

L2021c230:6D-27.4
LEGISLATIVE HISTORY CHECKLIST
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LAWS OF: 2021 **CHAPTER:** 292

NJSA: 30:6D-27.4 (Requires Department of Human Services to develop public emergency response plan for licensed providers of services to individuals with developmental disabilities.)

BILL NO: A4138 (Substituted for S2701)

SPONSOR(S) Vainieri Huttle, Valerie and others

DATE INTRODUCED: 5/11/2020

COMMITTEE: **ASSEMBLY:** Human Services

SENATE: Health, Human Services & Senior Citizens

AMENDED DURING PASSAGE: Yes

DATE OF PASSAGE: **ASSEMBLY:** 7/30/2020

SENATE: 6/3/2021

DATE OF APPROVAL: 11/8/2021

FOLLOWING ARE ATTACHED IF AVAILABLE:

FINAL TEXT OF BILL (First Reprint enacted) Yes

A4138

INTRODUCED BILL (INCLUDES SPONSOR'S STATEMENT): Yes

COMMITTEE STATEMENT: **ASSEMBLY:** Yes

SENATE: Yes

(Audio archived recordings of the committee meetings, corresponding to the date of the committee statement, *may possibly* be found at www.njleg.state.nj.us)

FLOOR AMENDMENT STATEMENT: No

LEGISLATIVE FISCAL ESTIMATE: No

S2701

INTRODUCED BILL (INCLUDES SPONSOR'S STATEMENT): Yes

COMMITTEE STATEMENT: **ASSEMBLY:** No

SENATE: Yes

(Audio archived recordings of the committee meetings, corresponding to the date of the committee statement, *may possibly* be found at www.njleg.state.nj.us)

FLOOR AMENDMENT STATEMENT: No

LEGISLATIVE FISCAL ESTIMATE:

No

VETO MESSAGE:

No

GOVERNOR'S PRESS RELEASE ON SIGNING:

Yes

FOLLOWING WERE PRINTED:

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REPORTS:

No

HEARINGS:

Yes

Committee meeting of Assembly Human Services Committee: "the Committee will receive testimony from invited guests concerning the impact of COVID-19 on group homes, developmental centers, and community-based residential programs. The Committee will discuss the challenges that the residents and staff of these facilities have encountered as a result of COVID-19, such as PPE supply, availability of testing, mental health services, and support for Direct Support Professionals"; the following bills were considered: Assembly Bill 4138, Assembly Bill 4239

June 25, 2020.

Library call number: 974.90 H34, 2020r

Available online at <https://hdl.handle.net/10929/57792>

Committee meeting of Assembly Human Services Committee : the Committee will hear testimony from invited guests on the issue of abuse and neglect of individuals with disabilities in group homes and other congregate care facilities; to understand the magnitude of this problem and the barriers to safety and healing survivors with disabilities face, the Committee will invite survivors or their family members to share their experiences; the Committee will also hear from the Department of Children and Families (DCF) and the Division of Developmental Disabilities (DDD), as well as from operators of congregate care settings, on what is currently being done to provide adequate protection for all individuals; national experts and advocates will provide testimony on prevention strategies recommendations and steps to improve the effectiveness of the response to the abuse and neglect of individuals with disabilities

October 22, 2020

Library call number: 974.90 H236, 2020a

Available online at <https://hdl.handle.net/10929/68708>

NEWSPAPER ARTICLES:

No

P.L. 2021, CHAPTER 292, *approved November 8, 2021*
 Assembly, No. 4138 (*First Reprint*)

1 AN ACT concerning the development of a public emergency
 2 response plan for providers of services to individuals with
 3 developmental disabilities and supplementing Title 30 of the
 4 Revised Statutes.

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

8
 9 1. a. As used in this section:

10 ¹**["Commissioner"** means the Commissioner of Human Services.

11 "Assistant commissioner" means the Assistant Commissioner of
 12 the Division of Developmental Disabilities in the Department of
 13 Human Services.]

14 "Client" means an individual with a developmental disability
 15 who receives services from the department or any licensed service
 16 provider.¹

17 "Department" means the Department of Human Services.

18 ¹**["Division"** means the Division of Developmental Disabilities
 19 in the Department of Human Services.

20 "Patient" means a person with developmental disabilities who
 21 receives services from the department or any service provider or
 22 facility]

23 "Licensed service provider" means a person or entity that is
 24 licensed, certified, or otherwise authorized by the department to
 25 provide services to individuals with developmental disabilities in
 26 the State¹.

27 "Public emergency" means an environmental, public health, or
 28 public safety emergency that is occurring in New Jersey or in one or
 29 more counties, regions, or other parts of the State, and which is
 30 officially recognized and declared as an emergency by the Governor
 31 of New Jersey or by the President of the United States.

32 ¹**["Relevant service provider or facility"** means any person or
 33 entity that is licensed, certified, or otherwise authorized by the
 34 division to provide services to individuals with developmental
 35 disabilities or their families in the State.

36 "Relevant services" or "services" means services that are
 37 provided to individuals with developmental disabilities or their
 38 families.]¹

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 June 25, 2020.

