

30:1-7

LEGISLATIVE HISTORY CHECKLIST

NJSA: 30:1-7

(Development Center at Ancora--
est.-- appropriates #3.2 million)

CHAPTER 32

Laws Of: 1987

Bill No: A2265

Sponsor(s): Foy and Kalik

Date Introduced: March 13, 1986

Committee: Assembly: Health and Human Services; Appropriations

Senate: -----

Amended during passage: Yes
according to Governor's recommendations

Amendments denoted by asterisks

Date of Passage: Assembly:

October 2, 1986 Re-enacted 12-15-86

Senate:

October 20, 1986 Re-enacted 1-22-87

Date of Approval: January 27, 1987

Following statements are attached if available:

Sponsor statement: Yes

Committee statement: Assembly: Yes 5-22-86 & 9-18-86

Senate: No

Fiscal Note: No

Veto Message: Yes

Message on Signing: No

Following were printed:

Reports: Yes

Hearings: No

974.90 New Jersey. Governor's Task Force on Services for Disabled Persons.
H236 Certain unalienable rights; final report . . . April, 1987.
1987 (see recommendation 18)

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ASSEMBLY, No. 2265

STATE OF NEW JERSEY

INTRODUCED MARCH 13, 1986

By Assemblyman FOY and Assemblywoman KALIK

AN ACT establishing the Developmental Center at Ancora, supplementing chapter 4 of Title 30 of the Revised Statutes, amending R. S. 30:1-7, and making an appropriation.

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

1 1. (New section) The Legislature finds and declares that:

2 a. There exists a population of two groups of clients of the Divi-
3 sion of Mental Health and Hospitals and Division of Develop-
4 mental Disabilities in the Department of Human Services who are
5 underserved in their current institutional settings.

6 b. One group of these individuals is comprised of clients in the
7 State psychiatric hospitals or developmental centers who are de-
8 velopmentally disabled and who exhibit psychiatric or behavioral
9 problems and are known as "dually diagnosed" clients. The
10 severity of their conditions precludes effective treatment in either
11 developmental centers or State psychiatric hospitals. For these
12 clients, a more intensive, specialized, behaviorally oriented pro-
13 gram is required.

14 c. The other group of these individuals includes clients of institu-
15 tions administered by the Division of Mental Health and Hospitals
16 who are developmentally disabled, have been administratively or
17 judicially discharged from the Division of Mental Health and Hos-
18 pitals, and who are in need of the services of the Division of De-
19 velopmental Disabilities. These clients are known as "discharged
20 pending placement" clients.

21 d. There exists on the grounds of Ancora Psychiatric Hospital

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 printed in italics *thus* is new matter.

Matter enclosed in asterisks or stars has been adopted as follows:

*—Assembly committee amendments adopted September 18, 1986.

**—Assembly amendments adopted in accordance with Governor's recommendations December 8, 1986.

22 as a pilot program a facility designed to serve the special needs
 23 of both the dually diagnosed and discharged pending placement
 24 populations that is unfunded for continued operation.

1 2. (New section) The Developmental Center at Ancora is estab-
 2 lished within the Division of Developmental Disabilities in the
 3 Department of Human Services and shall include the pilot pro-
 4 gram designed to serve the special needs of both the dually diag-
 5 nosed and discharged pending placement populations. The De-
 6 velopmental Center at Ancora shall accept for treatment only those
 7 individuals transferred from State facilities under the supervision
 8 of the Division of Mental Health and Hospitals and the Division
 9 of Developmental Disabilities in the Department of Human Ser-
 10 vices.

11 Nothing in this amendatory and supplementary act shall be
 12 construed to require placement at the Developmental Center at
 13 Ancora of those persons discharged pending placement who are not
 14 in need of institutional care and who have been judicially or ad-
 15 ministratively determined appropriate for community placement.

16 For those persons for whom institutional placement is initially
 17 determined to be judicially or administratively appropriate, the
 18 Developmental Center at Ancora shall nevertheless provide dis-
 19 charge-oriented treatment to achieve the goal of ultimate discharge
 20 into community settings as soon as their conditions permit.

