 individual's eligibility for any similar benefits by way of pension,
14 compensation, and insurance, such term shall include but shall not
15 be limited to the following: (1) physical rehabilitation and related
16 services, including corrective surgery, therapeutic treatment, and
17 hospitalization; (2) maintenance needed to assure the availability of
18 such services, not exceeding the estimated cost of subsistence; (3)
19 such rehabilitation services necessary for the achievement of
20 independent living status.

21 "Rehabilitation facility" means a facility operated for the primary
22 purpose of assisting in the vocational rehabilitation and independent
23 living rehabilitation of individuals with disabilities and individuals
24 with severe disabilities, (1) which provides one or more of the
25 following types of service: testing, fitting, or training in the use of
26 prosthetic devices; prevocational or conditioning therapy; physical
27 or occupational therapy, adjustment training, evaluation, treatment,
28 or control of disabilities; or (2) through which is provided an
29 integrated program of medical, psychological, social and vocational
30 evaluation and services under competent professional supervision;
31 provided, that the major portion of such evaluation and service is
32 furnished within the facility, and that all medical and related health
33 services are prescribed by, or under the formal supervision of,
34 persons licensed to practice medicine or surgery in the State.

35 "Workshop" means a place where any manufacture or handiwork
36 is carried on, and which is operated for the primary purpose of
37 providing gainful employment to individuals with disabilities (1) as
38 an interim step in the rehabilitation process for those who cannot be
39 readily absorbed in the competitive labor market; or (2) during such
40 time as employment opportunities for individuals with disabilities
41 in the competitive labor market do not exist.

42 "Gainful employment" includes employment in the competitive
43 labor market; practice of a profession; self-employment;
44 homemaking, farm, or family work (including work for which
45 payment is in kind rather than cash); sheltered employment; and
46 home industries or other homebound work of a gainful nature.

47 (cf: P.L.2017, c.131, s.133)