1 b. The ¹~~assistant commissioner of the division~~ Department
2 of Human Services¹, in consultation with the ¹~~commissioner, the~~
3 ~~Commissioner~~ Department¹ of Health, ¹~~the Ombudsman for~~
4 Individuals with Intellectual or Developmental Disabilities and
5 Their Families, licensed service providers,¹ and the ¹~~Director of~~
6 ~~the~~¹ State Office of Emergency Management in the Department of
7 Law and Public Safety, shall develop and oversee the
8 implementation of a public emergency response plan for
9 ¹~~relevant~~ licensed¹ service providers ¹~~and facilities~~¹ in the
10 State. At a minimum, the public emergency response plan shall:

11 (1) establish guidelines and best practices for ¹~~the general and~~
12 specific¹ operations, activities, and procedures that are to be
13 undertaken or implemented by ¹~~relevant~~ licensed¹ service
14 providers ¹~~and facilities~~¹ during a ¹~~time of~~¹ public
15 emergency¹, including, but not limited to, guidelines and best
16 practices governing the general operation of relevant facilities and
17 the actions that are to be undertaken by staff, visitors, and patients
18 in association with the provision or receipt of services during a
19 public emergency¹;

20 (2) ¹~~to the extent feasible,~~¹ identify the means, methods, and
21 channels through which ¹~~relevant~~ licensed¹ service providers
22 ¹~~and facilities will be able to~~ may¹ obtain personal protective
23 equipment (PPE) ¹, electronic communications equipment, and
24 other resources deemed by the division to be necessary for those
25 providers and facilities to continue to operate and provide services
26 in a safe manner that is conducive to the health, security, and well-
27 being of patients, staff, and visitors] and other equipment or
28 services that are critical to the maintenance of ongoing¹
29 operations¹ during the course of a public emergency; ¹~~and~~¹

30 (3) address various possible public emergency scenarios and
31 provide for the application of differing standards and best practices
32 under paragraph (1) of this subsection and the use of differing
33 sourcing methods pursuant to paragraph (2) of this subsection for
34 different types of public emergency, as appropriate, while
35 highlighting the standards, best practices, and resource sourcing
36 methods that are applicable for the purposes of any currently
37 declared public emergency ¹; and

38 (4) be consistent with, and incorporate, any relevant guidance
39 that is published by the U.S. Department of Health and Human
40 Services, the federal Centers for Disease Control and Prevention,
41 and any other federal agencies that are involved in the remediation
42 of public emergencies¹.

43 c. The ¹~~division~~ department¹ shall:

44 (1) prepare a public emergency response plan, as required by
45 this section, within ¹~~30~~ 60¹ days after the enactment of this act;

1 (2) review and revise the plan: (a) on at least a biennial basis
2 after the plan's initial preparation under paragraph (1) of this
3 subsection; and (b) ~~["immediately upon"]~~ as soon as is possible
4 following¹ the declaration of any new public emergency in the
5 State; and

6 (3) ~~["provide a copy of"]~~ post, at a publicly accessible location
7 on the department's Internet website,¹ the initial response plan
8 developed under paragraph (1) of this subsection and ~~["a copy of"]~~¹
9 any revised response plan developed under paragraph (2) of this
10 subsection ~~["to the Commissioner of Health, the Commissioner of~~
11 ~~Human Services, the chairs of the Assembly Human Services~~
12 ~~Committee and the Senate Health, Human Services and Senior~~
13 ~~Citizens Committee, or their successor committees, and all relevant~~
14 ~~service providers and facilities, within 10 days after completion~~
15 ~~thereof.~~

16 d. An updated copy of the response plan prepared pursuant to
17 subsection c. of this section shall be posted on the Internet websites
18 of the department, the division, and the Department of Health~~"]~~¹.

19

20 2. This act shall take effect immediately.

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23

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25 _____
26 Requires Department of Human Services to develop public
27 emergency response plan for licensed providers of services to
individuals with developmental disabilities.

ASSEMBLY, No. 4138

STATE OF NEW JERSEY 219th LEGISLATURE

INTRODUCED MAY 11, 2020

Sponsored by:

Assemblywoman VALERIE VAINIERI HUTTLE

District 37 (Bergen)

Assemblyman DANIEL R. BENSON

District 14 (Mercer and Middlesex)

Assemblyman THOMAS P. GIBLIN

District 34 (Essex and Passaic)

SYNOPSIS

Requires Division of Developmental Disabilities to develop public emergency response plan for service providers and facilities serving individuals with developmental disabilities.

CURRENT VERSION OF TEXT

As introduced.



(Sponsorship Updated As Of: 5/28/2020)

1 AN ACT concerning the development of a public emergency
2 response plan for providers of services to individuals with
3 developmental disabilities and supplementing Title 30 of the
4 Revised Statutes.

5

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

8

9 1. a. As used in this section:

10 “Commissioner” means the Commissioner of Human Services.

11 “Assistant commissioner” means the Assistant Commissioner of
12 the Division of Developmental Disabilities in the Department of
13 Human Services.

14 “Department” means the Department of Human Services.

15 “Division” means the Division of Developmental Disabilities in
16 the Department of Human Services.

17 “Patient” means a person with developmental disabilities who
18 receives services from the division or any relevant service provider
19 or facility.

20 “Public emergency” means an environmental, public health, or
21 public safety emergency that is occurring in New Jersey or in one or
22 more counties, regions, or other parts of the State, and which is
23 officially recognized and declared as an emergency by the Governor
24 of New Jersey or by the President of the United States.

25 “Relevant service provider or facility” means any person or
26 entity that is licensed, certified, or otherwise authorized by the
27 division to provide services to individuals with developmental
28 disabilities or their families in the State.

29 “Relevant services” or “services” means services that are
30 provided to individuals with developmental disabilities or their
31 families.

