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P.L.2015, CHAPTER 284, *approved January 19, 2016*
Assembly, No. 3228 (*Second Reprint*)

1 AN ACT concerning ²next-of-kin notifications upon a patient's release
2 from a sober living ²**[homes]** home or other substance abuse
3 aftercare treatment facility² ¹**[and]** , designated as "Nick Rohdes'
4 Law,"¹ and amending P.L.1970, c.334, P.L.1975, c.305 and
5 P.L.1982, c.149.

6
7 **BE IT ENACTED** *by the Senate and General Assembly of the State*
8 *of New Jersey:*
9

10 ²**[**1. Section 2 of P.L.1975, c.305 (C.26:2B-8) is amended to read
11 as follows:

12 2. The following words as used in this act shall, unless the
13 context requires otherwise, have the following meanings:

14 "Administrator" means the person in charge of the operation of a
15 facility, or his designee.

16 "Admitted" means accepted for treatment at a facility.

17 "Alcoholic" means any person who chronically, habitually or
18 periodically consumes alcoholic beverages to the extent that: a.
19 such use substantially injures his health or substantially interferes
20 with his social or economic functioning in the community on a
21 continuing basis, or b. he has lost the power of self-control with
22 respect to the use of such beverages.

23 "Authorized persons" means persons who serve as volunteer first
24 aid or ambulance squad members, para-professional medical
25 personnel and rehabilitated alcoholics.

26 "Commissioner" means the Commissioner of **[Health]** Human
27 Services.

28 "Department" means the **[State]** Department of **[Health]** Human
29 Services.

30 "Director" means the Director of the Division of **[Alcoholism]**
31 Mental Health and Addiction Services.

32 "Division" means the Division of **[Alcoholism]** Mental Health
33 and Addiction Services in the Department of Human Services.

34 "Facility" means any public, private place, or portion thereof
35 providing services especially designed for the treatment of
36 intoxicated persons or alcoholics; including, but not limited to
37 intoxication treatment centers, inpatient treatment facilities,
38 outpatient facilities, and residential aftercare facilities.

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.

Matter enclosed in superscript numerals has been adopted as follows:

¹Assembly AHU committee amendments adopted September 11, 2014.

²Assembly floor amendments adopted June 11, 2015.

1 "Incapacitated" means the condition of a person who is: a. as a
2 result of the use of alcohol, unconscious or has his judgment so
3 impaired that he is incapable of realizing and making a rational
4 decision with respect to his need for treatment, b. in need of
5 substantial medical attention, or c. likely to suffer substantial
6 physical harm.

7 "Independent physician" means a physician other than one
8 holding an office or appointment in any department, board or
9 agency of the State of New Jersey or in any public facility.

10 "Intoxicated person" means a person whose mental or physical
11 functioning is substantially impaired as a result of the use of
12 alcoholic beverages.

13 "Patient" means any person admitted to a facility.

14 "Private facility" means a facility other than one operated by the
15 Federal Government, the State of New Jersey or any political
16 subdivision thereof.

17 "Public facility" means a facility operated by the State of New
18 Jersey or any political subdivision thereof.

19 "Treatment" means services and programs for the care or
20 rehabilitation of intoxicated persons and alcoholics, including, but
21 not limited to, medical, psychiatric, psychological, vocational,
22 educational, recreational, and social services and programs.

23 (cf: P.L.1975, c.305, s.2)]²

24

25 ²[2. Section 6 of P.L.1975, c.305 (C.26:2B-12) is amended to read
26 as follows:

27 6. The department shall take cognizance of all matters affecting
28 alcoholism in the State and shall establish and conduct a program
29 for the treatment of intoxicated persons and alcoholics.

30 The program may encourage regionalization of services and, if
31 not otherwise available, provide for the following facilities, which
32 need not be separately located:

33 a. Intoxication treatment centers, which centers shall render
34 emergency medical care, including detoxification, shall be open 24
35 hours every day, and shall be located conveniently near population
36 centers. Services shall be provided for the immediate physical and
37 social needs, including the needs for medication and shelter, of
38 intoxicated persons, and shall also provide for initial examination,
39 diagnosis and referral. To the extent possible, such treatment
40 centers shall be affiliated with a general or other hospital.

41 b. Inpatient facilities, for treatment of alcoholics, which shall,
42 to the extent possible, be affiliated with the medical service of a
43 general hospital, mental hospital, community mental health center,
44 or other hospital.

45 c. Outpatient facilities.

46 d. Residential aftercare facilities, such as halfway houses or
47 transitional sober living homes .

1 The department shall maintain, supervise and control all
2 facilities operated by it pursuant to **[this act]** P.L.1975,
3 c.305 (C.26:2B-7 et seq.) and all such facilities shall be staffed with
4 an adequate number of qualified and trained personnel. The
5 administrator of each **[such]** facility shall make an annual report of
6 its activities to the director in such manner and form as the director
7 may deem appropriate. All appropriate resources, particularly
8 community mental health centers, shall whenever possible be
9 utilized in and coordinated with the program.

10 Services delivered by the department pursuant to **[this act]**
11 P.L.1975, c.305 (C.26:2B-7 et seq.) may be administered on the
12 premises of institutions operated in whole or in part by the
13 department of institutions and agencies. Such services shall be
14 administered as such services are administered in the other facilities
15 of the department and shall in all respects be therapeutic in nature
16 rather than penal or correctional.

17 The department shall annually prepare and publish **[annually]** a
18 list of all **[services]** facilities and service-providing entities
19 operating in accordance with [this act] P.L.1975, c.305 (C.26:2B-7
20 et seq.), and shall make the list available , upon request , to
21 members of the public. The department shall notify all law
22 enforcement agencies and judges in the State of the location and
23 capacity of intoxication treatment centers and other **[services]**
24 service-providing entities operating in accordance with **[this act]**
25 P.L.1975, c.305 (C.26:2B-7 et seq.), which are situated in or near
26 their jurisdictions.

27 (cf: P.L.1975, c.305, s.6)]²

28
29 ²**[3.] 1.**² Section 9 of P.L.1975, c.305, s.9 (C.26:2B-15) is
30 amended to read as follows:

31 9. Any person who is intoxicated and who voluntarily applies
32 for treatment or is brought to a facility by a police officer or other
33 authorized person in accordance with section 10 of P.L.1975, c.305
34 (C.26:2B-16) may be afforded treatment at an intoxication
35 treatment center or other facility. Any person who is an alcoholic
36 and who voluntarily applies for treatment may be afforded
37 treatment at an intoxication center or other facility.

38 As soon as possible after the admission of any person, the
39 administrator of the facility shall cause such person to be examined
40 by a physician or by a medically competent individual designated
41 by the department and under the supervision of a physician. If,
42 upon examination, a determination is made that the person is
43 intoxicated or is an alcoholic, and adequate and appropriate
44 treatment is available, he shall be admitted. If any person is not
45 admitted for the reason that adequate and appropriate treatment is
46 not available at the facility, the administrator of the facility, acting
47 whenever possible with the assistance of the director, shall refer the

1 person to a facility at which adequate and appropriate treatment is
2 available. In the event that a person is not admitted to a facility,
3 and has no funds, the administrator shall arrange for the person to
4 be assisted to his residence, or, if he has no residence, to a place
5 where shelter will be provided him.

6 Any person admitted to a facility may receive treatment at the
7 facility for as long as he wishes to remain at the facility or until the
8 administrator determines that treatment will no longer benefit him;
9 provided, however, that any person who at the time of admission is
10 intoxicated and is incapacitated, shall remain at the facility until he
11 is no longer incapacitated, but in no event shall he be required to
12 remain for a period greater than 48 hours.

13 When a person is admitted to a facility, **his family shall be**
14 **notified** the facility shall provide notice of admission to the
15 person's spouse, parent, legal guardian, designated next of kin, or
16 other designated emergency contact, as soon thereafter as possible ,
17 provided that: (1) such notice is provided in a manner that is
18 consistent with federal requirements under 42 CFR Part 2 and
19 federal HIPAA requirements under 45 CFR ²**[Part] Parts² 160 ²and**
20 164² ; and (2) the patient, if an adult, has not withheld consent for
21 such notice or expressly requested that notification not be given . If
22 a patient who is not incapacitated withholds consent for such notice,
23 or expressly requests that notification not be given, **his request**
24 the patient's wishes shall be respected **except if a person** unless
25 the patient is a **juvenile** minor child or adolescent, in which case
26 **his family or** , the minor's parent, legal guardian , designated
27 next of kin, or other designated emergency contact shall be notified
28 , provided that such notification is not inconsistent with, and would
29 not violate, federal requirements under 42 CFR Part 2 and federal
30 HIPAA requirements under 45 CFR ²**[Part] Parts² 160 ²and 164² .**

31 The manner in which any person is transported **either** from one
32 facility to another , or from a facility to his residence , and the
33 financing thereof , shall be determined by the director in accordance
34 with rules and regulations promulgated by the department.

35 **Upon discharge from or upon leaving** When a patient is
36 discharged or otherwise released from treatment at a facility, the
37 patient shall be encouraged to consent to appropriate outpatient or
38 residential aftercare treatment.

39 When a patient voluntarily withdraws, or is involuntarily evicted
40 from a transitional sober living home, halfway house, or other
41 residential aftercare facility, the facility shall provide notice of the
42 patient's release from care to the patient's spouse, parent, legal
43 guardian, designated next of kin, or other designated emergency
44 contact, provided that: (1) such notice is provided in a manner that
45 is consistent with federal requirements under 42 CFR Part 2 and
46 federal HIPAA requirements under 45 CFR ²**[Part] Parts² 160 ²and**
47 164² ; and (2) the patient, if an adult, has not withheld consent for

1 such notice, or expressly requested that notification not be given. If
 2 a patient who is not incapacitated withholds consent for such notice,
 3 or expressly requests that notification not be given, the patient's
 4 wishes shall be respected unless the patient is a minor child or
 5 adolescent, in which case, the minor's parent, legal guardian,
 6 designated next of kin, or other designated emergency contact shall
 7 be notified, provided that such notification is not inconsistent with,
 8 and would not violate, federal requirements under 42 CFR Part 2
 9 and federal HIPAA requirements under 45 CFR ²~~Part~~ ²Parts² 160
 10 ²and 164² .

11 (cf: P.L.1975, c.305, s.9)

12

13 ²**[4.**Section 2 of P.L.1970, c.334 (C.26:2G-22) is amended to
 14 read as follows:

15 2. As used in this act:

16 **[(a)]** "Commissioner" means the Commissioner of Human
 17 Services.

18 "Department" means the Department of Human Services.

19 "Narcotic drug" means any narcotic, drug, or dangerous
 20 controlled substance, as defined in any law of the State of New
 21 Jersey or of the United States.

22 "Narcotic and drug abuse treatment center" means any
 23 establishment, facility or institution, public or private, whether
 24 operated for profit or not, which primarily offers, or purports to
 25 offer, maintain, or operate facilities for the residential or outpatient
 26 diagnosis, care, treatment, **[or]** rehabilitation , or transitional sober
 27 living of two or more nonrelated individuals, who are patients as
 28 defined herein, excluding, however, any hospital or mental hospital
 29 otherwise licensed by Title 30 of the Revised Statutes.

30 **[(b)]** "Patient" means a person who is addicted to, or otherwise
 31 suffering physically or mentally from the use, or abuse of, narcotic
 32 drugs , or who is in the process of recovering from such addiction
 33 or physical or mental suffering, and who requires the continuing
 34 care of a narcotic and drug abuse treatment center.

