

30: 9A-1 and 30: 9A-2

LEGISLATIVE HISTORY CHECKLIST

WJSA 30:9A-1 and 30:9A-2 (Community Mental Health Center Act-- various amendments)

LAWS OF 1979 CHAPTER 331

Bill No. A3268

Sponsor(s) Garvin and others

Date Introduced April 26, 1979

Committee: Assembly Institutions, Health and Welfare

Senate Institutions, Health and Welfare

Amended during passage Yes ~~no~~ Amendments during passage denoted by asterisks

Date of Passage: Assembly June 18, 1979

Senate Dec. 10, 1979

Date of approval Jan. 21, 1980

Following statements are attached if available:

Sponsor statement Yes ~~no~~

Committee Statement: Assembly Yes ~~no~~

Senate Yes ~~no~~

Fiscal Note ~~Yes~~ No

Veto message ~~Yes~~ No

Message on signing ~~Yes~~ No

Following were printed:

Reports Yes ~~no~~

Hearings ~~Yes~~ No

Report mentioned in sponsor's statement:

974.901 New Jersey. Division of Mental Health and Hospitals.  
M483 New Jersey comprehensive mental health services plan for 1977: New Jersey 1977 State plan. (Specifically: Annual review and progress report; New Jersey Comprehensive Mental Health Services Plan for 1979 and 1980).

9/1/78

New Jersey Comprehensive Mental Health Services Plan for 1979 and 1980

1-21-80

[SECOND OFFICIAL COPY REPRINT]

## ASSEMBLY, No. 3268

## STATE OF NEW JERSEY

INTRODUCED APRIL 26, 1979

By Assemblywoman GARVIN, Assemblyman CODEY, Assemblywoman SCANLAN, Assemblymen OTLOWSKI and BORNHEIMER

Referred to Committee on Institutions, Health and Welfare

AN ACT to amend "An act providing for the establishment, development, improvement and expansion of community mental health services and providing for payment by the State of financial grants-in-aid for community mental health projects," approved July 15, 1957 (P. L. 1957, c. 146).

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

1 1. Section 1 of P. L. 1957, c. 146 (C. 30:9A-1) is amended to  
2 read as follows:

- 3 1. It is declared to be the public policy of this State to encourage  
4 the development of preventive, treatment and **[aftercare]** *transi-*  
5 *tional* services for mental health **[problems]** *clients* through  
6 **[additional community mental health programs and]** the improve-  
7 ment and expansion of **[existing]** community mental health **[ser-**  
8 **VICES]** *programs* in designated service areas for the entire State  
9 which will provide these elements of adequate services:
- 10 (a) In-patient services;
- 11 (b) Out-patient services;
- 12 (c) Partial hospitalization services such as day care, night care,  
13 weekend care;
- 14 (d) Emergency services 24 hours per day to be available within  
15 at least one of the first 3 services listed above;
- 16 (e) Consultation and education services available to community  
17 agencies and professional personnel;
- 18 (f) **[Diagnostic services]** *Children's services;*
- 19 (g) *Services for the elderly;*
- 20 (h) *Screening services;*
- 21 **[(g)]** (i) Rehabilitative services including vocational and edu-  
22 cational programs;

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

23 **[(h)] (j) [Pre-care and after-care services in the community**  
 24 including foster home placement, home visiting and halfway  
 25 houses] *Transitional services;*

26 (k) Advocacy services;

27 **[(i)] (l) Training *\*\*services\*\** [,]; and [;]**

28 **[(j)] (m) Research and evaluation.**

29 *The aforementioned services are to be provided principally for*  
 30 *persons residing in a particular community or communities which*  
 31 *are designated as the community mental health center service area,*  
 32 *in or near which the facilities providing the elements of service*  
 33 *are situated.*

34 *It is further declared to be the public policy of this State to*  
 35 *establish a Community Mental Health Citizens Advisory Board for*  
 36 *mental health services to plan, establish and recommend to the*  
 37 *Commissioner of Human Services and the Director of the Division*  
 38 *of Mental Health **\*\*[Services]\*\*** *and Hospitals* **\*\*** those policies*  
 39 *which are necessary to ensure the development and adequate deliv-*  
 40 *ery of the afore**\*[mntioned]**\* *mentioned* elements of mental*  
 41 *health services.*

1 2. Section 2 of P. L. 1957, c. 146 (C. 30:9A-2) is amended to  
 2 read as follows:

3 2. For the purpose of this act the following terms are hereby  
 4 defined:

5 **["Sponsoring agency"]** shall mean any county board of free-  
 6 holders, municipal governing body, board of education or any non-  
 7 profit corporation organized for the purpose of providing health  
 8 or welfare services to the community, which establishes, maintains  
 9 or expands a community mental health project;

10 **["Community mental health project"]** shall mean a program of  
 11 mental health services provided by psychiatrists, psychiatric social  
 12 workers, psychologists and such other staff as may be required for  
 13 any one or more of the elements of a community mental health  
 14 center as defined herein:

15 **["Community mental health center"]** shall means a community  
 16 mental health project providing at least:

17 (A) In-patient services;

18 (B) Out-patient services;

19 (C) Partial hospitalization services, such as day care, night care,  
 20 weekend care;

21 (D) Emergency services 24 hours per day available within at  
 22 least one of the first 3 services listed above;

23 (E) Consultation and education services available to community  
 24 agencies and professional personnel.