1 3. (New section) Since community placement is the ultimate ob-
 2 jective for the persons placed at the center, the Division of De-
 3 velopmental Disabilities shall establish a funding priority within
 4 the funds appropriated to the division for community services, for
 5 the establishment of appropriate community placements for per-
 6 sons discharged from the developmental center.

1 4. (New section) Two years from the date of enactment of this
 2 amendatory and supplementary act, the Division of Developmental
 3 Disabilities shall prepare and submit to **the Governor and** the
 4 Legislature ***[and the Department of the Public Advocate]*** a
 5 report and evaluation of the operation of the Developmental Center
 6 at Ancora.

1 5. R. S. 30:1-7 is amended to read as follows:

2 30:1-7. The charitable, hospital, relief and training institutions
 3 and noninstitutional agencies of this State, within the meaning of
 4 this Title, shall include the following, and, as well, any institution
 5 established hereafter for any similar purpose, as now established
 6 and as the same are to be hereafter maintained and operated
 7 pursuant to law:

8 Trenton Psychiatric Hospital,
 9 Greystone Park Psychiatric Hospital,

10 Marlboro Psychiatric Hospital,
 11 Ancora Psychiatric Hospital,
 12 Senator Garrett W. Hagedorn Center for Geriatrics,
 13 The Forensic Psychiatric Hospital,
 14 North Princeton Developmental Center,
 15 North Jersey Developmental Center,
 16 New Lisbon Developmental Center,
 17 Woodbine Developmental Center,
 18 Vineland Developmental Center,
 19 Woodbridge Developmental Center,
 20 Hunterdon Developmental Center,
 21 *Developmental Center at Ancora,*
 22 New Jersey Memorial Home for Disabled Soldiers at Menlo Park,
 23 New Jersey Memorial Home for Disabled Soldiers, Sailors,
 24 Marines and their Wives and Widows at Vineland,
 25 Diagnostic Center at Menlo Park,
 26 Arthur Brisbane Child Center at Allaire,
 27 Board of Public Welfare,
 28 Commission for the Blind and Visually Impaired.

29 The correctional institutions of this State, within the meaning
 30 of this Title, shall include the following and, as well, any institution
 31 established hereafter for any similar purpose, as now established
 32 and as the same are to be hereafter maintained and operated
 33 pursuant to law:

34 State Prison, Trenton,
 35 State Prison, Rahway,
 36 State Prison, Leesburg,
 37 Youth Reception and Correction Center, Yardville,
 38 Youth Correctional Institution, Bordentown,
 39 Correctional Institution for Women, Clinton,
 40 Youth Correctional Institution, Annandale,
 41 Training School for Boys, Jamesburg,
 42 Training School for Girls, Trenton,
 43 Training School for Boys, Skillman.

1 6. There is appropriated from the General Fund to the Depart-
 2 ment of Human Services *~~[\$3,200,000.00~~ to effectuate the purposes
 3 of this act]* **\$1,600,000.00 to continue the center's operation at*
 4 *the same level of clients and staffing that exists at the center on*
 5 *the effective date of this act*.*

1 **~~7.~~ *The department shall transfer from its appropriation for*
 2 *fiscal year 1987 up to \$1,200,000.00 from the salary and wages ac-*
 3 *count of the Division of Mental Health and Hospitals and up to*

4 \$1,200,000.00 from the salary and wages account of the Division of
5 Developmental Disabilities for the purpose of expanding the cur-
6 rent operation of the center to a maximum of 104 clients and 128
7 staff members, except that, the department shall insure that these
8 transfers do not increase any deficit which exists in the accounts
9 of these divisions.**

1 *7.* **8.* **7.** This act shall take effect immediately.

HANDICAPPED—MENTAL AND PHYSICAL

Establishes the "Developmental Center at Ancora" to serve per-
sons who are developmentally disabled and mentally ill and re-
leased pending placement from a psychiatric hospital; appropri-
ates \$1.6 million.

STATEMENT

This bill establishes the Developmental Center at Ancora within the Division of Developmental Disabilities in the Department of Human Services. The center will be located on the grounds of Ancora Psychiatric Hospital and will be a special treatment facility for (1) dually diagnosed persons (developmentally disabled and mentally ill) and (2) developmentally disabled persons who have been administratively or judicially discharged from a State psychiatric hospital but remain at the hospital pending a placement in which they can receive needed services from the Division of Developmental Disabilities. The bill appropriates \$3,200,000.00 to the Department of Human Services to establish this facility.