35 **[(c)]** "Narcotic drug" means any narcotic, drug, or dangerous
 36 controlled substance, as defined in any law of the State of New
 37 Jersey or of the United States.

38 (d) "Commissioner" means the Commissioner of the State
 39 Department of Health of New Jersey. **]**

40 (cf: P.L.1970, c.334, s.2) **]**²

41

42 ²**[5.]** 2.² Section 5 of P.L.1970, c.334 (C.26:2G-25) is
 43 amended to read as follows:

44 5. The commissioner shall adopt, amend, promulgate and
 45 enforce such rules, regulations and minimum standards **[of]** for the
 46 treatment of patients of narcotic and drug abuse treatment centers as
 47 may be reasonably necessary to accomplish the purposes of **[this**

1 act] P.L.1970, c.334 (C.26:2G-21 et seq.). Such narcotic and drug
2 abuse treatment centers may be classified into two or more classes
3 with appropriate rules, regulations and minimum standards for each
4 such class. ²[The department's classification system shall account
5 for all types of narcotic and drug abuse treatment centers, including,
6 but not limited to: (1) facilities that provide patients with
7 detoxification, medication-assisted treatment, or other intensive or
8 emergency-level drug abuse treatment on an inpatient basis; (2)
9 facilities that provide patients with detoxification, medication-
10 assisted treatment, or other drug abuse treatment, on an outpatient
11 basis; and (3) residential aftercare facilities, such as halfway houses
12 and transitional sober living homes, which help recovering drug
13 addicts and abusers make a successful and sober transition back into
14 the community-at-large.]²

15 The rules and regulations adopted pursuant to this section shall,
16 at a minimum, require a transitional sober living home, halfway
17 house, or other residential aftercare facility to provide notice to a
18 patient's spouse, parent, legal guardian, designated next of kin, or
19 other designated emergency contact, whenever the patient
20 voluntarily withdraws, or is involuntarily evicted from, such
21 facility, provided that: (1) such notice is provided in a manner that
22 is consistent with federal requirements under 42 CFR Part 2 and
23 federal HIPAA requirements under 45 CFR ²[Part] Parts² 160 ²and
24 164² ; and (2) the patient, if an adult, has not withheld consent for
25 such notice or expressly requested that notification not be given. If
26 a patient who is not incapacitated withholds consent for such notice,
27 or expressly requests that notification not be given, the department
28 shall require the patient's wishes to be respected unless the patient
29 is a minor child or adolescent, in which case, the department shall
30 require the minor's parent, legal guardian, designated next of kin, or
31 other designated emergency contact to be notified, provided that
32 such notification is not inconsistent with, and would not violate,
33 federal requirements under 42 CFR Part 2 and federal HIPAA
34 requirements under 45 CFR ²[Part] Parts² 160 ²and 164² .

35 (cf: P.L.1970, c.334, s.5)

36

37 ²[6.Section 1 of P.L.1982, c.149 (C.26:2H-11.1) is amended to
38 read as follows:

39 1. In the case of an application for a certificate of need or
40 initial licensure, as applicable, for a narcotic and drug abuse
41 treatment center to be located within 500 feet from any building in
42 this State used for the instruction of children between the ages of
43 five and 18 years, the applicant shall notify the governing body of
44 the municipality within which the applicant proposes to locate the
45 treatment center of the applicant's intention to apply for the
46 certificate of need or licensure and the proposed location of the
47 center. Documentation of the notice shall be filed with the

1 certificate of need or license application. The Commissioner of
2 Health is hereby authorized to adopt reasonable rules and
3 regulations, in accordance with the provisions of the
4 "Administrative Procedure Act," P.L.1968, c.410 (C.52:14B-1 et
5 seq.), to effectuate the purposes of this act. For the purposes of this
6 act, the definition of "narcotic and drug abuse treatment center"
7 shall be identical to the definition in [subsection (a) of] section 2 of
8 P.L.1970, c.334 (C.26:2G-22). This act shall not apply to any
9 narcotic and drug abuse treatment center for which an application
10 was filed prior to the effective date of this act.

11 (cf: P.L.2012, c.17, s.177).²

12

13 ²[7.] 3.² This act shall take effect on the 60th day after the
14 date of enactment, but the Department of Human Services may take
15 such anticipatory administrative action in advance thereof as shall
16 be necessary for the implementation of this act.

17

18

19

20

21 _____
22 Requires sober living homes and other substance abuse aftercare
23 treatment facilities to provide certain notifications to next-of-kin
24 when patient is released from care; designated as "Nick Rohdes'
Law."

ASSEMBLY, No. 3228

STATE OF NEW JERSEY 216th LEGISLATURE

INTRODUCED MAY 22, 2014

Sponsored by:

Assemblyman RAJ MUKHERJI

District 33 (Hudson)

Assemblywoman VALERIE VAINIERI HUTTLE

District 37 (Bergen)

Assemblywoman GABRIELA M. MOSQUERA

District 4 (Camden and Gloucester)

Assemblyman CARMELO G. GARCIA

District 33 (Hudson)

Co-Sponsored by:

Assemblywoman Tucker

SYNOPSIS

Clarifies DHS authority to regulate sober living homes, and requires these homes and other aftercare facilities to provide certain notifications when patient is released from care.

CURRENT VERSION OF TEXT

As introduced.



(Sponsorship Updated As Of: 9/12/2014)

1 AN ACT concerning sober living homes and amending P.L.1970,
2 c.334, P.L.1975, c.305 and P.L.1982, c.149.

3

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

6

7 1. Section 2 of P.L.1975, c.305 (C.26:2B-8) is amended to read
8 as follows:

9 2. The following words as used in this act shall, unless the
10 context requires otherwise, have the following meanings:

11 "Administrator" means the person in charge of the operation of a
12 facility, or his designee.

13 "Admitted" means accepted for treatment at a facility.

14 "Alcoholic" means any person who chronically, habitually or
15 periodically consumes alcoholic beverages to the extent that: a.
16 such use substantially injures his health or substantially interferes
17 with his social or economic functioning in the community on a
18 continuing basis, or b. he has lost the power of self-control with
19 respect to the use of such beverages.

20 "Authorized persons" means persons who serve as volunteer first
21 aid or ambulance squad members, para-professional medical
22 personnel and rehabilitated alcoholics.

23 "Commissioner" means the Commissioner of **[Health]** Human
24 Services.

25 "Department" means the **[State]** Department of **[Health]** Human
26 Services.

27 "Director" means the Director of the Division of **[Alcoholism]**
28 Mental Health and Addiction Services.

29 "Division" means the Division of **[Alcoholism]** Mental Health
30 and Addiction Services in the Department of Human Services.

31 "Facility" means any public, private place, or portion thereof
32 providing services especially designed for the treatment of
33 intoxicated persons or alcoholics; including, but not limited to
34 intoxication treatment centers, inpatient treatment facilities,
35 outpatient facilities, and residential aftercare facilities.

36 "Incapacitated" means the condition of a person who is: a. as a
37 result of the use of alcohol, unconscious or has his judgment so
38 impaired that he is incapable of realizing and making a rational
39 decision with respect to his need for treatment, b. in need of
40 substantial medical attention, or c. likely to suffer substantial
41 physical harm.

42 "Independent physician" means a physician other than one
43 holding an office or appointment in any department, board or
44 agency of the State of New Jersey or in any public facility.

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 "Intoxicated person" means a person whose mental or physical
2 functioning is substantially impaired as a result of the use of
3 alcoholic beverages.

4 "Patient" means any person admitted to a facility.

5 "Private facility" means a facility other than one operated by the
6 Federal Government, the State of New Jersey or any political
7 subdivision thereof.

8 "Public facility" means a facility operated by the State of New
9 Jersey or any political subdivision thereof.

10 "Treatment" means services and programs for the care or
11 rehabilitation of intoxicated persons and alcoholics, including, but
12 not limited to, medical, psychiatric, psychological, vocational,
13 educational, recreational, and social services and programs.

14 (cf: P.L.1975, c.305, s.2)

15

16 2. Section 6 of P.L.1975, c.305 (C.26:2B-12) is amended to read
17 as follows:

18 6. The department shall take cognizance of all matters affecting
19 alcoholism in the State and shall establish and conduct a program
20 for the treatment of intoxicated persons and alcoholics.

21 The program may encourage regionalization of services and, if
22 not otherwise available, provide for the following facilities, which
23 need not be separately located:

24 a. Intoxication treatment centers, which centers shall render
25 emergency medical care, including detoxification, shall be open 24
26 hours every day, and shall be located conveniently near population
27 centers. Services shall be provided for the immediate physical and
28 social needs, including the needs for medication and shelter, of
29 intoxicated persons, and shall also provide for initial examination,
30 diagnosis and referral. To the extent possible, such treatment
31 centers shall be affiliated with a general or other hospital.

32 b. Inpatient facilities, for treatment of alcoholics, which shall,
33 to the extent possible, be affiliated with the medical service of a
34 general hospital, mental hospital, community mental health center,
35 or other hospital.

36 c. Outpatient facilities.

37 d. Residential aftercare facilities, such as halfway houses or
38 transitional sober living homes .

39 The department shall maintain, supervise and control all
40 facilities operated by it pursuant to **[this act]** P.L.1975, c.305
41 (C.26:2B-7 et seq.) and all such facilities shall be staffed with an
42 adequate number of qualified and trained personnel. The
43 administrator of each **[such]** facility shall make an annual report of
44 its activities to the director in such manner and form as the director
45 may deem appropriate. All appropriate resources, particularly
46 community mental health centers, shall whenever possible be
47 utilized in and coordinated with the program.

1 Services delivered by the department pursuant to **[this act]**
2 P.L.1975, c.305 (C.26:2B-7 et seq.) may be administered on the
3 premises of institutions operated in whole or in part by the
4 department of institutions and agencies. Such services shall be
5 administered as such services are administered in the other facilities
6 of the department and shall in all respects be therapeutic in nature
7 rather than penal or correctional.

8 The department shall annually prepare and publish **[annually]** a
9 list of all **[services]** facilities and service-providing entities
10 operating in accordance with **[this act]** P.L.1975, c.305 (C.26:2B-7
11 et seq.), and shall make the list available upon request to
12 members of the public. The department shall notify all law
13 enforcement agencies and judges in the State of the location and
14 capacity of intoxication treatment centers and other **[services]**
15 service-providing entities operating in accordance with **[this act]**
16 P.L.1975, c.305 (C.26:2B-7 et seq.), which are situated in or near
17 their jurisdictions.
18 (cf: P.L.1975, c.305, s.6)

19

20 3. Section 9 of P.L.1975, c.305, s.9 (C.26:2B-15) is amended to
21 read as follows:

22 9. Any person who is intoxicated and who voluntarily applies
23 for treatment or is brought to a facility by a police officer or other
24 authorized person in accordance with section 10 of P.L.1975, c.305
25 (C.26:2B-16) may be afforded treatment at an intoxication
26 treatment center or other facility. Any person who is an alcoholic
27 and who voluntarily applies for treatment may be afforded
28 treatment at an intoxication center or other facility.