32 b. The assistant commissioner of the division, in consultation
33 with the commissioner, the Commissioner of Health, and the
34 Director of the State Office of Emergency Management in the
35 Department of Law and Public Safety, shall develop and oversee
36 the implementation of a public emergency response plan for
37 relevant service providers and facilities in the State. At a minimum,
38 the public emergency response plan shall:

39 (1) establish guidelines and best practices for operations,
40 activities, and procedures that are to be undertaken or implemented
41 by relevant service providers and facilities during a time of public
42 emergency, including, but not limited to, guidelines and best
43 practices governing the general operation of relevant facilities and
44 the actions that are to be undertaken by staff, visitors, and patients
45 in association with the provision or receipt of services during a time
46 of public emergency;

47 (2) identify the means, methods, and channels through which
48 relevant service providers and facilities will be able to obtain

1 personal protective equipment (PPE), electronic communications
2 equipment, and other resources deemed by the division to be
3 necessary for those providers and facilities to continue to operate
4 and provide services in a safe manner that is conducive to the
5 health, security, and well-being of patients, staff, and visitors during
6 the course of a public emergency; and

7 (3) address various possible public emergency scenarios and
8 provide for the application of differing standards and best practices
9 under paragraph (1) of this subsection and the use of differing
10 sourcing methods pursuant to paragraph (2) of this subsection for
11 different types of public emergency, as appropriate, while
12 highlighting the standards, best practices, and resource sourcing
13 methods that are applicable for the purposes of any currently
14 declared public emergency.

15 c. The division shall:

16 (1) prepare a public emergency response plan, as required by
17 this section, within 30 days after the enactment of this act;

18 (2) review and revise the plan: (a) on at least a biennial basis
19 after the plan's initial preparation under paragraph (1) of this
20 subsection; and (b) immediately upon the declaration of any new
21 public emergency in the State; and

22 (3) provide a copy of the initial response plan developed under
23 paragraph (1) of this subsection and a copy of any revised response
24 plan developed under paragraph (2) of this subsection to the
25 Commissioner of Health, the Commissioner of Human Services, the
26 chairs of the Assembly Human Services Committee and the Senate
27 Health, Human Services and Senior Citizens Committee, or their
28 successor committees, and all relevant service providers and
29 facilities, within 10 days after completion thereof.

30 d. An updated copy of the response plan prepared pursuant to
31 subsection c. of this section shall be posted on the Internet websites
32 of the department, the division, and the Department of Health.

33

34 2. This act shall take effect immediately.

35

36

37

STATEMENT

38

39 This bill would require the Assistant Commissioner of the
40 Division of Developmental Disabilities (DDD) in the Department of
41 Human Services (DHS), in consultation with the Commissioners of
42 Human Services and Health and the Director of the State Office of
43 Emergency Management in the Department of Law and Public
44 Safety, to develop and oversee the implementation of a public
45 emergency response plan for service providers and facilities in the
46 State that provide services to individuals with developmental
47 disabilities and their families. At a minimum, the public emergency
48 response plan is to:

1 1) establish guidelines and best practices for operations,
2 activities, and procedures that are to be undertaken or implemented
3 by relevant service providers and facilities during a time of public
4 emergency, including, but not limited to, guidelines and best
5 practices governing the general operation of relevant facilities and
6 the actions that are to be undertaken by staff, visitors, and patients
7 in association with the provision or receipt of services during a time
8 of public emergency;

9 2) identify the means, methods, and channels through which
10 relevant service providers and facilities will be able to obtain
11 personal protective equipment (PPE), electronic communications
12 equipment, and other resources deemed by the division to be
13 necessary for those providers and facilities to continue to operate
14 and provide services in a safe manner that is conducive to the
15 health, security, and well-being of patients, staff, and visitors during
16 the course of a public emergency; and

17 3) address various possible public emergency scenarios and
18 provide for the application of differing standards and best practices
19 and the use of differing resource sourcing methods, as appropriate,
20 for different types of public emergency, while highlighting the
21 standards, best practices, and sourcing methods that are applicable
22 for the purposes of any currently declared public emergency.

23 The division will be required to: 1) prepare a public emergency
24 response plan, as required by the bill, within 30 days after the date
25 of the bill's enactment; 2) review and revise the plan on at least a
26 biennial basis after the plan's initial preparation and immediately
27 upon the declaration of any new public emergency in the State; and
28 3) provide a copy of the initial response plan and any revised
29 response plan to the Commissioners of Human Services and Health,
30 the chairs of the Assembly Human Services Committee and the
31 Senate Health, Human Services and Senior Citizens Committee, or
32 their successor committees, and all relevant service providers and
33 facilities, within 10 days after completion thereof.

34 An updated copy of the response plan is to be posted on the
35 Internet websites of the DDD, DHS, and the Department of Health.

ASSEMBLY HUMAN SERVICES COMMITTEE

STATEMENT TO

ASSEMBLY, No. 4138

with committee amendments

STATE OF NEW JERSEY

DATED: JUNE 25, 2020

The Assembly Human Services Committee favorably reports, with committee amendments, Assembly Bill No. 4138.

As amended by the committee, this bill would require the Department of Human Services (DHS) to develop and oversee the implementation of a public emergency response plan for persons and entities that are licensed to provide services to individuals with developmental disabilities (“licensed service providers”). The department will be required to develop the plan in consultation with the Department of Health (DOH), the Ombudsman for Individuals with Intellectual or Developmental Disabilities and Their Families, licensed service providers, and the State Office of Emergency Management in the Department of Law and Public Safety.

At a minimum, the public emergency response plan is to:

1) establish guidelines and best practices for the general and specific operations, activities, and procedures that are to be undertaken or implemented by licensed service providers during a public emergency;

2) to the extent feasible, identify the means, methods, and channels through which relevant service providers and facilities will be able to obtain personal protective equipment (PPE) and other equipment or services that are critical to the maintenance of ongoing operations during the course of a public emergency;

3) address various possible public emergency scenarios and provide for the application of differing standards and best practices and the use of differing resource sourcing methods, as appropriate, for different types of public emergency, while highlighting the standards, best practices, and sourcing methods that are applicable for the purposes of any currently declared public emergency; and

4) be consistent with, and incorporate, any guidance published by the U.S. Department of Health and Human Services, the federal Centers for Disease Control and Prevention, and any other federal agencies that are involved in the remediation of public emergencies.