HANDICAPPED—MENTAL AND PHYSICAL

Establishes the "Developmental Center at Ancora" to serve persons who are both developmentally disabled and mentally ill and who are released pending placement from a psychiatric hospital and appropriates \$3,200,000.00.

ASSEMBLY HEALTH AND HUMAN RESOURCES
COMMITTEE

STATEMENT TO

ASSEMBLY, No. 2265

STATE OF NEW JERSEY

DATED: MAY 22, 1986

The Assembly Health and Human Resources Committee reports favorably Assembly Bill No. 2265.

This bill establishes the Developmental Center at Ancora within the Division of Developmental Disabilities in the Department of Human Services and provides a \$3,200,000.00 appropriation for the operation of the center. The developmental center shall include the pilot program designed to serve the special needs of both the dually diagnosed and discharged pending placement populations. Dually diagnosed individuals are developmentally disabled and also display psychiatric symptoms. Individuals discharged pending placement are developmentally disabled persons who have been discharged administratively or judicially from the Division of Mental Health and Hospitals and who need the services of the Division of Developmental Disabilities.

The Developmental Center at Ancora would accept for treatment only those individuals transferred from State facilities under the supervision of the Division of Mental Health and Hospitals and the Division of Developmental Disabilities.

This bill would not require placement at the developmental center of any person discharged pending placement who does not require institutional care and who has been judicially or administratively determined appropriate for community placement.

The bill provides that when institutional placement is initially determined to be appropriate judicially or administratively, the developmental center shall provide discharge oriented treatment. The Division of Developmental Disabilities is directed to establish a funding priority for community placements for persons discharged from the developmental center.

The bill also requires the Division of Developmental Disabilities to report to the Legislature and the Department of the Public Advocate on the operation of the Developmental Center at Ancora two years from the date of enactment of the bill.

This bill identical to Senate Bill No. 624 Sea (Bassano), currently pending in the Senate Revenue, Finance and Appropriations Committee. Assembly Bill No. 2265 is similar to Assembly Bill No. 4124 Aca of 1985 (Foy), as that bill was reported by the Assembly Corrections, Health and Human Services Committee on December 5, 1985.

ASSEMBLY APPROPRIATIONS COMMITTEE

STATEMENT TO

ASSEMBLY, No. 2265

with Assembly committee amendments

STATE OF NEW JERSEY

DATED: SEPTEMBER 18, 1986

The Assembly Appropriations Committee favorably reports Assembly Bill No. 2265 with amendments.

Assembly Bill No. 2265 as amended, establishes the Developmental Center at Ancora to be administered by the Department of Human Services' Division of Developmental Disabilities and appropriates \$1,600,000.00 from the General Fund for its operation.

This bill provides full funding for a program which was operated as a pilot program without separate funding in fiscal year 1985, and was operated with approximately \$1,200,000.00 in salary related costs in fiscal year 1986. This program is designed to serve the unique needs of two client populations: clients in the State psychiatric hospitals or developmental centers with psychiatric and behavioral problems, known as "dually diagnosed" clients; and developmentally disabled clients of institutions of the Division of Mental Health and Hospitals who have been administratively or judicially discharged and need developmental disability services, known as "discharged pending placement" clients. The Division of Developmental Disabilities is required to submit a report and evaluation of the center's operation to the Governor and Legislature in two years.

FISCAL IMPACT:

Assembly Bill No. 2265, as amended, appropriates \$1,600,000.00 from the General Fund and requires transfers between salary and wage accounts in the Department of Human Services.

COMMITTEE AMENDMENTS:

At the recommendation of the Sub-Committee on Government Operations, the committee amended the bill to reduce the appropriation from \$3,200,000.00 to \$1,600,000.00, to continue the current level of center operations. In addition, the Divisions of Developmental Disabilities and Mental Health and Hospitals are each required to have up to \$1,200,000.00 transferred from their salary and wage accounts to that of the center, to reach specified staff and client levels, provided that the transfers do not increase any deficit in these divisions. These amendments also make the bill identical to Senate Bill No. 624 (2nd OCR).