29 As soon as possible after the admission of any person, the
30 administrator of the facility shall cause such person to be examined
31 by a physician or by a medically competent individual designated
32 by the department and under the supervision of a physician. If,
33 upon examination, a determination is made that the person is
34 intoxicated or is an alcoholic, and adequate and appropriate
35 treatment is available, he shall be admitted. If any person is not
36 admitted for the reason that adequate and appropriate treatment is
37 not available at the facility, the administrator of the facility, acting
38 whenever possible with the assistance of the director, shall refer the
39 person to a facility at which adequate and appropriate treatment is
40 available. In the event that a person is not admitted to a facility,
41 and has no funds, the administrator shall arrange for the person to
42 be assisted to his residence, or, if he has no residence, to a place
43 where shelter will be provided him.

44 Any person admitted to a facility may receive treatment at the
45 facility for as long as he wishes to remain at the facility or until the
46 administrator determines that treatment will no longer benefit him;
47 provided, however, that any person who at the time of admission is

1 intoxicated and is incapacitated, shall remain at the facility until he
2 is no longer incapacitated, but in no event shall he be required to
3 remain for a period greater than 48 hours.

4 When a person is admitted to a facility, **his family shall be**
5 **notified** the facility shall provide notice of admission to the
6 person's spouse, parent, legal guardian, designated next of kin, or
7 other designated emergency contact, as soon thereafter as possible ,
8 provided that: (1) such notice is provided in a manner that is
9 consistent with federal requirements under 42 CFR Part 2 and
10 federal HIPAA requirements under 45 CFR Part 160; and (2) the
11 patient, if an adult, has not withheld consent for such notice or
12 expressly requested that notification not be given . If a patient who
13 is not incapacitated withholds consent for such notice, or expressly
14 requests that notification not be given, **his request** the patient's
15 wishes shall be respected [except if a person] unless the patient is a
16 **[juvenile] minor child or adolescent, in which case [his family or]**
17 , the minor's parent, legal guardian , designated next of kin, or other
18 designated emergency contact shall be notified , provided that such
19 notification is not inconsistent with, and would not violate, federal
20 requirements under 42 CFR Part 2 and federal HIPAA requirements
21 under 45 CFR Part 160 .

22 The manner in which any person is transported **either** from one
23 facility to another , or from a facility to his residence , and the
24 financing thereof , shall be determined by the director in accordance
25 with rules and regulations promulgated by the department.

26 **Upon discharge from or upon leaving** When a patient is
27 discharged or otherwise released from treatment at a facility, the
28 patient shall be encouraged to consent to appropriate outpatient or
29 residential aftercare treatment.

30 When a patient voluntarily withdraws, or is involuntarily evicted
31 from a transitional sober living home, halfway house, or other
32 residential aftercare facility, the facility shall provide notice of the
33 patient's release from care to the patient's spouse, parent, legal
34 guardian, designated next of kin, or other designated emergency
35 contact, provided that: (1) such notice is provided in a manner that
36 is consistent with federal requirements under 42 CFR Part 2 and
37 federal HIPAA requirements under 45 CFR Part 160; and (2) the
38 patient, if an adult, has not withheld consent for such notice, or
39 expressly requested that notification not be given. If a patient who
40 is not incapacitated withholds consent for such notice, or expressly
41 requests that notification not be given, the patient's wishes shall be
42 respected unless the patient is a minor child or adolescent, in which
43 case, the minor's parent, legal guardian, designated next of kin, or
44 other designated emergency contact shall be notified, provided that
45 such notification is not inconsistent with, and would not violate,
46 federal requirements under 42 CFR Part 2 and federal HIPAA

1 requirements under 45 CFR Part 160.

2 (cf: P.L.1975, c.305, s.9)

3

4 4. Section 2 of P.L.1970, c.334 (C.26:2G-22) is amended to
5 read as follows:

6 2. As used in this act:

7 **[(a)]** “Commissioner” means the Commissioner of Human
8 Services.

9 “Department” means the Department of Human Services.

10 “Narcotic drug” means any narcotic, drug, or dangerous
11 controlled substance, as defined in any law of the State of New
12 Jersey or of the United States.

13 "Narcotic and drug abuse treatment center" means any
14 establishment, facility or institution, public or private, whether
15 operated for profit or not, which primarily offers, or purports to
16 offer, maintain, or operate facilities for the residential or outpatient
17 diagnosis, care, treatment, **[or]** rehabilitation , or transitional sober
18 living of two or more nonrelated individuals, who are patients as
19 defined herein, excluding, however, any hospital or mental hospital
20 otherwise licensed by Title 30 of the Revised Statutes.

21 **[(b)]** "Patient" means a person who is addicted to, or otherwise
22 suffering physically or mentally from the use, or abuse of, narcotic
23 drugs , or who is in the process of recovering from such addiction
24 or physical or mental suffering, and who requires the continuing
25 care of a narcotic and drug abuse treatment center.

26 **[(c)]** "Narcotic drug" means any narcotic, drug, or dangerous
27 controlled substance, as defined in any law of the State of New
28 Jersey or of the United States.

29 (d) "Commissioner" means the Commissioner of the State
30 Department of Health of New Jersey. **]**

31 (cf: P.L.1970, c.334, s.2)

32

33 5. Section 5 of P.L.1970, c.334 (C.26:2G-25) is amended to
34 read as follows:

35 5. The commissioner shall adopt, amend, promulgate and
36 enforce such rules, regulations and minimum standards **[of]** for the
37 treatment of patients of narcotic and drug abuse treatment centers as
38 may be reasonably necessary to accomplish the purposes of [this
39 act] P.L.1970, c.334 (C.26:2G-21 et seq.). Such narcotic and drug
40 abuse treatment centers may be classified into two or more classes
41 with appropriate rules, regulations and minimum standards for each
42 such class. The department’s classification system shall account for
43 all types of narcotic and drug abuse treatment centers, including,
44 but not limited to: (1) facilities that provide patients with
45 detoxification, medication-assisted treatment, or other intensive or
46 emergency-level drug abuse treatment on an inpatient basis; (2)
47 facilities that provide patients with detoxification, medication-

1 assisted treatment, or other drug abuse treatment, on an outpatient
2 basis; and (3) residential aftercare facilities, such as halfway houses
3 and transitional sober living homes, which help recovering drug
4 addicts and abusers make a successful and sober transition back into
5 the community-at-large.

6 The rules and regulations adopted pursuant to this section shall,
7 at a minimum, require a transitional sober living home, halfway
8 house, or other residential aftercare facility to provide notice to a
9 patient's spouse, parent, legal guardian, designated next of kin, or
10 other designated emergency contact, whenever the patient
11 voluntarily withdraws, or is involuntarily evicted from, such
12 facility, provided that: (1) such notice is provided in a manner that
13 is consistent with federal requirements under 42 CFR Part 2 and
14 federal HIPAA requirements under 45 CFR Part 160; and (2) the
15 patient, if an adult, has not withheld consent for such notice or
16 expressly requested that notification not be given. If a patient who
17 is not incapacitated withholds consent for such notice, or expressly
18 requests that notification not be given, the department shall require
19 the patient's wishes to be respected unless the patient is a minor
20 child or adolescent, in which case, the department shall require the
21 minor's parent, legal guardian, designated next of kin, or other
22 designated emergency contact to be notified, provided that such
23 notification is not inconsistent with, and would not violate, federal
24 requirements under 42 CFR Part 2 and federal HIPAA requirements
25 under 45 CFR Part 160.

26 (cf: P.L.1970, c.334, s.5)

27

28 6. Section 1 of P.L.1982, c.149 (C.26:2H-11.1) is amended to
29 read as follows:

30 1. In the case of an application for a certificate of need or
31 initial licensure, as applicable, for a narcotic and drug abuse
32 treatment center to be located within 500 feet from any building in
33 this State used for the instruction of children between the ages of
34 five and 18 years, the applicant shall notify the governing body of
35 the municipality within which the applicant proposes to locate the
36 treatment center of the applicant's intention to apply for the
37 certificate of need or licensure and the proposed location of the
38 center. Documentation of the notice shall be filed with the
39 certificate of need or license application. The Commissioner of
40 Health is hereby authorized to adopt reasonable rules and
41 regulations, in accordance with the provisions of the
42 "Administrative Procedure Act," P.L.1968, c.410 (C.52:14B-1 et
43 seq.), to effectuate the purposes of this act. For the purposes of this
44 act, the definition of "narcotic and drug abuse treatment center"
45 shall be identical to the definition in **【subsection (a) of】** section 2 of
46 P.L.1970, c.334 (C.26:2G-22). This act shall not apply to any
47 narcotic and drug abuse treatment center for which an application

1 was filed prior to the effective date of this act.
2 (cf: P.L.2012, c.17, s.177).

3

4 7. This act shall take effect on the 60th day after the date of
5 enactment, but the Department of Human Services may take such
6 anticipatory administrative action in advance thereof as shall be
7 necessary for the implementation of this act.

8

9

10 STATEMENT

11

12 This bill would amend the State's substance abuse treatment
13 laws in relation to the regulation of sober living homes. In
14 particular, the bill would:

15 (1) expressly clarify that the Department of Human Services'
16 existing statutory authority to license and regulate residential
17 substance abuse facilities, pursuant to the provisions of
18 N.J.S.A.26:2B-7 et seq. and N.J.S.A.26:2G-21 et seq., includes the
19 authority to license and regulate residential substance abuse
20 aftercare facilities, including, but not limited to, transitional sober
21 living homes and halfway houses;

22 (2) require transitional sober living homes, halfway houses, and
23 other residential aftercare facilities to provide notice to a patient's
24 spouse, parent, guardian, designated next-of-kin, or other
25 designated emergency contact upon the patient's release from
26 treatment at the facility, so long as such notice is provided in a
27 manner that is consistent with federal HIPAA requirements and
28 federal requirements applicable to the confidentiality of substance
29 abuse treatment records, and the patient, if an adult, has not
30 withheld consent for such notice or expressly requested that
31 notification not be provided; and

32 (3) revise similar, existing statutory notice provisions related to
33 substance abuse treatment, in order to clarify that all such
34 notifications must comply with the federal laws described in (2),
35 above.

36 The bill would also update the language used in this area of law,
37 in order to ensure grammatical correctness, maintain consistency
38 with current rules of statutory drafting, and correctly reference the
39 Department of Human Services Division of Mental Health and
40 Addiction Services, which is the agency and division currently
41 responsible for the regulation of substance abuse treatment
42 facilities.

ASSEMBLY HUMAN SERVICES COMMITTEE

STATEMENT TO

ASSEMBLY, No. 3228

with committee amendments

STATE OF NEW JERSEY

DATED: SEPTEMBER 11, 2014

The Assembly Human Services Committee reports favorably and with amendments Assembly Bill No. 3228.

As amended by the committee, this bill, which is designated as "Nick Rohdes' Law," would amend the State's substance abuse treatment laws in relation to the regulation of sober living homes. In particular, the bill would:

(1) expressly clarify that the Department of Human Services' existing statutory authority to license and regulate residential substance abuse facilities, pursuant to the provisions of N.J.S.A.26:2B-7 et seq. and N.J.S.A.26:2G-21 et seq., includes the authority to license and regulate residential substance abuse aftercare facilities, including, but not limited to, transitional sober living homes and halfway houses;

(2) require transitional sober living homes, halfway houses, and other residential aftercare facilities to provide notice to a patient's spouse, parent, guardian, designated next-of-kin, or other designated emergency contact upon the patient's release from treatment at the facility, so long as such notice is provided in a manner that is consistent with federal HIPAA requirements and federal requirements applicable to the confidentiality of substance abuse treatment records, and the patient, if an adult, has not withheld consent for such notice or expressly requested that notification not be provided; and

(3) revise similar, existing statutory notice provisions related to substance abuse treatment, in order to clarify that all such notifications must comply with the federal laws described in (2), above.