25 The aforementioned services are to be provided principally for  
 26 persons residing in a particular community or communities which  
 27 are designated as the community mental health center service area,  
 28 in or near which the facilities providing the elements of service  
 29 are situated.

30 "Department" shall mean the Department of Institutions and  
 31 Agencies.]

32 "Community Mental Health *Citizens Advisory Board*" shall  
 33 mean a board of 15 members[, 10] to be appointed by the State  
 34 Board of [Control] *Institutional Trustees* with the approval of the  
 35 Governor. Of [those 10, seven] *these 15, eight* members shall be  
 36 chosen from among citizens of the State [with] *who, as consumers,*  
 37 *have demonstrated an interest in the delivery of mental health*  
 38 *services[,] and are not providers of mental health services; [two]*  
 39 *one* from among persons recommended by the State Association of  
 40 Freeholders[, and]; one from among persons recommended by the  
 41 State League of Municipalities; *two from among providers of*  
 42 *mental health services and one from among persons recommended*  
 43 *by the chairpersons of the standing Assembly and Senate Institu-*  
 44 *tions, Health and Welfare Committees.*

45 The term of each [of these 10 members] *member* shall be for  
 46 3 years and shall commence on July 1 and shall terminate on  
 47 June 30[.]; provided, however, that of the *new* members [first]  
 48 appointed three shall be appointed for a term expiring 1 year,  
 49 three for a term expiring 2 years, and four for a term expiring  
 50 3 years from July 1 following the date of appointment. *Members of*  
 51 *the present Community Mental Health Board serving on the effec-*  
 52 *tive date of this amendatory act shall continue to serve until the*  
 53 *expiration of their current terms.*

54 In addition, the Board of [Control] *Institutional Trustees* will  
 55 designate [one] *two* [member] *members* from among persons  
 56 currently serving as members of the Board of Managers of each  
 57 of the four State [mental] *psychiatric* hospitals [and the Neuro-  
 58 Psychiatric Institute] to be appointed in July of each year. *The*  
 59 *Director of the Division of Mental Health and Hospitals or his*  
 60 *designee shall be a nonvoting ex officio member of the Community*  
 61 *Mental Health Citizens Advisory Board.*

62 *The role of the board shall be to serve as both advocate and*  
 63 *advisor to the department for the development of effective mental*  
 64 *health services in the community. To fulfill this role, [The] the*  
 65 board shall become and continue to be thoroughly acquainted with  
 66 those programs of the Department of [Institutions and Agencies]

67 *Human Services* dealing with **[community]** mental health and  
 68 *related social services, particularly those administered by the*  
 69 *Office of Community Services, and shall* regularly review all such  
 70 programs **[and practices within the units thereof]**. It shall **[estab-**  
 71 **lish]** *advise and recommend on the development of* policies and  
 72 procedures within the general directives of the **[State Board of**  
 73 **Control]** *department* covering these programs **[and shall assist the**  
 74 *department in formulating the annual budget requests]*.

75 **[It]** *The board* shall promote and maintain constructive rela-  
 76 tionships with the county mental health boards, community mental  
 77 health center boards and other official bodies and organized agencies  
 78 concerned with mental health *services*. It shall also serve, where  
 79 possible, *\*in\** such advisory capacities to the department in the  
 80 area of community mental health as are required by Federal  
 80A statutes.

81 The board shall choose one of its members to act as chairman  
 82 and shall meet as often as required to conduct the business of the  
 83 board and to assist and advise in the administration of the duties  
 84 and responsibilities imposed by this chapter, but not less than  
 85 6 times each year.

86 The **[community mental health]** board, acting on behalf of the  
 87 State Board of **[Control]** *Institutional Trustees* and subject to the  
 88 authority and direction thereof, may establish within itself com-  
 89 mittees directly concerned with State-operated facilities, State  
 90 grant-in-aid programs, Federal grant-in-aid programs, planning  
 91 for comprehensive mental health services and mental health man-  
 92 power resources, utilization and training, and may establish such  
 93 other committees as it may determine.

94 **[It]** *The board* may, subject to the approval of the State Board  
 95 of **[Control]** *Institutional Trustees*, establish any subsidiary un-  
 96 salaried advisory or consultant committees or study groups as it  
 97 may deem necessary and proper and *shall* appoint the members  
 98 thereof.

99 “*Community mental health program*” shall mean a program of  
 100 *preventive, treatment and transitional services for mental health*  
 101 *clients, provided in accordance with State or Federal regulations.*

102 “*Department*” shall mean the Department of Human Services.