STATE OF NEW JERSEY
EXECUTIVE DEPARTMENT

December 4, 1986

ASSEMBLY BILL NO. 2265 (OCR)

To the General Assembly:

Pursuant to Article V, Section I, Paragraph 14 of the Constitution, I am returning Assembly Bill No. 2265 (OCR) with my objections, for reconsideration.

This bill appropriates \$1.6 million from the General Fund for the Developmental Center at Ancora, which is administered by the Department of Human Services, Division of Developmental Disabilities, to continue the Center's operation at the current level of clients and staffing. In addition, this bill requires the Department to transfer from its Fiscal Year 1987 budget up to \$1.2 million from the salary and wages account of the Division of Mental Health and Hospitals and up to \$1.2 million from the salary and wages account of the Division of Developmental Disabilities to expand the operation of the Center.

This facility is currently providing care and services to two client population groups that have, in the past, been underserved in the existing institutional settings. Specifically, the Developmental Center at Ancora serves both dually diagnosed clients and discharged pending placement clients. As defined in this legislation, dually diagnosed individuals are those developmentally disabled clients who also exhibit psychiatric and behavioral problems and do not fall strictly within the purview of either the Department of Human Services, Division of Mental Health and Hospitals, or the Division of Developmental Disabilities. For these clients, a more intensive, specialized, behaviorally oriented program is required.

The second group of individuals served at Ancora are clients known as discharged pending placement. These include developmentally disabled persons who have been administratively or judicially discharged from a State psychiatric hospital and who are awaiting community placement. This program focuses on vocational rehabilitation and self-help skills that will enable them to better function in the community upon their discharge.

The Developmental Center at Ancora has been serving these two essentially distinct client populations since 1984. I note that for the past three years, the costs of this program have been assumed by the Department of Human Services

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EXECUTIVE DEPARTMENT

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through a transfer of funds within the Department. The program at Ancora currently serves 33 clients with 68 staff positions.

In addition to the \$1.6 million appropriation from the General Fund to continue the Center's operation at the same level of clients and staffing, this legislation requires the Department of Human Services to transfer from its Fiscal Year 1987 appropriation up to \$1.2 million from the salary and wages account of the Division of Mental Health and Hospitals and up to \$1.2 million from the salary and wages account of the Division of Developmental Disabilities to expand the current operation of the Center to a maximum of 104 clients and 128 staff positions. This would raise the annual operational budget of the Center from \$1.6 million to at least \$3.2 million.

I appreciate and support the need to serve, to the greatest extent possible, the special needs of the dually diagnosed and discharged pending placement clients. Furthermore, I understand that the Developmental Center at Ancora represents an important step in responding adequately and effectively to the needs of this unique population. I am happy, therefore, to support the funding necessary to retain the program at its current client and staffing levels.

I cannot, however, support language in this legislation that will expand the program to 104 clients and 128 staff, thereby raising the annual cost of this program from \$1.6 million to \$3.2 million or more. I do not believe that bills of this nature that expand existing programs should be handled as a supplemental appropriation. To the extent that this legislation represents an expansion of an already existing program, I favor consideration of this proposal as part of the annual budget process where this program's funding needs can be viewed in conjunction with the funding needs of the broad spectrum of worthwhile social services programs provided by the Department of Human Services.

Furthermore, this legislation requires the expansion of the operation at Ancora through the transfer of funds from the Division of Mental Health and Hospitals and the Division of Developmental Disabilities as long as these transfers do not increase any already existing deficits in these Divisions. I

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note that these two Divisions are currently operating at a deficit and I am, therefore, troubled by the use of these transfers as a funding mechanism. At this time, therefore, I herewith return Assembly Bill No. 2265 (OCR) for reconsideration and recommend that it be amended as follows:

Page 3, Section 7, Lines 1-3: Delete in entirety

Page 4, Section 7, Lines 4-9: Delete in entirety

Page 4, Section 8, Line 1: Delete "8" insert "7"

Respectfully,

/s/ Thomas H. Kean

GOVERNOR

[seal]

Attest:

/s/ Michael R. Cole

Chief Counsel