The bill would also update the language used in this area of law, in order to ensure grammatical correctness, maintain consistency with current rules of statutory drafting, and correctly reference the Department of Human Services Division of Mental Health and Addiction Services, which is the agency and division currently responsible for the regulation of substance abuse treatment facilities.

The bill is designated "Nick Rohdes' Law" to honor the memory of Nick, a young man who lost his battle with substance abuse at the age of 24 in February 2014. Raised in Colts Neck, Nick loved the "Jersey Shore," the New York Yankees, and the New York Giants. He had

been in a sober living home and was evicted without any notification to family or next-of-kin when he relapsed and lost his life to his addiction. This bill is intended to provide notification to family members and next-of-kin when an individual is released from these facilities to prevent these tragedies and ensure a supportive environment when an addict most needs it.

COMMITTEE AMENDMENTS

The committee amendments designate the bill as "Nick Rohdes' Law."

STATEMENT TO
[First Reprint]
ASSEMBLY, No. 3228

with Assembly Floor Amendments
(Proposed by Assemblyman MUKHERJI)

ADOPTED: JUNE 11, 2015

These floor amendments would eliminate all of the provisions of this bill that are not related to next-of-kin notifications, and it would ensure the correct citation of federal law in association with the provisions governing next-of-kin notifications.

As amended, therefore, the bill would require the Department of Human Services to ensure that transitional sober living homes, halfway houses, and other residential substance abuse aftercare facilities provide notice to a patient's spouse, parent, guardian, designated next-of-kin, or other designated emergency contact upon the patient's release from treatment at the facility, provided that such notice is consistent with federal law governing the confidentiality of medical records and substance abuse treatment records, and the patient, if an adult, has not withheld consent for such notice or expressly requested that notification not be provided. The floor amendments would also retain the original provisions of the bill, which clarify that the notice to be provided, under existing law, to a patient's next-of-kin upon the patient's admission to an alcohol addiction aftercare treatment facility, must be provided in accordance with federal confidentiality requirements. The bill would continue to be designated as "Nick Rohdes' Law."

SENATE HEALTH, HUMAN SERVICES AND SENIOR
CITIZENS COMMITTEE

STATEMENT TO

[Second Reprint]

ASSEMBLY, No. 3228

STATE OF NEW JERSEY

DATED: DECEMBER 21, 2015

The Senate Health, Human Services and Senior Citizens Committee reports favorably Assembly Bill No. 3228 (2R).

This bill, which is designated as "Nick Rohdes' Law," would require the Department of Human Services to ensure that transitional sober living homes, halfway houses, and other residential substance abuse aftercare facilities provide notice to a patient's spouse, parent, guardian, designated next-of-kin, or other designated emergency contact upon the patient's release from treatment at the facility, provided that such notice is consistent with federal law governing the confidentiality of medical records and substance abuse treatment records, and the patient, if an adult, has not withheld consent for such notice or expressly requested that notification not be provided. The bill would also clarify that the notice that is to be provided, under existing law, to a patient's next-of-kin upon the patient's admission to an alcohol addiction aftercare treatment facility, must be provided in accordance with federal confidentiality requirements.

The bill is designated as "Nick Rohdes' Law" to honor the memory of Nick, a young man who lost his battle with substance abuse at the age of 24 in February 2014. Nick had been in a sober living home but was evicted without any notification to family or next-of-kin. He then relapsed and lost his life to his addiction. The bill would ensure the provision of notification to family members and next-of-kin when an individual is released from a sober living home, in order to prevent these tragedies and ensure a supportive environment when an addict needs it most.

As reported by the committee, this bill is identical to S-2499 (SCA) (Turner), which was also favorably reported by the committee on this date.

SENATE, No. 2499

STATE OF NEW JERSEY
216th LEGISLATURE

INTRODUCED OCTOBER 16, 2014

Sponsored by:

Senator SHIRLEY K. TURNER

District 15 (Hunterdon and Mercer)

SYNOPSIS

Requires sober living homes and other aftercare facilities to provide certain notifications to next-of-kin when patient is released from care, and clarifies DHS authority to regulate certain facilities; designated as “Nick Rohdes' Law.”

CURRENT VERSION OF TEXT

As introduced.



S2499 TURNER

2

1 AN ACT concerning sober living homes, designated as "Nick
2 Rohdes' Law," and amending P.L.1970, c.334, P.L.1975, c.305
3 and P.L.1982, c.149.

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

7
8 1. Section 2 of P.L.1975, c.305 (C.26:2B-8) is amended to read
9 as follows:

10 2. The following words as used in this act shall, unless the
11 context requires otherwise, have the following meanings:

12 "Administrator" means the person in charge of the operation of a
13 facility, or his designee.

14 "Admitted" means accepted for treatment at a facility.

15 "Alcoholic" means any person who chronically, habitually or
16 periodically consumes alcoholic beverages to the extent that: a.
17 such use substantially injures his health or substantially interferes
18 with his social or economic functioning in the community on a
19 continuing basis, or b. he has lost the power of self-control with
20 respect to the use of such beverages.

21 "Authorized persons" means persons who serve as volunteer first
22 aid or ambulance squad members, para-professional medical
23 personnel and rehabilitated alcoholics.

24 "Commissioner" means the Commissioner of **Health** Human
25 Services.

26 "Department" means the **State** Department of **Health** Human
27 Services.

28 "Director" means the Director of the Division of **Alcoholism**
29 Mental Health and Addiction Services.

30 "Division" means the Division of **Alcoholism** Mental Health
31 and Addiction Services in the Department of Human Services.

32 "Facility" means any public, private place, or portion thereof
33 providing services especially designed for the treatment of
34 intoxicated persons or alcoholics; including, but not limited to
35 intoxication treatment centers, inpatient treatment facilities,
36 outpatient facilities, and residential aftercare facilities.

37 "Incapacitated" means the condition of a person who is: a. as a
38 result of the use of alcohol, unconscious or has his judgment so
39 impaired that he is incapable of realizing and making a rational
40 decision with respect to his need for treatment, b. in need of
41 substantial medical attention, or c. likely to suffer substantial
42 physical harm.

43 "Independent physician" means a physician other than one
44 holding an office or appointment in any department, board or
45 agency of the State of New Jersey or in any public facility.

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 "Intoxicated person" means a person whose mental or physical
2 functioning is substantially impaired as a result of the use of
3 alcoholic beverages.

4 "Patient" means any person admitted to a facility.

5 "Private facility" means a facility other than one operated by the
6 Federal Government, the State of New Jersey or any political
7 subdivision thereof.

8 "Public facility" means a facility operated by the State of New
9 Jersey or any political subdivision thereof.

10 "Treatment" means services and programs for the care or
11 rehabilitation of intoxicated persons and alcoholics, including, but
12 not limited to, medical, psychiatric, psychological, vocational,
13 educational, recreational, and social services and programs.

14 (cf: P.L.1975, c.305, s.2)

15

16 2. Section 6 of P.L.1975, c.305 (C.26:2B-12) is amended to
17 read as follows:

18 6. The department shall take cognizance of all matters affecting
19 alcoholism in the State and shall establish and conduct a program
20 for the treatment of intoxicated persons and alcoholics.

21 The program may encourage regionalization of services and, if
22 not otherwise available, provide for the following facilities, which
23 need not be separately located:

24 a. Intoxication treatment centers, which centers shall render
25 emergency medical care, including detoxification, shall be open 24
26 hours every day, and shall be located conveniently near population
27 centers. Services shall be provided for the immediate physical and
28 social needs, including the needs for medication and shelter, of
29 intoxicated persons, and shall also provide for initial examination,
30 diagnosis and referral. To the extent possible, such treatment
31 centers shall be affiliated with a general or other hospital.

32 b. Inpatient facilities, for treatment of alcoholics, which shall,
33 to the extent possible, be affiliated with the medical service of a
34 general hospital, mental hospital, community mental health center,
35 or other hospital.

36 c. Outpatient facilities.

37 d. Residential aftercare facilities, such as halfway houses or
38 transitional sober living homes.

39 The department shall maintain, supervise and control all
40 facilities operated by it pursuant to **[this act]** P.L.1975, c.305
41 (C.26:2B-7 et seq.) and all such facilities shall be staffed with an
42 adequate number of qualified and trained personnel. The
43 administrator of each **[such]** facility shall make an annual report of
44 its activities to the director in such manner and form as the director
45 may deem appropriate. All appropriate resources, particularly
46 community mental health centers, shall whenever possible be
47 utilized in and coordinated with the program.

1 Services delivered by the department pursuant to **[this act]**
2 P.L.1975, c.305 (C.26:2B-7 et seq.) may be administered on the
3 premises of institutions operated in whole or in part by the
4 department of institutions and agencies. Such services shall be
5 administered as such services are administered in the other facilities
6 of the department and shall in all respects be therapeutic in nature
7 rather than penal or correctional.

8 The department shall annually prepare and publish **[annually]** a
9 list of all **[services]** facilities and service-providing entities
10 operating in accordance with **[this act]** P.L.1975, c.305 (C.26:2B-7
11 et seq.), and shall make the list available upon request to
12 members of the public. The department shall notify all law
13 enforcement agencies and judges in the State of the location and
14 capacity of intoxication treatment centers and other **[services]**
15 service-providing entities operating in accordance with **[this act]**
16 P.L.1975, c.305 (C.26:2B-7 et seq.), which are situated in or near
17 their jurisdictions.
18 (cf: P.L.1975, c.305, s.6)

19

20 3. Section 9 of P.L.1975, c.305, s.9 (C.26:2B-15) is amended to
21 read as follows:

22 9. Any person who is intoxicated and who voluntarily applies
23 for treatment or is brought to a facility by a police officer or other
24 authorized person in accordance with section 10 of P.L.1975, c.305
25 (C.26:2B-16) may be afforded treatment at an intoxication
26 treatment center or other facility. Any person who is an alcoholic
27 and who voluntarily applies for treatment may be afforded
28 treatment at an intoxication center or other facility.

29 As soon as possible after the admission of any person, the
30 administrator of the facility shall cause such person to be examined
31 by a physician or by a medically competent individual designated
32 by the department and under the supervision of a physician. If,
33 upon examination, a determination is made that the person is
34 intoxicated or is an alcoholic, and adequate and appropriate
35 treatment is available, he shall be admitted. If any person is not
36 admitted for the reason that adequate and appropriate treatment is
37 not available at the facility, the administrator of the facility, acting
38 whenever possible with the assistance of the director, shall refer the
39 person to a facility at which adequate and appropriate treatment is
40 available. In the event that a person is not admitted to a facility,
41 and has no funds, the administrator shall arrange for the person to
42 be assisted to his residence, or, if he has no residence, to a place
43 where shelter will be provided him.

44 Any person admitted to a facility may receive treatment at the
45 facility for as long as he wishes to remain at the facility or until the
46 administrator determines that treatment will no longer benefit him;
47 provided, however, that any person who at the time of admission is
48 intoxicated and is incapacitated, shall remain at the facility until he

1 is no longer incapacitated, but in no event shall he be required to
2 remain for a period greater than 48 hours.