The department will be required to: 1) prepare a public emergency response plan, as required by the bill, within 60 days after the date of the bill’s enactment; 2) review and revise the plan on at least a biennial basis after the plan’s initial preparation and as soon as is possible

following the declaration of any new public emergency in the State; and 3) post the initial response plan and any revised response plan on the DHS Internet website.

COMMITTEE AMENDMENTS:

The committee amended the bill to require the DHS to develop and oversee the implementation of the public emergency response plan, instead of requiring the Assistant Commissioner of the Division of Developmental Disabilities in the DHS to develop and oversee the plan in consultation with the DHS Commissioner and the Director of the State Office of Emergency Management.

The committee amendments require the DHS to develop and implement the public emergency response plan in consultation with the DOH, the Ombudsman for Individuals with Intellectual or Developmental Disabilities and Their Families, licensed service providers, and the State Office of Emergency Management.

The committee amendments require the public emergency response plan to be consistent with, and to incorporate, any relevant guidance published by federal agencies that are involved in the remediation of public emergencies.

The committee amendments remove a provision that would have required the response plan to be submitted directly to the DHS and DOH commissioners, as well as to licensed service providers and to various legislative committees, within 10 days after completion thereof. Instead, the amendments require the initial response plan and any revised response plan to be posted at a publicly accessible location on the DHS Internet website.

The committee amendments make technical changes to the definitions section to remove references to terms that are no longer used in the bill and to replace the stigmatizing term “patient” with the term “client.” The amendments also make minor wording changes throughout the bill to refer to “licensed service providers,” to remove redundancies, and to clarify the bill’s purpose, and they additionally alter the bill’s synopsis to reflect the revised purpose of the amended bill.

SENATE HEALTH, HUMAN SERVICES AND SENIOR
CITIZENS COMMITTEE

STATEMENT TO

[First Reprint]

ASSEMBLY, No. 4138

STATE OF NEW JERSEY

DATED: DECEMBER 7, 2020

The Senate Health, Human Services and Senior Citizens Committee reports favorably Assembly Bill No. 4138 (1R).

This bill would require the Department of Human Services (DHS) to develop and oversee the implementation of a public emergency response plan for persons and entities that are licensed to provide services to individuals with developmental disabilities (“licensed service providers”). The department will be required to develop the plan in consultation with the Department of Health (DOH), the Ombudsman for Individuals with Intellectual or Developmental Disabilities and Their Families, licensed service providers, and the State Office of Emergency Management in the Department of Law and Public Safety.

At a minimum, the public emergency response plan is to:

1) establish guidelines and best practices for the general and specific operations, activities, and procedures that are to be undertaken or implemented by licensed service providers during a public emergency;

2) to the extent feasible, identify the means, methods, and channels through which relevant service providers and facilities will be able to obtain personal protective equipment (PPE) and other equipment or services that are critical to the maintenance of ongoing operations during the course of a public emergency;

3) address various possible public emergency scenarios and provide for the application of differing standards and best practices and the use of differing resource sourcing methods, as appropriate, for different types of public emergency, while highlighting the standards, best practices, and sourcing methods that are applicable for the purposes of any currently declared public emergency; and

4) be consistent with, and incorporate, any guidance published by the U.S. Department of Health and Human Services, the federal Centers for Disease Control and Prevention, and any other federal agencies that are involved in the remediation of public emergencies.

The department will be required to: 1) prepare a public emergency response plan, as required by the bill, within 60 days after the date of the bill’s enactment; 2) review and revise the plan on at least a biennial

basis after the plan's initial preparation and as soon as is possible following the declaration of any new public emergency in the State; and 3) post the initial response plan and any revised response plan on the DHS Internet website.

As reported by the committee, Assembly Bill No. 4138 (1R) is identical to Senate Bill No. 2701 which was also reported by the committee on this date.

SENATE, No. 2701

STATE OF NEW JERSEY 219th LEGISLATURE

INTRODUCED JULY 22, 2020

Sponsored by:

Senator VIN GOPAL

District 11 (Monmouth)

Senator RICHARD J. CODEY

District 27 (Essex and Morris)

Co-Sponsored by:

Senators Pou and Diegnan

SYNOPSIS

Requires Department of Human Services to develop public emergency response plan for licensed providers of services to individuals with developmental disabilities.

CURRENT VERSION OF TEXT

As introduced.



(Sponsorship Updated As Of: 6/3/2021)

S2701 GOPAL, CODEY

2

1 AN ACT concerning the development of a public emergency
2 response plan for providers of services to individuals with
3 developmental disabilities and supplementing Title 30 of the
4 Revised Statutes.

5

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

8

9 1. a. As used in this section:

10 “Client” means an individual with a developmental disability
11 who receives services from the department or any licensed service
12 provider.

13 “Department” means the Department of Human Services.

14 “Licensed service provider” means a person or entity that is
15 licensed, certified, or otherwise authorized by the department to
16 provide services to individuals with developmental disabilities in
17 the State.

18 “Public emergency” means an environmental, public health, or
19 public safety emergency that is occurring in New Jersey or in one or
20 more counties, regions, or other parts of the State, and which is
21 officially recognized and declared as an emergency by the Governor
22 of New Jersey or by the President of the United States.

