

R.S. 30:1-12 et seq.

April 6, 1966

LEGISLATIVE HISTORY OF R.S. 30:1-12 et seq
(Mental Health Act of 1965)

L. 1965, Chapter 59 - A480

Introduced February 15 by Assemblyman Maraziti (and others).
Not amended during passage.

Statement on bill (copy ~~of bill~~ and statement enclosed).

Governor's statement on signing (copy enclosed)

Previous bills to revise mental health laws:

1962 - A770

Introduced May 7 by Assemblyman Frederick (and 3 others).
Died in Committee.

1963 - A111

Introduced January 14 by Assemblywoman Hughes (and others).
Passed in Assembly, amended, May 6.
Died in Senate Committee (copy ~~of bill~~ enclosed).

1964 - A111

Introduced January 20 by Assemblyman Maraziti (and others).
Died in Assembly (copy ~~of bill~~ enclosed).

1965 - A128

Introduced January 18 by Assemblyman Maraziti (and others).
Died in Committee (copy ~~of bill~~ enclosed).

We are enclosing copies of the following material:

Hughes Richard J. Third annual message to the legislature. Trenton, January 12, 1965. (p. 25).

974.90
M 549
1961

N.J. Commission on Mental Health. Toward better mental health in New Jersey. Trenton, 1961.

N.J. Commission to Study the Department of Institutions and Agencies. Design for the future. 1959.

974.90
I 52
1959c

Not to move from Library

974.90
I52
1959.

N.J. Commission to Study the Department of Institutions and Agencies. The state's organization for social welfare in New Jersey. 1959.

974.90
M549
1963b

N.J. Department of Institutions and Agencies. Division of Mental Health and Hospitals. Plan for planning a comprehensive program of mental health facilities. 1963.

974.90
M549
1965a

N.J. Department of Institutions and Agencies. Division of Mental Health and Hospitals. Office of Planning. Report of planning: comprehensive mental health services in New Jersey, 1963-1965. v. 1, v. 4.

974.90
M549
1963a

N.J. Legislature. Assembly. Committee on -Institutions, Public Health and Welfare. Public hearing on All, 112 and 113 (mental health). Held April 4, 1963.

N.J. State Mental Health Commission. First to sixth public hearings, 1957, 1958, 1959.

CK/PC

974.90
M549
1957
1958
1959
1975a

shall be construed as a continuation of such laws. Any refer-
ence in such laws to sections repealed by this act shall be deemed to refer to
the sections in this act, if any, which are most comparable to the sections
repealed.

Prior law shall exclusively govern all suits, actions, prosecutions or pro-
ceedings which are pending or may be initiated on the basis of facts or cir-
cumstances occurring before the effective date of this act.

92. The following sections of the Revised Statutes are hereby repealed:

- Sections 30:4-26 and 30:4-26.1 of the Revised Statutes.
- Section 30:4-32 of the Revised Statutes.
- Section 30:4-47 of the Revised Statutes.
- Section 30:4-64 of the Revised Statutes.
- Sections 30:4-170 through 30:4-177 of the Revised Statutes.

93. This act shall take effect 90 days after enactment.

A480-1965

STATEMENT

This bill incorporates a major portion of the recommendations of the New Jersey State Commission on Mental Health. These revisions have been reviewed with the New Jersey Mental Health Association, the New Jersey Association for Retarded Children, and the New Jersey Welfare Council. This bill has received approval of these organizations. The need for such legislation was emphasized by the Governor in his Third Annual Message to the Legislature.

The bill provides for the mentally ill:

- (1) Simplified procedures to encourage voluntary entrance to and prompt discharge from the mental hospital;

(2) Enforced confinement to be utilized only when ordered by the court upon evidence that the patient's behavior threatens his own safety or the safety and property of other citizens;

(3) Patient participation in planning for his own treatment and elective opportunities to continue with outpatient care after discharge from the hospital; and

(4) Increased responsibility for the physician who knows most about the case in contrast to a system largely based on administrative control.

For the mentally retarded this bill provides:

(1) A range of services adapted to the needs of children and adults handicapped by various types of mental retardation;

(2) Procedures encouraging voluntary admission to and withdrawal from State residential schools or other State services for the mentally retarded, on the initiative of parent or guardian;

(3) Collaborative relationship between the parent or guardian of the mentally retarded and State officials responsible for providing public services; and

(4) Development of protective guardianship for the mentally retarded adult whether he is cared for in a residential facility or in the community.