3 When a person is admitted to a facility, **his family shall be**
4 **notified** the facility shall provide notice of admission to the
5 person's spouse, parent, legal guardian, designated next of kin, or
6 other designated emergency contact, as soon thereafter as possible ,
7 provided that: (1) such notice is provided in a manner that is
8 consistent with federal requirements under 42 CFR Part 2 and
9 federal HIPAA requirements under 45 CFR Part 160; and (2) the
10 patient, if an adult, has not withheld consent for such notice or
11 expressly requested that notification not be given . If a patient who
12 is not incapacitated withholds consent for such notice, or expressly
13 requests that notification not be given, his request **the patient's**
14 **wishes shall be respected** **except if a person** unless the patient is a
15 **juvenile** minor child or adolescent, in which case his family or,
16 the minor's parent, legal guardian , designated next of kin, or other
17 designated emergency contact shall be notified , provided that such
18 notification is not inconsistent with, and would not violate, federal
19 requirements under 42 CFR Part 2 and federal HIPAA requirements
20 under 45 CFR Part 160 .

21 The manner in which any person is transported **either** from one
22 facility to another , or from a facility to his residence , and the
23 financing thereof , shall be determined by the director in accordance
24 with rules and regulations promulgated by the department.

25 **Upon discharge from or upon leaving** When a patient is
26 discharged or otherwise released from treatment at a facility, the
27 patient shall be encouraged to consent to appropriate outpatient or
28 residential aftercare treatment.

29 When a patient voluntarily withdraws, or is involuntarily evicted
30 from a transitional sober living home, halfway house, or other
31 residential aftercare facility, the facility shall provide notice of the
32 patient's release from care to the patient's spouse, parent, legal
33 guardian, designated next of kin, or other designated emergency
34 contact, provided that: (1) such notice is provided in a manner that
35 is consistent with federal requirements under 42 CFR Part 2 and
36 federal HIPAA requirements under 45 CFR Part 160; and (2) the
37 patient, if an adult, has not withheld consent for such notice, or
38 expressly requested that notification not be given. If a patient who
39 is not incapacitated withholds consent for such notice, or expressly
40 requests that notification not be given, the patient's wishes shall be
41 respected unless the patient is a minor child or adolescent, in which
42 case, the minor's parent, legal guardian, designated next of kin, or
43 other designated emergency contact shall be notified, provided that
44 such notification is not inconsistent with, and would not violate,
45 federal requirements under 42 CFR Part 2 and federal HIPAA
46 requirements under 45 CFR Part 160.

47 (cf: P.L.1975, c.305, s.9)

1 4. Section 2 of P.L.1970, c.334 (C.26:2G-22) is amended to
2 read as follows:

3 2. As used in this act:

4 **[(a)]** “Commissioner” means the Commissioner of Human
5 Services.

6 “Department” means the Department of Human Services.

7 “Narcotic drug” means any narcotic, drug, or dangerous
8 controlled substance, as defined in any law of the State of New
9 Jersey or of the United States.

10 "Narcotic and drug abuse treatment center" means any
11 establishment, facility or institution, public or private, whether
12 operated for profit or not, which primarily offers, or purports to
13 offer, maintain, or operate facilities for the residential or outpatient
14 diagnosis, care, treatment, **[or]** rehabilitation , or transitional sober
15 living of two or more nonrelated individuals, who are patients as
16 defined herein, excluding, however, any hospital or mental hospital
17 otherwise licensed by Title 30 of the Revised Statutes.

18 **[(b)]** "Patient" means a person who is addicted to, or otherwise
19 suffering physically or mentally from the use, or abuse of, narcotic
20 drugs , or who is in the process of recovering from such addiction
21 or physical or mental suffering, and who requires the continuing
22 care of a narcotic and drug abuse treatment center.

23 **[(c)]** "Narcotic drug" means any narcotic, drug, or dangerous
24 controlled substance, as defined in any law of the State of New
25 Jersey or of the United States.

26 (d) "Commissioner" means the Commissioner of the State
27 Department of Health of New Jersey.]

28 (cf: P.L.1970, c.334, s.2)

29

30 5. Section 5 of P.L.1970, c.334 (C.26:2G-25) is amended to
31 read as follows:

32 5. The commissioner shall adopt, amend, promulgate and
33 enforce such rules, regulations and minimum standards **[of]** for the
34 treatment of patients of narcotic and drug abuse treatment centers as
35 may be reasonably necessary to accomplish the purposes of [this
36 act] P.L.1970, c.334 (C.26:2G-21 et seq.). Such narcotic and drug
37 abuse treatment centers may be classified into two or more classes
38 with appropriate rules, regulations and minimum standards for each
39 such class. The department’s classification system shall account for
40 all types of narcotic and drug abuse treatment centers, including,
41 but not limited to: (1) facilities that provide patients with
42 detoxification, medication-assisted treatment, or other intensive or
43 emergency-level drug abuse treatment on an inpatient basis; (2)
44 facilities that provide patients with detoxification, medication-
45 assisted treatment, or other drug abuse treatment, on an outpatient
46 basis; and (3) residential aftercare facilities, such as halfway houses
47 and transitional sober living homes, which help recovering drug

1 addicts and abusers make a successful and sober transition back into
2 the community-at-large.

3 The rules and regulations adopted pursuant to this section shall,
4 at a minimum, require a transitional sober living home, halfway
5 house, or other residential aftercare facility to provide notice to a
6 patient's spouse, parent, legal guardian, designated next of kin, or
7 other designated emergency contact, whenever the patient
8 voluntarily withdraws, or is involuntarily evicted from, such
9 facility, provided that: (1) such notice is provided in a manner that
10 is consistent with federal requirements under 42 CFR Part 2 and
11 federal HIPAA requirements under 45 CFR Part 160; and (2) the
12 patient, if an adult, has not withheld consent for such notice or
13 expressly requested that notification not be given. If a patient who
14 is not incapacitated withholds consent for such notice, or expressly
15 requests that notification not be given, the department shall require
16 the patient's wishes to be respected unless the patient is a minor
17 child or adolescent, in which case, the department shall require the
18 minor's parent, legal guardian, designated next of kin, or other
19 designated emergency contact to be notified, provided that such
20 notification is not inconsistent with, and would not violate, federal
21 requirements under 42 CFR Part 2 and federal HIPAA requirements
22 under 45 CFR Part 160.

23 (cf: P.L.1970, c.334, s.5)

24

25 6. Section 1 of P.L.1982, c.149 (C.26:2H-11.1) is amended to
26 read as follows:

27 1. In the case of an application for a certificate of need or
28 initial licensure, as applicable, for a narcotic and drug abuse
29 treatment center to be located within 500 feet from any building in
30 this State used for the instruction of children between the ages of
31 five and 18 years, the applicant shall notify the governing body of
32 the municipality within which the applicant proposes to locate the
33 treatment center of the applicant's intention to apply for the
34 certificate of need or licensure and the proposed location of the
35 center. Documentation of the notice shall be filed with the
36 certificate of need or license application. The Commissioner of
37 Health is hereby authorized to adopt reasonable rules and
38 regulations, in accordance with the provisions of the
39 "Administrative Procedure Act," P.L.1968, c.410 (C.52:14B-1 et
40 seq.), to effectuate the purposes of this act. For the purposes of this
41 act, the definition of "narcotic and drug abuse treatment center"
42 shall be identical to the definition in **subsection (a) of** section 2 of
43 P.L.1970, c.334 (C.26:2G-22). This act shall not apply to any
44 narcotic and drug abuse treatment center for which an application
45 was filed prior to the effective date of this act.

46 (cf: P.L.2012, c.17, s.177)

47

48 7. This act shall take effect on the 60th day after the date of
49 enactment, but the Department of Human Services may take such

1 anticipatory administrative action in advance thereof as shall be
2 necessary for the implementation of this act.

3

4

5

STATEMENT

6

7 As amended by the committee, this bill, which is designated as
8 "Nick Rohdes' Law," would amend the State's substance abuse
9 treatment laws in relation to the regulation of sober living homes.
10 In particular, the bill would:

11 (1) expressly clarify that the Department of Human Services'
12 existing statutory authority to license and regulate residential
13 substance abuse facilities, pursuant to the provisions of
14 N.J.S.A.26:2B-7 et seq. and N.J.S.A.26:2G-21 et seq., includes the
15 authority to license and regulate residential substance abuse
16 aftercare facilities, including, but not limited to, transitional sober
17 living homes and halfway houses;

18 (2) require transitional sober living homes, halfway houses, and
19 other residential aftercare facilities to provide notice to a patient's
20 spouse, parent, guardian, designated next-of-kin, or other
21 designated emergency contact upon the patient's release from
22 treatment at the facility, so long as such notice is provided in a
23 manner that is consistent with federal HIPAA requirements and
24 federal requirements applicable to the confidentiality of substance
25 abuse treatment records, and the patient, if an adult, has not
26 withheld consent for such notice or expressly requested that
27 notification not be provided; and

28 (3) revise similar, existing statutory notice provisions related to
29 substance abuse treatment, in order to clarify that all such
30 notifications must comply with the federal laws described in (2),
31 above.

32 The bill would also update the language used in this area of law,
33 in order to ensure grammatical correctness, maintain consistency
34 with current rules of statutory drafting, and correctly reference the
35 Department of Human Services Division of Mental Health and
36 Addiction Services, which is the agency and division currently
37 responsible for the regulation of substance abuse treatment
38 facilities.

39 The bill is designated "Nick Rohdes' Law" to honor the memory
40 of Nick, a young man who lost his battle with substance abuse at
41 the age of 24 in February 2014. Raised in Colts Neck, Nick loved
42 the "Jersey Shore," the New York Yankees, and the New York
43 Giants. He had been in a sober living home and was evicted
44 without any notification to family or next-of-kin when he relapsed
45 and lost his life to his addiction. This bill is intended to provide
46 notification to family members and next-of-kin when an individual
47 is released from these facilities to prevent these tragedies and
48 ensure a supportive environment when an addict most needs it.

SENATE HEALTH, HUMAN SERVICES AND SENIOR
CITIZENS COMMITTEE

STATEMENT TO
SENATE, No. 2499

with committee amendments

STATE OF NEW JERSEY

DATED: DECEMBER 21, 2015

The Senate Health, Human Services and Senior Citizens Committee reports favorably and with committee amendments Senate Bill No. 2499.

As amended by the committee, this bill, which is designated as "Nick Rohdes' Law," would require the Department of Human Services to ensure that transitional sober living homes, halfway houses, and other residential substance abuse aftercare facilities provide notice to a patient's spouse, parent, guardian, designated next-of-kin, or other designated emergency contact upon the patient's release from treatment at the facility, provided that such notice is consistent with federal law governing the confidentiality of medical records and substance abuse treatment records, and the patient, if an adult, has not withheld consent for such notice or expressly requested that notification not be provided. The bill would also clarify that the notice that is to be provided, under existing law, to a patient's next-of-kin upon the patient's admission to an alcohol addiction aftercare treatment facility, must be provided in accordance with federal confidentiality requirements.

The bill is designated as "Nick Rohdes' Law" to honor the memory of Nick, a young man who lost his battle with substance abuse at the age of 24 in February 2014. Nick had been in a sober living home but was evicted without any notification to family or next-of-kin. He then relapsed and lost his life to his addiction. The bill would ensure the provision of notification to family members and next-of-kin when an individual is released from a sober living home, in order to prevent these tragedies and ensure a supportive environment when an addict needs it most.