23 b. The Department of Human Services, in consultation with the
24 Department of Health, the Ombudsman for Individuals with
25 Intellectual or Developmental Disabilities and Their Families,
26 licensed service providers, and the State Office of Emergency
27 Management in the Department of Law and Public Safety, shall
28 develop and oversee the implementation of a public emergency
29 response plan for licensed service providers in the State. At a
30 minimum, the public emergency response plan shall:

31 (1) establish guidelines and best practices for the general and
32 specific operations, activities, and procedures that are to be
33 undertaken or implemented by licensed service providers during a
34 public emergency;

35 (2) to the extent feasible, identify the means, methods, and
36 channels through which licensed service providers may obtain
37 personal protective equipment (PPE) and other equipment or
38 services that are critical to the maintenance of ongoing operations
39 during the course of a public emergency;

40 (3) address various possible public emergency scenarios and
41 provide for the application of differing standards and best practices
42 under paragraph (1) of this subsection and the use of differing
43 sourcing methods pursuant to paragraph (2) of this subsection for
44 different types of public emergency, as appropriate, while
45 highlighting the standards, best practices, and resource sourcing
46 methods that are applicable for the purposes of any currently
47 declared public emergency; and

1 (4) be consistent with, and incorporate, any relevant guidance
2 that is published by the U.S. Department of Health and Human
3 Services, the federal Centers for Disease Control and Prevention,
4 and any other federal agencies that are involved in the remediation
5 of public emergencies.

6 c. The department shall:

7 (1) prepare a public emergency response plan, as required by
8 this section, within 60 days after the enactment of this act;

9 (2) review and revise the plan: (a) on at least a biennial basis
10 after the plan's initial preparation under paragraph (1) of this
11 subsection; and (b) as soon as is possible following the declaration
12 of any new public emergency in the State; and

13 (3) post, at a publicly accessible location on the department's
14 Internet website, the initial response plan developed under
15 paragraph (1) of this subsection and any revised response plan
16 developed under paragraph (2) of this subsection.

17
18 2. This act shall take effect immediately.
19
20

21 STATEMENT
22

23 This bill would require the Department of Human Services
24 (DHS) to develop and oversee the implementation of a public
25 emergency response plan for persons and entities that are licensed
26 to provide services to individuals with developmental disabilities
27 ("licensed service providers"). The department will be required to
28 develop the plan in consultation with the Department of Health
29 (DOH), the Ombudsman for Individuals with Intellectual or
30 Developmental Disabilities and Their Families, licensed service
31 providers, and the State Office of Emergency Management in the
32 Department of Law and Public Safety.

33 At a minimum, the public emergency response plan is to:

34 1) establish guidelines and best practices for the general and
35 specific operations, activities, and procedures that are to be
36 undertaken or implemented by licensed service providers during a
37 public emergency;

38 2) to the extent feasible, identify the means, methods, and
39 channels through which relevant service providers and facilities will
40 be able to obtain personal protective equipment (PPE) and other
41 equipment or services that are critical to the maintenance of
42 ongoing operations during the course of a public emergency;

43 3) address various possible public emergency scenarios and
44 provide for the application of differing standards and best practices
45 and the use of differing resource sourcing methods, as appropriate,
46 for different types of public emergency, while highlighting the
47 standards, best practices, and sourcing methods that are applicable
48 for the purposes of any currently declared public emergency; and

S2701 GOPAL, CODEY

4

1 4) be consistent with, and incorporate, any relevant guidance
2 published by the U.S. Department of Health and Human Services,
3 the federal Centers for Disease Control and Prevention, and any
4 other federal agencies that are involved in the remediation of public
5 emergencies.

6 The department will be required to: 1) prepare a public
7 emergency response plan, as required by the bill, within 60 days
8 after the date of the bill's enactment; 2) review and revise the plan
9 on at least a biennial basis after the plan's initial preparation and as
10 soon as is possible following the declaration of any new public
11 emergency in the State; and 3) post the initial response plan and any
12 revised response plan on the DHS Internet website.

SENATE HEALTH, HUMAN SERVICES AND SENIOR
CITIZENS COMMITTEE

STATEMENT TO

SENATE, No. 2701

STATE OF NEW JERSEY

DATED: DECEMBER 7, 2020

The Senate Health, Human Services and Senior Citizens Committee reports favorably Senate Bill No. 2701.

This bill would require the Department of Human Services (DHS) to develop and oversee the implementation of a public emergency response plan for persons and entities that are licensed to provide services to individuals with developmental disabilities (“licensed service providers”). The department will be required to develop the plan in consultation with the Department of Health (DOH), the Ombudsman for Individuals with Intellectual or Developmental Disabilities and Their Families, licensed service providers, and the State Office of Emergency Management in the Department of Law and Public Safety.

At a minimum, the public emergency response plan is to:

1) establish guidelines and best practices for the general and specific operations, activities, and procedures that are to be undertaken or implemented by licensed service providers during a public emergency;

2) to the extent feasible, identify the means, methods, and channels through which relevant service providers and facilities will be able to obtain personal protective equipment (PPE) and other equipment or services that are critical to the maintenance of ongoing operations during the course of a public emergency;

3) address various possible public emergency scenarios and provide for the application of differing standards and best practices and the use of differing resource sourcing methods, as appropriate, for different types of public emergency, while highlighting the standards, best practices, and sourcing methods that are applicable for the purposes of any currently declared public emergency; and

4) be consistent with, and incorporate, any relevant guidance published by the U.S. Department of Health and Human Services, the federal Centers for Disease Control and Prevention, and any other federal agencies that are involved in the remediation of public emergencies.

The department will be required to: 1) prepare a public emergency response plan, as required by the bill, within 60 days after the date of the bill’s enactment; 2) review and revise the plan on at least a biennial

basis after the plan's initial preparation and as soon as is possible following the declaration of any new public emergency in the State; and 3) post the initial response plan and any revised response plan on the DHS Internet website.

As reported by the committee, Senate Bill No. 2701 is identical to Assembly Bill No. 4138 (1R) which was also reported by the committee on this date.

