

26:26-31 et seq.

April 26, 1973

LEGISLATIVE HISTORY OF R.S.26:26-31 et seq.
(Drug Abuse Treatment and Counseling Clinics)

L.1971 - chap.128 - A1211

Sept. 17 - Introduced by Kean and others.

Oct. 8 - Passed Assembly under emergency resolution,
amended.

Apr. 22, 1971 - Passed in Senate, amended.

May 3, 1971 - Senate amendment passed in Assembly.

May 6, 1971 - Approved, chapter 128, 1971

No statement on the bill.

Amended during passage (copies enclosed of original bill
and amendments)

No Governor's statement on signing.

This bill is part of a package of bills on drug abuse proposed by Governor Cahill in a special message to the Legislature on April 27, 1970 "Drug Abuse-Problem of the Decade". (pages 15-19 enclosed) These bills were discussed at a series of public hearings held by the Senate Committee on Air, Water Pollution and Public Safety and the Assembly Committee on Law, Public Safety and Defense. So far as we are able to determine, only one of these hearings was transcribed. It is cited below.

974.90 New Jersey. Legislature. Senate. Committee
N222 on Air, Water Pollution and Public Health.
1970b Assembly Committee on Law, Public Safety
and Defense.
Public Hearing on Pending Narcotics
Legislation. 1970

No additional material was located.

JH/EH
Encl.

ASSEMBLY, No. 1211

STATE OF NEW JERSEY

INTRODUCED SEPTEMBER 17, 1970

By Assemblymen KEAN, KALTENBACHER, WILSON, DENNIS, GOLDFARB, FIORE, CAPUTO, RINALDI, DE KORTE, COSTA, RUSSO, HOLLENBECK, VOLK, VANDER PLAAT, CRANE, COBB, MABIE, BROWN and PARKER

Referred to Committee on Air and Water Pollution and Public Health

AN ACT to establish a Statewide clinic system of drug abuse treatment and counseling clinics, providing for operating standards and rules and regulations, amending P. L. 1964, c. 226, and supplementing "An Act making appropriations for the support of the State Government and the several public purposes for the fiscal year ending June 30, 1971, and regulating the disbursement thereof," approved June 15, 1970 (P. L. 1970, c. 96).

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

1 1. It is declared to be the public policy of this State that the pre-
2 vention of drug abuse and addiction and the treatment and rehabili-
3 tation of victims thereof is a matter of grave concern to the people
4 of the State and requires that a comprehensive program be estab-
5 lished to provide the broadest spectrum of medical and community
6 services possible for local treatment and counseling facilities on a
7 Statewide basis. Further, this Statewide effort must avoid devisive-
8 ness, organizational uncertainty, unnecessary duplication of efforts
9 and unproductive controversy and, therefore, will require coordina-
10 tion and supervision of local operations through strategically placed
11 regional centers, all to be administered through the Division of
12 Narcotic and Drug Abuse Control in the Department of Health.

1 2. As used in this act:

2 (a) "Commissioner" means the Commissioner of the New Jersey
3 State Department of Health, or the person specifically designated
4 by him to perform his functions and duties pursuant to this act.

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

5 (b) "System" means the Statewide system of Drug Abuse Treat-
6 ment and Counseling Clinics established hereunder.

1 3. The Commissioner of the Department of Health shall establish
2 a Statewide system of Drug Abuse Treatment and Counseling
3 Clinics. The system shall be administered by the commissioner
4 through regional centers organized to supervise and coordinate the
5 operation of clinics in certain areas. Outreach offices may also be
6 established to assist the clinics in their operation. The number and
7 location of such clinics, regional centers and outreach offices shall
8 be as the commissioner determines after appropriate study.

1 4. The clinics, regional centers, and outreach offices established
2 hereunder shall provide a complete program of medical and com-
3 munity services in connection with all aspects of the use and abuse
4 of drugs and related problems, including, but not by way of limita-
5 tion, the following:

- 6 educational programs;
- 7 confidential drug counseling;
- 8 vocational guidance and job placement;
- 9 psychiatric, psychological and social case work services;
- 10 induction and outreach services;
- 11 24-hour telephone emergency capability;
- 12 urine monitoring;
- 13 detoxification;
- 14 methadone maintenance;
- 15 individual and community prevention program;
- 16 individual self-help and group therapy;
- 17 referral services for in-patient treatment;
- 18 all areas of treatment and addict rehabilitation;
- 19 aftercare treatment;
- 20 probation services for the courts and correctional systems.