The committee amended the bill to:

- eliminate all the provisions of the bill that are not related to next-of-kin notifications; and
- ensure the correct citation of federal law in association with the bill's provisions governing next-of-kin notifications.

As amended and reported by the committee, this bill is identical to A-3228 (2R) (Mukherji/Vainieri Huttle/Mosquera/Garcia), which the committee also reported favorably on this date.

Governor Chris Christie Takes Action On Pending Legislation From The 216th Legislative Session

Tuesday, January 19, 2016 Tags: [Weather](#)



Trenton, NJ – Furthering his administration's commitment to New Jersey's veterans and military personnel, Governor Chris Christie took action today on legislation from the 216th Legislative Session, including 11 legislative measures designed to assist both active military members and veterans, along with their families.

"From the very start of this administration, we have focused on serving the needs of our veterans and the men and women still in active duty, assisting them with everything from securing jobs to finding the proper health care and social services," said Governor Christie. "The bills I signed today continue to make good on our promise to help those who have given so much of themselves to defend and serve this nation find a seamless transition back to civilian life and receive a helping-hand, when needed, no matter how long after their discharge from the military."

The enacted legislation includes:

- **S-172/A-2276 (Whelan, Beach/DeAngelo, Quijano)** - Exempts disabled veterans and Purple Heart recipients from payment of municipal parking meter fees when their vehicles bear a disable veteran's or Purple Heart license plate or placard issued by New Jersey Motor Vehicle Commission
- **S-2972/A-4465 (Van Drew, Cruz-Perez/Andrzejczak, Tucker, Benson)** - Requires DMVA assist and mentor veterans through criminal justice system
- **A-1667/S-2155 (Johnson, DeAngelo, Andrzejczak, Mukherji, Pintor Marin/Van Drew, A.R. Bucco)** - Permits child whose parent or guardian is ordered into active military service to remain enrolled in school district where child's parent or guardian resided prior to active military service
- **A-2935/S-1325 (Andrzejczak, Lagana, Webber, Mosquera, Lampitt/Van Drew, A.R. Bucco)** - Authorizes property tax deferment for deployed military personnel
- **A-2299/S-239 (Andrzejczak, Benson/Van Drew, Stack)** - Requires municipalities to exempt 100% disabled veterans from construction permit surcharge fees for improvements to promote living unit accessibility; appropriates \$20,000 for municipal reimbursements
- **A-3552/S-2636 (Mazzeo, Andrzejczak, Mukherji, Benson/Beach, Van Drew)** - Creates financial planning assistance program for disabled veterans and their caregivers
- **A-3554/S-2606 (Mazzeo, Andrzejczak, Mukherji, Benson, Danielsen/Beach, Cruz-Perez)** - Increases income eligibility cap to receive respite care for certain veterans
- **AS for A-3750/S-2569 (Lampitt, Tucker, Andrzejczak, Singleton, Mosquera/Beach, Allen)** - Requires Adjutant General to create informational webpage for women veterans
- **A-4148/S-2731 (Andrzejczak, Benson/Van Drew, Beach)** - Provides an excused absence on Veterans Day for pupil who participates in certain activities for veterans or active duty members of United States Armed Forces or New Jersey National Guard

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- **A-4323/S-2952 (DeAngelo, Lagana, Muoio, Benson/Beach, Whelan)** - Expands timeframe for renewal of driver's license, registration, and inspection by military personnel and immediate family members under certain circumstances.
- **AJR-117/SJR-85 (Tucker, Holley, Vainieri Huttie/Beach, Whelan, Madden)** - Urges Congress to restore funding to Vets4Warriors veteran suicide hotline

The Governor also took the following action on other pending legislation:

BILL SIGNINGS:

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- **S-451/A-1103 (Ruiz, Allen/Vainieri Huttie, Singleton, Benson)** - Establishes Office of the Special Education Ombudsman in DOE
- **S-485/A-1976 (Cunningham, Ruiz/Lampitt, Mosquera, Quijano)** -Requires president of public institution of higher education to regularly report on-campus criminal and fire events to the institution's governing board
- **S-489/A-4926 (Cunningham, T. Kean/Diegnan, Mukherji, Benson)** - Authorizes institutions of higher education to grant college credit to high school students who complete the Jersey Boys State or Jersey Girls State program
- **S-832/A-2039 (Whelan, Beach/Moriarty, Stender, Garcia)** - Permits voter registration of certain persons at age 17 for voting at next election occurring on or after 18th birthday
- **S-1046/A-2721 (Turner, Scutari/Gusciora)** - Concerns alterations in child support obligations in response to changes to status of supported child
- **S-1184/A-1950 (Vitale, Beach/Conaway, Diegnan, Sumter, Danielsen)** - Revises requirements for licensure and creates physician-delegated scope of practice for physician assistants
- **S-1346wGR/A-3837 (Rice/Coughlin, Garcia, Rodriguez-Gregg, Pintor Marin, Jasey)** - Concerns the recording of mortgages
- **S-1447/A-2829 (Greenstein, Addiego/Johnson, Mainor, Rible, Quijano)** - Prohibits posting, publishing on the Internet, or disclosing certain information regarding law enforcement officers
- **S-1567/A-410 (A.R. Bucco, Van Drew/A.M. Bucco, Bramnick, Johnson, Quijano, Rumana)** - Establishes DOT roadside memorial program for fallen police officers, sheriff's officers, EMS workers, and firefighters; designated as "Patrolman Joseph Wargo's Law"
- **S-1687/A-4924 (Ruiz, Vitale/Diegnan, Eustace)** - Permits students made homeless by act of terrorism or natural disaster to attend tuition-free the school district in which they resided prior to being homeless for two school years after the event
- **S-2032wGR/A-3440 (Codey, Turner/Diegnan, Eustace)** - Requires DOE to review Core Curriculum Content Standards to ensure that they incorporate modern computer science standards where appropriate
- **S-2110/A-3343 (Oroho/Space, Vainieri Huttie, Schaer, Phoebus, Pinkin)** - Requires nursing homes to offer form designating beneficiary of personal needs allowance accounts from incoming and current residents

- **S-2201/A-3273 (O'Toole/Russo, Rumana, Casagrande)** - Authorizes youth camps to maintain supply of epinephrine and permit trained employees to administer epinephrine to camp members suffering from anaphylaxis
- **SCS for S-2251/A-3708 (Oroho, Barnes/Diegnan, Webber, Johnson, Space, Phoebus)** - Increases monetary amounts for transfer of estate assets without administration and for exemption from debts of the deceased
- **S-2260wGR/A-688 (Scutari, Cardinale/Schaer)** - Modifies certain fees charged by, and requirements imposed on, check casher licensees
- **S-2284wGR/A-3549 (Pou, Weinberg/Schaer, Vainieri Huttle, Webber, Singleton, Jimenez, Johnson, Bramnick)** - Requires Medicaid managed care organizations to meet certain conditions prior to reducing reimbursement rates for personal care assistant services and home-based supportive care services
- **S-2442/A-3891 (T. Kean, Sarlo/Bramnick, Rodriquez-Gregg, Johnson, Casagrande, Schepisi)** - Establishes NJ Innovation and Research Fellowship Program in DOLWD
- **S-2495/A-3868 (Codey, Rice/Conaway, Singleton, Eustace, Coughlin)** - Authorizes State-chartered banks, savings banks, savings and loans, and credit unions to conduct certain savings account promotions
- **S-2617/A-3944 (Cardinale/Garcia, McKeon, Auth, Eustace, Pinkin)** - Requires DEP to adopt regulations to allow cultivation of commercial shellfish species in certain coastal and inner harbor waters for research, educational, or restoration purposes; requires community engagement process for revision thereof
- **S-2627/A-3957 (Cardinale, Sacco/Schepisi, Auth, Eustace, Rumana, Johnson)** - Designates State Highway Route 17 in Borough of Ramsey as "Staff Sergeant Timothy R. McGill Memorial Highway"
- **S-2695/A-4110 (T. Kean, Sacco/Dancer, Benson, Jimenez, Johnson)** - Requires MVC conduct study and make recommendations concerning electronic driver's licenses and mobile applications
- **S-2741/A-4213 (Doherty/Vainieri Huttle, Webber)** - Permits unregulated solicitation to perform snow shoveling within 24 hours of predicted snowstorm
- **S-2787wGR/A-4273 (Sweeney/Singleton, Burzichelli, Giblin, Prieto, Wimberly)** - Establishes vocational training pilot program in DOC; provides for inmate compensation for education and workforce training participation
- **S-2880/A-4704 (Lesniak, T. Kean/Diegnan, Wisniewski)** - Provides up to \$25 million in tax credits under Economic Redevelopment and Growth Grant Program for certain infrastructure at Rutgers, the State University of New Jersey
- **S-2922/A-4925 (Ruiz, Turner/Diegnan, Jasey)** - Requires DOE on its website to link to Department of Treasury's website where list is maintained of all third party individuals and vendors employed or retained for work associated with State assessments
- **S-2923/A-4901 (Ruiz, Turner/Jasey, Caputo)** - Requires school district or charter school to provide notification to parent or guardian of enrolled student on upcoming administration of State assessments or commercially-developed standardized assessment
- **S-2960/A-4331 (Codey, Rice/Garcia, Vainieri Huttle, Danielsén, DeAngelo, Holley, Benson, Mukherji)** -

Establishes requirements for training programs for homemaker-home health aides in care of patients with Alzheimer's disease and related disorders

- **S-3019/A-4771 (Sweeney, Stack/Burzichelli, Muoio)** - Requires filing of financial agreement for long term tax exemption with county finance officer and counsel; requires quarterly payment of county share of payment in lieu of tax
- **S-3129/A-4728 (Madden, Cunningham/DeAngelo, Benson, Lampitt, Quijano)** - Directs DOLWD to provide information regarding employee leave and benefit rights
- **S-3168/A-4769 (Sweeney, O'Toole/Burzichelli)** - Limits increase in annual budget requests of certain county entities
- **S-3170/A-4768 (Pou, Bateman/Burzichelli)** - Requires county superintendent of elections to operate pursuant to county administrative code; subjects certain salary costs of office of county superintendent of elections to review and approval by county governing body
- **S-3171/A-4575 (Whelan, Oroho/Greenwald, Burzichelli)** - Creates definition of certified mail
- **S-3182/A-4690 (Ruiz, Pou/Pintor Marin, Spencer, Sumter)** - Delays certain documentation submission deadlines under certain business tax credit programs
- **S-3207/A-4714 (Vitale, T. Kean/Lampitt, Mosquera)** - Limits liability of caregivers when facilitating normalcy for children in foster care
- **S-3240/A-4878 (Lesniak, Allen/Spencer, Sumter, Holley, Eustace)** - Authorizes establishment of recovery high school alternative education programs
- **S-3242/A-4856 (Vitale, Sweeney/Vainieri Huttie)** - Clarifies best interests of the child should be primary consideration in actions undertaken by State governmental entities and courts of law
- **S-3243/A-4702 (Vitale, Greenstein/Vainieri Huttie, Spencer)** - Provides that if minor appears to have been sexually assaulted, health care professionals in addition to physicians may authorize forensic sexual assault examination and medical care without parental consent
- **S-3247/A-4928 (Ruiz, Pou/Sumter, Wimberly)** - Eliminates cap on cost of SDA district school facilities projects that may be constructed by district and included in capital outlay budget
- **S-3282wGR/A-4850 (Rice, Cunningham/Wimberly, Mainor, Johnson)** - Expands Police Training Commission membership to include representative from Northern New Jersey and South Jersey Chapters of National Organization of Black Law Enforcement Executives
- **S-3303/A-4469 (Whelan/Quijano, Mukherji, Jimenez)** - Makes fraudulent use of social security number to collect lottery winnings crime of fourth degree
- **S-3321/A-4927 (Smith, Van Drew, Bateman/Spencer, Rumana)** - Authorizes DEP to require public access to waterfront and adjacent shoreline as condition of waterfront development approvals and CAFRA permits