Governor Murphy Takes Action on Legislation

11/8/2021

TRENTON – Today, Governor Murphy signed the following bills into law:

S-249/A-1259 (Singleton, Turner/Schaer, DeCroce, Vainieri Huttle) – Requires pharmacy benefits manager providing services within Medicaid program to disclose certain information to DHS

S-324/A-3533 (Diegnan, A.M. Bucco/Benson, Freiman, DeCroce) – Authorizes operators of motor vehicles to display electronic proof of registration; requires MVC to send application for registration renewal to lessee of leased vehicle

SCS for S-399 and 1645/ACS for A-869 and 1380 (Lagana, Weinberg, Stack, Turner, Cunningham/Chiaravalloti, Holley) – Requires residential landlords to install covers on steam radiators upon request of tenant

S-537/A-3110 (Codey/McKeon, Verrelli, Vainieri Huttle) – Establishes certain minimum and maximum temperatures in rooming and boarding houses, dementia care homes, and certain nursing homes and residential health care facilities

S-550/A-1616 (Codey, Pennacchio/Lampitt, Conaway, Vainieri Huttle) – Requires certain student identification cards to contain telephone number for suicide prevention hotline

SCS for S-647/A-4825 (Greenstein, Singleton/McKeon, Karabinchak, Stanley) – Revises cybersecurity, asset management, and related reporting requirements in “Water Quality Accountability Act”

S-828/A-2101 (Lagana, Greenstein/Swain, Tully, Verrelli) – Requires public utilities and local units to provide notice prior to initiating certain infrastructure projects

S-829/A-2135 (Lagana, Singleton/Tully, Swain, Murphy) – Requires property condition disclosure statement to indicate presence of lead plumbing in residential property

S-830/A-2134 (Lagana, Greenstein/Tully, Swain, Conaway) – Requires public water systems to offer drinking water tests to customers in certain circumstances

S-894/A-3874 (Pou, Greenstein/Lopez, Vainieri Huttle) – Prohibits sale of paint or coating removal products that contain methylene chloride unless purchaser meets certain safety standards for use

S-1010/A-2103 (Lagana, Turner/Swain, Tully, Johnson) – Permits counties and municipalities to bond for alternative fuel vehicles

S-1047/A-1712 (Cryan, Pou/Burzichelli, Karabinchak, Giblin) – Concerns disclosure of certain information prior to sale of real estate

S-1148/A-1221 (Ruiz, Pou/Chaparro, Speight, Wimberly) – Requires emergency contact information and access instructions for social services hotline to be provided to tenants of multiple dwellings

S-1239/A-5131 (Codey/McKeon, Danielsen, Jasey) – Authorizes imposition of fee for connection to municipal electric distribution system

S-1259/A-2628 (Singleton/Murphy) – Concerns labor contractors

S-1726/A-795 (Lagana, Pou/Verrelli, Swain, Zwicker) – Prohibits sale of cosmetic products that have been tested on animals

- S-2727/A-4775 (Pennacchio, Pou/Vainieri Huttie, Jasey, McKnight)** – Establishes Multigenerational Family Housing Continuity Commission; provides municipal guidance to periodically analyze local advancement of commission’s senior citizen housing recommendations
- S-2861/A-5390 (Singleton, Addiego/Quijano, McKnight, Speight)** – Concerns certain restrictive covenants on real property
- S-2996/A-5019 (Testa, Sweeney/McClellan, Taliaferro, Johnson)** – Allows Board of Cosmetology and Hairstyling licensees to operate mobile facilities when providing services
- S-3000/A-4688 (Weinberg, Greenstein/Benson, Verrelli, Vainieri Huttie)** – Codifies and establishes certain network adequacy standards for pediatric primary and specialty care in Medicaid program
- S-3032/A-4855 (Sweeney, Vitale/Benson, Vainieri Huttie, Chiaravalloti)** – Requires DOH to develop Statewide plan for infection control and prevention infrastructure improvements in nursing homes
- S-3091/A-4933 (Addiego, Bateman/Burzichelli, Benson, Mukherji)** – Requires builders to offer unit concrete products that utilize carbon footprint-reducing technology as option in new construction; establishes tax incentives, and State and local purchasing requirements, for unit concrete products that utilize carbon footprint-reducing technology
- S-3253/A-2619 (Singleton, Ruiz/Murphy, Speight, Mukherji)** – Establishes alternate route to expedite certification of teachers at early college high school programs
- S-3318/A-5893 (Sweeney, Pou/Vainieri Huttie, Caputo, Karabinchak)** – Provides for voluntary contributions by taxpayers on gross income tax returns for Special Olympics New Jersey
- S-3590/A-5536 (Diegnan, Turner/Burzichelli, Giblin)** – Allows formation of limited liability companies by real estate salespersons and broker-salespersons to receive commission income and requires certain disclosures on promotions
- S-3811/A-5769 (Sweeney, Scutari/Reynolds-Jackson, Quijano, Carter)** – Establishes Kean University as public urban research university
- S-3948/A-5896 (Addiego, Gopal/Houghtaling, Downey)** – Authorizes supplemental State aid to school districts receiving certain federal Impact Aid; makes appropriation
- SJR-41/AJR-33 (Cruz-Perez, Addiego/Lopez, McKnight)** – Designates June 2 of each year as “Gun Violence Awareness Day”
- SJR-109/AJR-208 (Weinberg, Pou/McKnight, Benson, Vainieri Huttie)** – Condemns hate and violent extremism and commits to defense of safe and just democracy
- A-637/S-2670 (Caputo, Dancer, Houghtaling/Beach)** – Revises permit and license processes for sports pools operators and online sports pool operators; revises definitions of certain sports events; allows for transactional waiver for sports wagering lounge
- A-853/S-797 (Chiaravalloti, Karabinchak, McKnight/Cunningham, Doherty)** – Prohibits municipal licensure of children operating temporary businesses
- A-2311/S-356 (Calabrese, Jasey/Cryan, Codey)** – Establishes study commission to examine development of mutually beneficial relationships between institutions of higher education and municipalities
- A-3027/S-793 (Lampitt, Jasey, Houghtaling/Cunningham, Singleton)** – Commits \$3 million from Supplemental Workforce Fund for Basic Skill to NJ Community College Consortium for Workforce and Economic Development
- ACS for A-3352/S-3504 (Kennedy, Stanley, Calabrese/Smith)** – Requires certain newly constructed warehouses to be solar-ready buildings