In regard to the mentally ill and mentally retarded, the bill addresses itself to the need for humane care and treatment and to the preservation of civil and religious rights. It provides for modernization of terminology and removal of opprobrious terms used in former legislation.

will act to modernize the terminology used in the bill and to remove the opprobrious terms used in former legislation. It provides for modernization of terminology and removal of opprobrious terms used in former legislation.

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Assembly Bill No. 480

FOR RELEASE: May 27, 1965

FROM: Office of the Governor

Governor Richard J. Hughes, today at a public signing, approved Assembly Bill No. 480 which revises and modernizes the statutory law dealing with the care and treatment of the mentally ill and mentally retarded. In signing this bill the Governor made the following statement:

"I wish to take this opportunity to thank the various organizations and groups whose labors have assisted in the passage of this bill -- the New Jersey Mental Health Association, the New Jersey Association for Retarded Children, the New Jersey Welfare Council, the sponsors of Assembly Bill No. 480, our own State Department of Institutions and Agencies, and especially the members of the New Jersey State Commission on Mental Health whose recommendations form the basis for this bill.

"Since becoming Governor, I have continually stressed the need for State legislation to meet our responsibilities and obligations in the area of mental illness. Assembly Bill No. 480 represents a vital first step in the modernization and development of adequate programs to cope with mental illness.

"I wish to assure this group, as well as the citizens of this State, of my continued interest in the programs and projects for the mentally ill and handicapped and of my support of any future legislation which may be necessary to assure the mental health of our citizens."

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Institutions and Agencies—Human Impacts

In no area is the impact of government on the individual citizen more profound than in the work of the Department of Institutions and Agencies. In one way or another—whether it be care for the mentally ill, work with retarded children, administration of a variety of welfare programs, rehabilitating young offenders, planning for local hospitals, or so many others—this Department touches directly the lives of some 200,000 of our fellow citizens every day.

Thus, I have sought during the last three years to emphasize, and even dramatize, the needs of our institutions and agencies. Here we are all involved—in cost, in conscience, in humanity. We have had successes, such as the recent institutional bond issue and our Purchase of Care Program for the mentally retarded and the completion of the Woodbridge State School project. We have had setbacks, such as the 1963 Bond Issue which would have provided \$60 million for institutional construction to be repaid from the earnings of the New Jersey Turnpike. While a review will show considerable progress in these years, we must bear in mind that New Jersey's remarkable increase in population and urbanization has its most direct reflection in the additional demands placed upon our institutions and agencies. In this light, I would like to review in some detail the achievements and needs of state government in this area.

A major duty facing this Legislature is implementation of the report submitted in 1961 by the Mental Health Commission that was charged four years earlier with the task of reviewing the body of laws concerning the mentally ill and mentally defective. The recommended legislation failed of passage in the sessions since 1961 because of concern about the source of funds that would carry out the recommended changes. As a result, I asked the Department of Institutions and Agencies to work closely with citizens' groups to make new legislative recommendations in this area. I am pleased to report that the Department, working with the New Jersey Mental Health Association, the New Jersey Association for Retarded Children and the New Jersey Welfare Council, has submitted to me proposed legislation which would

implement many of the major recommendations of the Mental Health Commission within present budgetary limitations.

We must be forewarned, however, that future amendments will be required to further carry out the recommendations of this outstanding report. And these amendments will require new expenditures of State funds.

A word about the Purchase of Care Program which I recommended and which you enacted last year. As a result of the \$1 million appropriation, there now are more than 230 mentally retarded children placed in private care, and a total of 300 will be placed by the end of the fiscal year. We intend to sustain this program in the coming year.

Human and Dollar Savings

Of equal significance in meeting the needs of the retarded is the Department's Day Care Program which began in fiscal 1964 and has been expanded in 1965. I shall recommend a further increase in the next fiscal year. This program permits care and training of retarded children who need not be forced into institutions. The public savings of such a program are obvious. But the human benefits are perhaps even greater: a loved child can remain in a family environment and hope can be maintained that a mentally handicapped human being can be trained for a more useful life which will give real meaning to his existence.

During the past year, the Department, in an effort to improve its services for mentally ill children, established specialized units for afflicted children below the age of 17 at each of our four State mental hospitals. In the last two years a total of 147 new staff positions have been authorized to partially fulfill the requirements of these facilities.

In its concern for the mentally ill and retarded and those otherwise handicapped, the State government is assisted in an important way by two special groups which correlate citizen and government interest and knowledge. These are the Governor's Interdepartmental Committee on Lifetime Disability and its Citizens' Advisory Council, and the Mental Health Planning Project. I want to commend the efforts of the citizens and State officials involved