- **SJR-22/AJR-40 (Weinberg/Johnson, Vainieri Huttie)** - Designates January 14 of each year as "Hannah G. Solomon Day"
- **ACS for A-206, 471, 1663, 2879, 3060, 3108wGR/S-2663 (Green, Spencer, Gusciora, Johnson, McKeon, Giblin, Wimberly, Mainor, Quijano/Turner, Lesniak, Pou)** - Shortens waiting periods for expungement of criminal and other records and information; makes various changes to other expungement procedures and requirements
- **A-311/S-2426 (Bramnick, Diegnan, Wimberly, Gusciora/Ruiz, T. Kean)** - Requires public schools to weight courses in visual and performing arts equally with other courses worth same number of credits in calculating grade point average
- **ACS for A-428/S-393 (Jimenez, Prieto/Sacco, Sarlo)** - Expands DNA database to include samples from disorderly persons who are fingerprinted and permits law enforcement officers to collect certain biological samples
- **A-801wGR/S-861 (Coughlin, Wisniewski, Mazzeo/Vitale, Sacco)** - Directs New Jersey Turnpike Authority and South Jersey Transportation Authority to study and report on potential revenue generating services of rest areas and service plazas
- **A-984/S-1534 (Andrzejczak, Wimberly/Van Drew, Bateman)** - Enhances penalty for tampering with evidence after fleeing the scene of an accident resulting in death
- **A-1455/S-2011 (Diegnan, Mosquera, Caputo, Jasey, Mukherji/Madden, Holzapfel)** - Abigail's Law; requires that newly-manufactured school buses be equipped with sensors
- **A-1462/S-3288 (Diegnan, Wimberly/Gill)** - Requires coin redemption machine operators to disclose fees
- **A-1466 (Diegnan, O'Donnell, Mainor, Garcia)** - Allows for waiver of school bus requirements for mobility assistance vehicle technicians who transport students with medical needs to and from school
- **A-1726wGR/S-308 (Eustace, Lagana, Mosquera, Vainieri Huttie, Wimberly/Gordon)** - Amends "Flood Hazard Area Control Act" to require DEP to take certain actions concerning delineations of flood hazard areas and floodplains
- **A-1812/S-2717 (Mosquera, Mazzeo, Andrzejczak/Cruz-Perez, Oroho, Jones)** - Extends protections of the new vehicle "lemon law" to new farm tractors purchased or leased in New Jersey
- **A-1958/S-1848 (Allen, Van Drew)** - Concerns exemptions from permits for certain agricultural activities under "Freshwater Wetlands Protection Act"
- **A-2597/S-2161 (Singleton, Diegnan, DiMaio/Ruiz, Beach)** - Provides that beginning with the 2016-2017 grade nine class, Advanced Placement computer science course may satisfy a part of the mathematics credits required for high school graduation
- **A-2839/S-2620 (Burzichelli, Space, Phoebus/Oroho, Turner)** - "New Jersey Rural Microenterprise Act"
- **A-2915/S-2035 (Lagana, McKeon, Ciattarelli/Bateman, Barnes)** - "Uniform Trust Code"

- **A-2943/S-1312 (Andrzejczak, DeAngelo, Mazzeo, Quijano, Danielsen/Van Drew, Allen)** - Provides for voluntary contributions by taxpayers on gross income tax returns for active duty members of United States Armed Forces, Reserve components thereof, and National Guard from New Jersey

- **A-3006/S-3272 (Conaway, Singleton, Eustace, DiMaio, Danielsen/Beach, Turner)** - Establishes procedure for consolidating fire districts

- **A-3019/S-1978 (Singleton, Conaway, Andrzejczak, Mazzeo, Garcia, Mosquera/Van Drew, Beach)** - Requires State Employment and Training Commission to prepare annual report on State workforce

- **A-3043/S-1943 (Space, DeAngelo, Egan, Phoebus, Moriarty/Oroho, Van Drew)** - Concerns authority of DOLWD to inspect prevailing wage public work projects

- **A-3044/S-1944 (Space, DeAngelo, Egan, Phoebus, Moriarty/Oroho, Van Drew)**
Requires Commissioner of DOLWD to disseminate certain information to contractors who bid on or perform prevailing wage public work

- **A-3225/S-2333 (Singleton, Rible, Lampitt, Quijano, Pintor Marin, Jimenez/Sweeney)** - Provides for licensure of chiropractic assistants

- **A-3228/S-2499 (Mukherji, Vainieri Huttie, Mosquera, Garcia/Turner)** - Requires sober living homes and other substance abuse aftercare treatment facilities to provide certain notifications to next-of-kin when patient is released from care; designated as "Nick Rohdes' Law"
- **A-3257wGR/S-2125 (Andrzejczak, Mazzeo, Burzichelli/Van Drew)** - Provides that determination by county agriculture development board or State Agriculture Development Committee as to what qualifies as farm-based recreational activity in pinelands protection area is binding on Pinelands Commission

- **A-3276/S-2248 (Mazzeo/Whelan)** - "Mainland Memoriam Act"; directs MVC to create graduated driver's license informational material to be distributed by motor vehicle dealers

- **A-3435wGR/S-2503 (Garcia, Mukherji, Vainieri Huttie, Mainor, Eustace, Mosquera/Stack, Gordon)** - "Boys & Girls Clubs Keystone Law"; permits minors to give consent for behavioral health care

- **A-3850/S-2467 (DeAngelo, Eustace, Mazzeo, Pintor Marin, Benson/Turner, Singer)** - Requires BPU to establish procedures allowing electric power and gas supplier customers to switch energy suppliers

- **A-3927/S-2820 (Andrzejczak, Mazzeo, Taliaferro, Dancer/Van Drew, Oroho)** - Requires drivers to slow down before passing slow moving vehicles; establishes Statewide educational campaign on rural roadway safety; updates agriculture-related motor vehicle laws to reflect current industry practices

- **A-3955/S-2644 (Conaway, Benson, Vainieri Huttie, Munoz, Sumter, Mukherji/Vitale, Codey)** - Requires development and maintenance of database to advise public about open bed availability in residential substance use disorders treatment facilities

- **A-4098/S-2877 (Pinkin, Sumter, Benson/Codey, Greenstein)** - Prohibits sale or distribution of liquid nicotine except in child-resistant containers

- **A-4105/S-2977 (Garcia, Mainor, Mukherji, O'Donnell, Sumter, Rible, A.M. Bucco/Greenstein, Cunningham)** - Expands scope of law governing registration of security guards; designated as "Detective Vincent Santiago's Law"
- **A-4133/S-2997 (Giblin, Pinkin/Cruz-Perez, Allen)** - Allows dispensation of certain nutritional supplements by physician or podiatric physician
- **A-4275wGR/S-2831 (Prieto, Eustace, Lagana, Greenwald, Quijano, Danielsen, Mukherji/Sweeney, Turner, Sarlo)** - "New Jersey Secure Choice Saving Program Act"; establishes retirement savings program for certain workers
- **A-4386wGR/S-3042 (Coughlin, Pinkin, Vitale, Singer)** - Permits candidates for school board to circulate petitions jointly and be bracketed together on ballot; permits short nonpolitical designation of principles on petitions and ballots; provides for study of impact of changes
- **A-4387/S-3016 (Coughlin, Wisniewski, Wimberly/Vitale)** - Requires MVC to allow submission of "Next-of-Kin Registry" information by mail
- **A-4388/S-3041 (Coughlin, Wisniewski/Vitale)** - Designates State Highway 184 in Woodbridge Township as "Bruce Turcotte Memorial Highway"
- **A-4415/S-3279 (Diegnan, Garcia, Pinkin/Turner, Ruiz)** - Establishes State Seal of Biliteracy to recognize high school graduates who have attained a high level of bilingual proficiency
- **A-4420/S-3056 (Mazzeo, Vainieri Huttie, DeAngelo, Lampitt/Gordon, Greenstein)** - Requires certain notifications for termination of services to persons with developmental disabilities and providers
- **A-4476wGR/S-2876 (Conaway/Codey)** - Requires certain surgical practices and ambulatory care facilities licensed in this State to be owned by hospital or medical school located in the State
- **A-4719/S-3250 (Moriarty, Mosquera, Vainieri Huttie, DeAngelo, Diegnan, Mukherji/Cruz-Perez, Ruiz)** - Extends use of stored driver's license picture for person undergoing chemotherapy or other treatment for certain medical illnesses
- **CC for A-4863/S-3233 (A.M. Bucco, Phoebus, Munoz, Wisniewski, Oliver/A.R. Bucco)** - Requires warning sign to be posted at pontoon boat rental businesses; designated as "Christopher's Law"
- **AJR-112/SJR-86 (Conaway/Weinberg)** - Designates May of each year as "Cystic Fibrosis Awareness Month"

BILLS POCKET VETOED:

- **S-221/A-4155 (Allen, Vitale/Vainieri Huttie, Sumter, Lampitt)** - Prohibits the restraint of prisoners during and immediately after childbirth
- **S-316/A-1739 (Gordon/Eustace, Ciattarelli, Lagana, Gusciora)** - Increases flexibility, clarity, and available tools of optional municipal consolidation process
- **S-564/A-4186 (Smith, Bateman/Eustace, McKeon, Spencer, Benson)** - Establishes "Solar Roof Installation Warranty Program" in EDA and transfers \$2 million from societal benefits charge to initially fund program