A-3897/S-3263 (Armato, Mazzeo, DiMaso/Beach, Gopal) – Increases fee for New Jersey Waterfowl Stamps

A-4138/S-2701 (Vainieri Huttler, Benson, Giblin/Gopal, Codey) – Requires Department of Human Services to develop public emergency response plan for licensed providers of services to individuals with developmental disabilities

A-4367/S-2794 (Mukherji, Sumter, Taliaferro/Pou, Scutari) – Provides that AOC shall administer program for municipal courts allowing defendants to engage in online plea negotiations, entry of guilty plea, and payment of fine or penalty

A-4484/S-3153 (McKnight, Kennedy, Mukherji, Gove/Pou, Vitale) – Requires State Long-Term Care Ombudsman to establish long-term care advocacy and educational training program

A-4538/S-3131 (Lampitt, Quijano/Pou, A.M. Bucco) – Requires dental insurers to provide credits for reduced usage during coronavirus disease 2019 pandemic

A-4544/S-3150 (Caputo, Jasey, Murphy/Pou, Codey) – Permits school nurse who is retired from TPAF to return to employment for up to two years without reenrollment in TPAF

A-4633/S-2856 (Giblin, DeCroce/Pou) – Permits certain nonresident Certified Public Accountants to provide attest services

A-4831/S-3953 (Chaparro, Kennedy, Murphy/Scutari) – Clarifies classification in this State of criminal offenses committed in other states or under federal law

A-4836/S-3313 (Giblin, Benson, Downey/Pou, Turner) – Establishes task force to evaluate quality, efficacy, costs, and educational outcomes of online courses offered by public and independent institutions of higher education and degree-granting proprietary institutions during COVID-19 pandemic

A-4861/S-3041 (Vainieri Huttler, Armato, Verrelli/Vitale, Gopal) – Requires DOH to publish total number of COVID-19 deaths and cases in long-term care facilities

A-4869/S-2414 (Wirths, Verrelli, Space/Singleton, Madden) – Requires certain bidders for prevailing wage public work to provide proof that prevailing wage will be paid

A-5059/S-3031 (Conaway, Vainieri Huttler, Benson/Sweeney, Vitale) – Requires DOH to establish certain nursing education and professional advancement programs

A-5212/S-3638 (Conaway, Verrelli, Karabinchak/Turner, Diegnan) – Permits dentists to administer vaccines under certain circumstances

A-5751/S-3823 (Swain, Timberlake, Carter, Johnson/Weinberg, Gopal) – Expands State corrections officers training to include topics contributing to their core mission of treating inmates with dignity, fairness, and respect

A-5817/S-3852 (Tully, Swain, Benson/Lagana, Diegnan) – Revises violation and fines for approving or assigning unauthorized individuals as school bus drivers

A-5818/S-3849 (Tully, Swain, Benson/Lagana, Diegnan) – Provides for debarment of school bus contractors for certain violations; requires certain information in pupil transportation contract bid

AJR-204/SJR-105 (Jasey, Benson, Reynolds-Jackson/Cunningham, T. Kean) – Designates April of each year as “Educational Opportunity Fund (EOF) Month” in New Jersey

AJR-238/SJR-123 (Burzichelli/Sweeney, Singleton) – Urges U.S. President and EPA to take appropriate action, through waivers and other reforms, to allow blending of renewable fuels under the federal “Clean Air Act”

Governor Murphy conditionally vetoed the following bills:

S-108/A-169 (Gill, Turner/Caputo, Wirths) – **CONDITIONAL** - Concerns speech rights of student journalists at public schools and public institutions of higher education

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S-2078/A-5008 (Weinberg, Addiego/Lampitt, Benson, Vainieri Huttle) – CONDITIONAL - Establishes “Stillbirth Resource Center” and regional Fetal and Infant Mortality Review Committee, and programs for the prevention and reduction of incidences of stillbirth; expands list of professionals authorized to provide stillbirth-related care

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S-2160/A-5701 (Sweeney, Oroho, Singer/Carter, Lampitt, Jasey) – CONDITIONAL - Creates special education unit within the Office of Administrative Law; requires annual report

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S-2525/A-4274 (Rice, Singleton, Turner/Conaway, Sumter, Stanley) – CONDITIONAL - Expands powers and duties of State Chief Diversity Officer to promote diversity in State government and public contracting

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S-2559/ACS for A-4179 and 4200 (Gopal, Gill/Downey, Conaway, Benson, Houghtaling, Karabinchak) – CONDITIONAL - Revises requirements for health insurance providers and Medicaid to cover services provided using telemedicine and telehealth; appropriates \$5 million

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S-2834/A-5312 (Ruiz, Cunningham/Quijano, Lampitt, McKnight) – CONDITIONAL - Mandates training on culturally responsive teaching for all candidates for teaching certification

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S-2953/A-4785 (Sweeney, Cunningham/Quijano, Verrelli, Mukherji) – CONDITIONAL - Expands scope of inmate reentry assistance and benefits

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S-3238/A-5213 (Ruiz, Pou/Verrelli, McKnight, McKeon) – CONDITIONAL - Establishes New Jersey Easy Enrollment Health Insurance Program