103 “*Sponsoring agency*” shall mean any county board of free-  
 104 holders, municipal governing body, board of education or any non-  
 105 profit corporation organized for the purpose of providing health  
 106 or welfare services to the community, which establishes, maintains  
 107 or expands a community mental health program.

1 3. This act shall take effect immediately.

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## STATEMENT

This bill amends the New Jersey Community Mental Health Act to comply with recent amendments to Federal legislation and to respond to recommendations contained in the New Jersey Mental Health Master Plan.

The bill makes the following changes:

1) The name of the "Community Mental Health Board" is changed to the "Community Mental Health Citizens Advisory Board" to more accurately reflect its purpose and composition.

2) The composition of the board is changed to include consumers of mental health services, providers of mental health services and a nominee of the chairpersons of the standing Senate and Assembly Institutions, Health and Welfare Committees. These changes are consistent with current Federal law and with the recommendations of the New Jersey Mental Health Master Plan.

3) The elements of mental health services to be encouraged by the State are revised and expanded to comply with current needs.

4) Certain technical changes are made in the definition section to reflect names changes in the department and the Board of Institutional Trustees.

5) The role of the board as both advocate and advisor to the Department of Human Services for the development of effective mental health services in the community is clarified.

A3268 (1979)

ASSEMBLY INSTITUTIONS, HEALTH AND  
WELFARE COMMITTEE

STATEMENT TO

**ASSEMBLY, No. 3268**

with Assembly committee amendments

**STATE OF NEW JERSEY**

DATED: JUNE 11, 1979

This bill amends New Jersey's community mental health services legislation so as to comply with recent changes in Federal legislation and to respond to certain recommendations in the Mental Health Master Plan.

The bill does the following:

1. Changes the name of the "Community Mental Health Board" to the "Community Mental Health Citizens Advisory Board." Additionally, the composition of the board is changed to include consumers and providers of mental health services and a nominee of the chairmen of the Assembly and Senate Institutions, Health and Welfare Committees.
2. Certain elements of mental health services have been revised and expanded so as to meet current needs.
3. Certain technical changes have been made in the definitions section.
4. The role of the board as advocate and advisor to the Department of Human Services with respect to the development of community mental health services has been clarified.

The committee agrees with the purpose of this legislation and released the bill with certain technical amendments.

SENATE INSTITUTIONS, HEALTH AND WELFARE  
COMMITTEE

STATEMENT TO

**ASSEMBLY, No. 3268**

with Assembly committee amendments and  
Senate committee amendments

**STATE OF NEW JERSEY**

DATED: NOVEMBER 29, 1979

The bill amends New Jersey's community mental health services act to comply with recent changes in federal legislation and to respond to certain recommendations in the State Mental Health Master Plan.

The bill changes the name of the "Community Mental Health Board" to the "Community Mental Health Citizens Advisory Board," and provides that the role of the Board is to serve as an advisor to the Department of Human Services for the development of community mental health services. The size of the board is increased from 10 to 15 persons and the composition of the board is changed to include at least eight consumers and at least two providers of mental health services, and a nominee of the chairmen of the Senate and Assembly Institutions, Health and Welfare Committees. Consumers of mental health services may include former users of these services, their parents or relatives, or persons who have demonstrated an interest in the area of mental health services but who are not involved in the delivery of these services.

The committee amended the bill in section 1 to correct the name of the Division of Mental Health and Hospitals.



FOR IMMEDIATE RELEASE

FOR FURTHER INFORMATION

JANUARY 21, 1980

PAT SWEENEY

Governor Brendan Byrne today signed the following bills into law:

SJR-3012, sponsored by Senator William J. Hamilton, Jr. (D-Middlesex), which designates the week of January 20th - 26th as "State Autistic Week."

A-1110, A-1111, and A-1112, sponsored by Assemblyman Richard F. Visotcky (D-Bergen), which requires any corporation issuing group or individual health insurance contracts to make available benefits for a second surgical opinion for elective surgical procedures which would require an inpatient admission to a hospital.

A-1634, also sponsored by Assemblyman Visotcky, which requires that all milk and all fluid milk products be marked with a legend stating the day after which the product is not to be sold.

A-3268, sponsored by Assemblywoman Mildred Barry Garvin (D-Essex), which makes various amendments to the Community Mental Health Act to comply with recent amendments to federal legislation and to respond to recommendations contained in the New Jersey Mental Health Master Plan.

A-3321, sponsored by Assemblywoman Barbara W. McConnell (D-Hunterdon) which permits the appointment of airport security officers by counties which own and operate airports.

A-3440, also sponsored by Assemblywoman Garvin, which appropriates \$405,800, from the Medical Education Facilities Fund created in 1977 in order to renovate an existing floor at the College of Medicine and Dentistry of New Jersey's College Hospital in Newark. This renovation will provide a 32-bed psychiatric in-patient unit in the hospital.

The bill also cancels a prior \$2,158,000 appropriation made to build a new wing at the hospital to serve as a psychiatric unit.

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