- **S-602/A-3254 (Codey, Vitale/Vainieri Huttle, Angelini, Lampitt, Diegnan, Jasey, Conaway, Moriarty)** - Raises minimum age for purchase and sale of tobacco products and electronic smoking devices from 19 to 21
- **SCS for S-726, 1257/ACS for A-1405 (Turner, Cruz-Perez, Beach, T. Kean/Lampitt, Egan, Quijano, Sumter, Danielsén)** - Establishes innovation zone program to stimulate technology industry clusters around New Jersey's research institutions; allows certain technology businesses located in certain innovation zones to receive certain tax credits under Grow New Jersey Assistance Program
- **S-1232/A-3314 (Weinberg, Pennacchio/Johnson, Greenwald, Wimberly, Mosquera)** - Establishes Office of State Dental Director and New Jersey Oral Health Commission
- **S-1279/A-2325 (Rice, Van Drew/Spencer, Muoio, Benson, Pintor Marin)** - Makes FY 2016 supplemental Grants-in-Aid appropriation of \$10 million to DCA for Lead Hazard Control Assistance Fund
- **S-1414/A-2405 (Smith, Bateman/Eustace, Benson, Johnson)** - Concerns low emission and zero emission vehicles; establishes Clean Vehicle Task Force
- **SCS for S-1420/ACS for A-1603 (Beach, Whelan, Smith, Sweeney, Bateman, Thompson/Spencer, Eustace, Quijano, Wimberly)** - Requires paint producers to implement or participate in paint stewardship program
- **S-1436/A-4687 (Rice/Green, Holley)** - Exempts sales to homeowner assistance and recovery programs from realty transfer fees
- **S-1594/A-4044 (Turner/Peterson, Lagana, Rible, Jasey, Wimberly)** - Requires a public school district to provide a daily recess period for students in grades kindergarten through 5
- **S-1961/A-4111 (Codey/McKeon, Jasey, Vainieri Huttle, Garcia)** - Establishes certain minimum and maximum temperatures in emergency shelters, rooming and boarding houses, and certain nursing homes and residential health care facilities
- **S-2143/ACS for A-1682, 3547 (Van Drew, Singer/Wisniewski, Andrzejczak, Webber)** - Establishes time periods for adverse possession of certain property
- **S-2375/A-3700 (Vitale, Singer/Mazzeo, Vainieri Huttle, Lagana, Sumter, A.M. Bucco)** - Provides for licensure of ambulatory care facilities to provide integrated primary care services including behavioral health care
- **S-2491/A-4069 (Smith/Danielsen, Pinkin, Benson)** - Establishes position of State Oceanographer
- **S-2515/A-3269 (Scutari/Mukherji, Burzichelli, McKeon, Garcia)** - Confers title of Acting Associate Justice of the Supreme Court on certain judges of the Superior Court, Appellate Division, temporarily assigned to the Supreme Court
- **SCS for S-2521/ACS for A-3888 (Gill, Allen/Lampitt, Benson, Vainieri Huttle, Eustace)** - Establishes Pedestrian and Bicycle Safety Advisory Council
- **S-2623/A-4849 (Turner/Wimberly, Mainor, Johnson)** - Requires law enforcement agencies in this State to establish minority recruitment and selection programs; establishes reporting requirement

- **S-2640/A-4026 (Madden, Pou/Lampitt, Mosquera, Vainieri Huttie)** - Establishes New Jersey Caregiver Task Force to evaluate and provide recommendations on caregiver support services
- **S-2711/A-4128 (Smith, Whelan/Mazzeo, DeAngelo, Spencer, Singleton, McKeon, Daniels, Johnson)** - Permits BPU to approve qualified wind energy project; requires BPU to provide application periods for those projects
- **S-2716/A-4359 (Ruiz, Turner/Pintor Marin, Spencer, Sumter, Caride)** - Requires that school district's request for permission to use unrecognized position title include list of abolished positions and positions in which there have been layoffs and detailed job descriptions for them
- **S-2769/AS for ACS for A-4197, 4206 (Smith, Bateman/Andrzejczak, McKeon, Spencer, Pintor Marin, Dancer, Vainieri Huttie)** - Implements 2014 constitutional dedication of CBT revenues for certain environmental purposes; revises State's open space, farmland, and historic preservation programs
- **S-2793/A-3962 (Whelan/Vainieri Huttie)** - Increases from 17 to 21 public members of New Jersey State Council on the Arts; requires members to be residents of NJ; imposes specific criteria for four new members initially appointed
- **S-2806/A-4913 (Cunningham, Vitale, Singer/Muoio, Spencer)** - Removes restrictions on convicted drug offenders receiving general assistance benefits under Work First New Jersey program
- **S-2878/A-4636 (Stack, Weinberg/Jimenez, Lagana, Mukherji, Vainieri Huttie, Giblin, Moriarty)** - Establishes minimum certified nurse aide-to-resident ratios in nursing homes
- **S-2975/A-4548 (Sarlo, Pou/Wimberly)** - Establishes pilot program in Paterson authorizing non-disclosure of records of certain expungements
- **S-3067/A-4653 (Barnes, Turner/Diegnan, Oliver)** - Requires teachers of health and physical education in grades kindergarten through six in public schools to possess appropriate endorsement to instructional certificate
- **S-3071/A-4639 (Weinberg, Gordon/Vainieri Huttie, Garcia, Eustace, Johnson)**
Establishes Mike Adler Aphasia Task Force to assess needs of persons with aphasia, and their families, and ensure adequate provision of support services and information thereto
- **S-3201/A-3607 (Barnes, Holzapfel/Dancer, McGuckin, Rible, A.M. Bucco)** - Requires interior light of motor vehicle be turned on when stopped by law enforcement under certain circumstances
- **S-3244/A-2740 (Ruiz, Sarlo/Diegnan, Johnson, Jasey)** - Eliminates school district budget per pupil administrative cost limits
- **S-3249/A-4717 (Weinberg, Codey/Johnson, Vainieri Huttie, Eustace, Garcia)** - Requires firearm retailers to sell personalized handguns
- **S-3277/A-4764 (Cruz-Perez/Burzichelli)** - Expands municipal authority to license and inspect residential rental property
- **S-3299/A-4903 (Sweeney, Singer, Vitale/Burzichelli, Rible, Pintor Marin, Mukherji, Lagana, Vainieri Huttie)** -

Maintains property tax exemption for certain nonprofit hospitals with on-site for-profit medical providers; requires these hospitals to pay community service contributions to host municipalities; establishes Nonprofit Hospital Community Service Contribution Study Commission

- **S-3416/A-4808 (Lesniak, Sarlo/Eustace, Gusciora)** - Prohibits possession, transport, import, export, processing, sale, or shipment of parts and products of certain animal species threatened with extinction
- **SJR-77/A-JR104 (Bateman, Whelan/Ciattarelli, McKeon, Eustace)** - Permits county commissioners of registration and boards of election to conduct "Electronic Poll Book Demonstration Project" in certain districts during 2016 elections; requires Division of Elections review and approval of proposed projects
- **A-431/S-2773 (Jimenez/Singer)** - Requires clinical laboratory that provides services for accountable care organization to establish clinical laboratory testing advisory board
- **A-943/S-2967 (Singleton, Conaway, Moriarty, Green, Lampitt, Mazzeo/Van Drew)** - Permits small businesses to qualify for loans from NJEDA for costs of energy audit and making energy efficiency or conservation improvements
- **A-945/S-2402 (Singleton, Lampitt, Schaer, Wimberly, Garcia/Rice, Turner)** - Establishes New Jersey Council on Responsible Fatherhood and Responsible Fatherhood Fund
- **A-964/S-187 (Singleton, DeAngelo, Quijano, Coughlin, Moriarty/Whelan, Madden)** - Requires certain bidders for prevailing wage public work to provide proof that the prevailing wage will be paid
- **A-986/S-247 (Andrzejczak, Benson, Danielsen, Moriarty/Van Drew, Cunningham)** - Establishes telemarketing fraud investigation unit
- **A-1035/S-2040 (Benson, Rible, A.M. Bucco/Scutari, Cardinale)** - Prohibits health insurance carriers from requiring optometrists to become providers with vision care plans as condition of becoming providers in carriers' panel of providers
- **A-1039/S-2310 (Benson, Prieto, Caride, Quijano/Sacco, Greenstein)** - Sets forth certain standards to be followed by law enforcement agencies and fire departments when utilizing drones
- **A-1431/S-1501 (Caride, Singleton, Jasey/Bateman, Addiego)** - Requires State Board of Education regulations regarding school nurse certification to include certain minimum eligibility requirements
- **A-1849/S-1766 (Lampitt, Spencer/Rice)** - Prohibits State Board of Education from limiting number of certain two-year college credits that may be applied towards meeting teacher certification requirements
- **A-2026/S-3317 (Greenwald, Pintor Marin/Sweeney, Oroho)** - Realigning the transfer inheritance tax payment due date to coincide with the payment due dates for State and federal estate taxes
- **A-2583 (DeAngelo, Pintor Marin)** - Requires development of fact sheet about bedbugs to be posted on the Department of Education's website
- **A-2586/S-1796 (DeAngelo, Quijano, Benson/Greenstein)** - Establishes "Energy Infrastructure Study Commission"

- **A-2925/S-1033 (Lagana, O'Scanlon, Burzichelli, Garcia/Weinberg, Oroho, Van Drew)** - Allows modernization for the form of disbursement for certain State government and local unit payments to individuals and business entities
- **A-3460/S-2191 (Conaway, Pinkin, Sumter, Casagrande, Wimberly/Vitale, Cruz-Perez)** - Requires Medicaid coverage for diabetes self-management education, training, services, and equipment for patients diagnosed with diabetes, gestational diabetes, and pre-diabetes
- **A-3806/S-2493 (Singleton, Dancer, Mosquera, Benson/Sweeney, Weinberg)** - Establishes four-year pilot program in Ocean County for electronic monitoring of certain domestic violence offenders; designated as "Lisa's Law"; appropriates \$2.5 million
- **A-4182/S-1995 (Eustace, Sumter, Wimberly, Danielsen, Jimenez/Bateman, Smith)** - Prohibits firearm possession by persons convicted of carjacking, gang criminality, racketeering and terroristic threats
- **A-4271/S-3036 (Conaway, Benson, Pinkin, Wimberly/Vitale, Greenstein)** - Mandates health benefits coverage for opioid analgesics with abuse-deterrent properties
- **A-4343/S-2888 (Schaer, Prieto, Sumter, Danielsen, Johnson/Turner)** - Requires county and municipal police departments to establish cultural diversity training course and plan
- **A-4384/S-3145 (DeAngelo, Pintor Marin, Danielsen, Schaer, Johnson/Whelan)** - Requires BPU to render decision on case within 12 months of final public hearing or hold another public hearing prior to deciding case
- **ACS for A-4576/S-1771 (Johnson, Wimberly, Spencer, Tucker/Turner)** - Requires lowest possible price not exceeding certain cap for inmate telephone calls
- **A-4616/S-2958 (Giblin, DeAngelo, Mukherji/Sweeney)** - Extends by two months seasonal retail consumption alcoholic beverage license
- **A-4652/S-3065 (Benson/Gordon)** - Requires Public Health Counsel to promulgate rules and regulations for use of quality control programs in bio-analytical and clinical laboratories
- **A-4763/SS for SCS for S-2973 (McKeon, Spencer, Pinkin/Smith, Bateman, Greenstein, Codey)** - Revises "Electronic Waste Management Act"
- **A-4772/S-3169 (Burzichelli/Weinberg)** - Permits counties to impose one-percent hotel tax
- **A-4773/S-3146 (Eustace, Garcia, Gusciora/Lesniak)** - Prohibits possession and transport of parts and products of certain animals at PANYNJ airports and port facilities
- **A-4918/S-3301 (Gusciora, S. Kean/Sweeney, Singer)** - Clarifies stadiums and arenas owned by local government entities are exempt from property taxation
- **A-4931/S-3325 (Mazzeo/Sweeney)** - Revises "Casino Property Tax Stabilization Act"

• **NO ACTION TAKEN ON BILLS:**

• **A-3981wGR/S-2572 (Mazzeo, Burzichelli, Andrzejczak/Sweeney, Whelan)** - "Casino Property Taxation Stabilization Act"

• **A-3984wGR/S-2575 (Mazzeo, Burzichelli, Giblin/Sweeney, Whelan)** - Reallocates casino investment alternative tax to Atlantic City to pay debt service on municipal bonds issued

• **A-3985wGR/S-2576 (Mazzeo, Burzichelli, Andrzejczak, Giblin/Sweeney, Whelan)** - Removes provisions of law relating to Atlantic City Alliance

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