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S-3488/A-5537 (Sweeney, Gopal, O'Scanlon/Burzichelli, Dancer, Spearman) – CONDITIONAL - Modifies certain procedures pertaining to school district regionalization; establishes grant program for cost reimbursement of conducting regionalization feasibility studies; and provides financial incentives for regionalization

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S-3867/A-5868 (Addiego, Singleton/Benson, Verrelli, Vainieri Huttle) – CONDITIONAL - Establishes Opioid Recovery and Remediation Fund and Opioid Recovery and Remediation Fund Advisory Council; provides for funds received from opioid settlements to support substance use disorder prevention and treatment programs

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S-3955/A-5905 (Ruiz/Timberlake, Speight, Spearman) – CONDITIONAL - Establishes “Rental Assistance Navigation Program” in DCA; makes appropriation

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A-1533/S-3321 (Spearman, Reynolds-Jackson, Schaer/Stack, Turner) – CONDITIONAL - Requires reservation of portion of tenant-based vouchers under State rental assistance program for persons displaced due to redevelopment of an affordable housing development; provides displaced persons with affordable housing priority status

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A-2455/S-2204 (Benson, Vainieri Huttie, DeAngelo/Greenstein, Oroho) – CONDITIONAL - Establishes pilot program in DOE to support FIRST Robotics Programs in school districts

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A-3062/S-1196 (Pintor Marin, Moen, Reynolds-Jackson/Pou, Cruz-Perez) – CONDITIONAL - Establishes three year Financial Empowerment Pilot Program

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A-4002/S-2257 (Caputo, Dancer, Murphy/Gopal, Sarlo) – CONDITIONAL - Allows deduction of promotional gaming credit from gross revenue on sports wagering

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A-4433/S-2715 (Greenwald, Mukherji, Lampitt/Beach, Corrado) – CONDITIONAL - Creates grant program to encourage school districts to partner with institutions of higher education in training school-based mental health services providers

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A-4435/S-2717 (Verrelli, Greenwald, Speight, Lampitt/Beach, Corrado) – CONDITIONAL - Requires DCF to give priority to certain school districts with student mental health counseling centers in awarding grants under School Based Youth Services Program

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A-4630/S-577 (Burzichelli/Madden, Singleton) – CONDITIONAL - Concerns labor harmony agreements in retail and distribution center projects

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A-4746/S-3947 (Mosquera, Lopez, Chaparro, Dunn/Vitale, Turner) – CONDITIONAL - Requires that certain provider subsidy payments for child care services be based on enrollment

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A-4834/S-3474 (Mazzeo, Quijano, Downey/Pou, Turner) – CONDITIONAL - Requires disclosure letter be included with mail falsely implying State government connection

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A-4850/S-3095 (Karabinchak, Freiman, Calabrese, Greenwald/Diegnan) – CONDITIONAL - Establishes expedited construction inspection program

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A-5033/S-3279 (Benson, Dancer, Verrelli/Gopal) – CONDITIONAL - Authorizes motor vehicle dealers to sell motor vehicles online and obtain electronic signatures for motor vehicle transactions

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A-5353/S-3421 (Conaway, Vainieri Huttie, Benson/Madden, Turner) – CONDITIONAL - Provides for certification of temporary nurse aides

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A-5599/S-3916 (Chiaravalloti, Vainieri Huttie, McKnight/Scutari, Gill) – CONDITIONAL - Establishes order of protection for current or former judge; upgrades and clarifies harassment against current or former judge; bars firearms possession by persons against whom current or former judge order of protection is entered

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A-5864/S-3939 (Speight, Pintor Marin, Chaparro, McKnight, DeAngelo, Bergen/Gopal, Cryan) – CONDITIONAL - Allows law enforcement officers to review body worn camera recordings prior to creating initial report

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Governor Murphy absolute vetoed the following bills:

S-415/A-4685 (Turner/Quijano, Verrelli) – ABSOLUTE - Requires reentry assistance to be provided to certain inmates who have served their maximum sentence

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S-969/ACS for A-2687 (Ruiz, Turner/Mazzeo, Lampitt, Moen) – CONDITIONAL - Establishes loan redemption program for teachers in certain fields to redeem loan amounts received under New Jersey College Loans to Assist State Students Loan Program through employment in certain low performing schools

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S-2261/A-4265 (Singleton/Conaway) – ABSOLUTE - Revises law relating to common interest communities

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S-2347/A-4030 (Sweeney, Greenstein, T. Kean/Mukherji, Benson, Murphy) – ABSOLUTE - Establishes Employment and Business-Related Tax Deferral Assistance Program in EDA to allow small businesses to defer the payment and remittance of certain employment and business-related taxes during COVID-19 public health emergency

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S-3093/A-4910 (Gopal, Sweeney, Singleton/Burzichelli, Johnson, Danielsen) – ABSOLUTE - Establishes county-based mitigation plan to allow businesses to operate during pandemic

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S-3505/A-5371 (Scutari, Weinberg/Mukherji, Johnson, Quijano) – ABSOLUTE - Requires assignment of unemployment claims handlers to legislative districts and partisan offices during COVID-19 pandemic state of emergency; appropriates \$1.8 million

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S-3868/A-5895 (Sarlo/Giblin) – ABSOLUTE - Concerns construction code enforcing agency fee revenue

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A-2722/S-1862 (Mukherji/Gopal, Oroho) – ABSOLUTE - Requires Commissioner of Corrections to institute 30-minute shift overlap in State correctional facilities

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A-4297/S-2631 (Houghtaling, Downey, Space/Gopal, Oroho) – ABSOLUTE - Permits conduct of bingos and raffles remotely; permits online sale of tickets for all bingos and raffles

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A-5231/S-3806 (Lopez, Coughlin, Freiman/Vitale) – ABSOLUTE - Allows county or municipal governing body to enter into revenue sharing agreement for alcoholic beverage sales by concessionaire permit holder

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