1 5. The Commissioner of the Department of Health shall appoint
2 and employ subject to the provisions of Title 11 of the Revised
3 Statutes such employees, advisers, and consultants as he deems
4 necessary to carry out the provisions of this act. The President of
5 the Civil Service Commission and the Commissioner of the Depart-
6 ment of Health shall determine which, if any, of such appointments
7 need not comply with the provisions of said Title.

1 6. The commissioner is authorized to adopt, promulgate and
2 enforce rules and regulations and establish operating standards
3 which shall be applicable to clinics which are part of the system
4 established hereunder and to persons, groups or agencies which are
5 not part of said system but which offer the same or similar programs
6 or services.

1 7. The commissioner is authorized to contract for and to accept
2 any gifts, grants, devises, bequests, funds, facilities, property,
3 services, or assistance in any form from the Federal Government,
4 or any agency or instrumentality thereof, or from any private
5 agency or person for any of the purposes of this act. Any moneys
6 so received may be expended by the commissioner to effectuate the
7 purposes of this act, subject to the same limitation as to approval of
8 expenditures and audits as are prescribed for State moneys appro-
9 priated for the purposes of this act.

1 8. Section 8 of P. L. 1964, c. 226 (C. 30:6C-8) is amended to read
2 as follows:

3 8. Each of the several counties, or several counties on a joint
4 cooperative basis, may establish a regional medically oriented clinic
5 to provide after care treatment for individuals released or dis-
6 charged from mental hospitals as provided for herein, or may enter
7 into a contractual relationship with an existing public or private
8 facility to provide such after care treatment. [To assist the several
9 counties in payment of the cost of maintaining such clinics, the State
10 of New Jersey will pay to each county establishing such a clinic 75%
11 of the cost of providing the necessary personnel to operate such
12 clinic, such personnel, the clinic and the terms and conditions of any
13 such contract to be first approved by the Commissioner of Institu-
14 tions and Agencies and to remain under the supervision of the com-
15 missioner.] *On and after July 1, 1971, any clinic theretofore or*
16 *thereafter established shall become a part of the Statewide system*
17 *established under this supplementary and amendatory act; pro-*
18 *vided, however, the board of chosen freeholders of a county in which*
18A *any such clinic is then presently operating may provide by resolu-*
19 *tion for such clinic to continue to operate as an independent county*
20 *agency with the cost therefor to be paid by said county. In such case,*
21-22 *the particular clinic shall not become part of the Statewide system,*
23 *but shall operate as an independent county agency under the direc-*
24 *tion and at the expense of the county in which it is located; provided,*
25 *however, it shall conform to standards, rules and regulations pro-*
26 *mulgated by the commissioner. Thereafter, any such clinic operating*
27 *as an independent county agency may become part of the Statewide*
28 *system upon the approval by the commissioner of a resolution*
29 *adopted by the board of chosen freeholders of such county request-*
30 *ing the commissioner to assume operation and control of such clinic.*
31 *Copies of resolutions authorized by this section shall be forwarded*
32 *to the commissioner within 10 days after adoption.*

33 **Any county operating a clinic which becomes a part of the State-*
34 *wide system established hereunder shall maintain, operate and*
35 *make available to the Department of Health any building, space or*
36 *other physical facility used by the county clinic for the continued*
37 *use by the Department of Health at no cost for the Statewide*
38 *system. Such building, space or other physical facility shall be so*
39 *made available to the Department of Health at no cost to the De-*
40 *partment or the State of New Jersey for a term of 5 years; pro-*
41 *vided, however, said term may be extended or decreased upon the*
42 *written agreement of the Commissioner of Health and a resolution*
43 *therefor by the board of chosen freeholders of the county in which*
44 *said clinic is located.**

1 9. There is hereby appropriated to the Division of Narcotic and
2 Drug Abuse Control in the Department of Health the sum of
3 ****[\$400,000.00]**** ****\$200,000.00**** to effectuate the purposes of this
4 act.

1 10. This act shall take effect ****[immediately]**** ****July 1, 1971****