

30:4- 3.12

LEGISLATIVE HISTORY CHECKLIST

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(Psychiatric hospitals--supervision)

NJSA: 30:4-3.12

LAWS OF: 1997 CHAPTER: 69

BILL NO: S1541

SPONSOR(S): Bassano

DATE INTRODUCED: October 3, 1996

COMMITTEE: ASSEMBLY: Community Services
SENATE: Human Services

AMENDED DURING PASSAGE: No

DATE OF PASSAGE: ASSEMBLY: February 20, 1997
SENATE: November 25, 1996

DATE OF APPROVAL: April 16, 1997

FOLLOWING STATEMENTS ARE ATTACHED IF AVAILABLE:

SPONSOR STATEMENT: Yes

COMMITTEE STATEMENT: ASSEMBLY: Yes
SENATE: Yes

FISCAL NOTE: No

VETO MESSAGE: No

MESSAGE ON SIGNING: Yes

FOLLOWING WERE PRINTED:
REPORTS: Yes

HEARINGS: Yes

974.90 New Jersey. Senate. Task Force on Greystone Park Psychiatric
I52 Hospital.
1996a Final report...June, 1996. Trenton, 1996.
[see pp.2-3, 9]

974.90 New Jersey. Senate. Task Froce on Greystone Park Psychiatric
I52 Hospital.
1996 Public hearing, held 2-27, 3-12 & 4-17-96, Parsippany, Morris
Plains, NJ.
[see especially vol. 1--p.69-85]

See newspaper clippings--attached:

"Whitman signs Greystone legislation," 4-17-97. The Record.

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§§1-3
C. 30:4-3.12
To
30:4-3.14
§4
Note To §§1-3

P.L. 1997, CHAPTER 69, *approved April 16, 1997*
Senate, No. 1541

1 AN ACT concerning employees of State psychiatric hospitals and
2 supplementing Title 30 of the Revised Statutes.

3

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

6

7 1. For the purposes of this act:

8 "Clinical treatment staff" means a physician, psychiatrist,
9 psychologist, physical therapist or social worker licensed pursuant to
10 Title 45 of the Revised Statutes, an occupational, recreation, art or
11 music therapist or a substance abuse counselor.

12 "Immediate family member" includes the staff member's spouse and
13 children, the staff member's siblings and parents, the staff member's
14 spouse's siblings and parents and the spouses of the staff member's
15 children.

16 "Nursing direct care staff" means a Human Services Assistant,
17 Human Services Technician, or a nurse licensed pursuant to Title 45
18 of the Revised Statutes.

19

20 2. A clinical treatment staff or nursing direct care staff member of
21 a State psychiatric hospital listed in R.S.30:1-7 shall not have direct
22 supervisory responsibilities over any immediate family member.

23

24 3. A clinical treatment staff or nursing direct care staff member of
25 a State psychiatric hospital listed in R.S.30:1-7 shall promptly notify
26 the chief executive officer of the hospital if the staff member also is
27 employed outside of the State psychiatric hospital. The notification
28 shall include the name of the employer and the number of hours per
29 day or week, as applicable, that the staff member is so employed. The
30 information shall be updated at least annually, but as often as
31 necessary to reflect any change in outside employment. The
32 notification to the chief executive officer shall be confidential, and the
33 information shall only be used for the purpose of ensuring that the
34 outside employment does not create a conflict or interfere with the
35 staff member's duties and responsibilities at the State psychiatric
36 hospital.

37 Subject to the provisions of Title 11A of the New Jersey Statutes,

1 if a staff member fails to notify the chief executive officer as required
2 in this section, the staff member shall be subject to salary and
3 promotion limitations or demotion, and in the case of deliberate
4 noncompliance with the notification requirement, removal from
5 employment.

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7 4. This act shall take effect 60 days after enactment.

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9 STATEMENT

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11 This bill provides that a clinical treatment staff or nursing direct
12 care staff member of a State psychiatric hospital shall not have direct
13 supervisory responsibilities over any immediate family member.
14 Immediate family member includes the staff member's spouse and
15 children, the staff member's siblings and parents, the staff member's
16 spouse's siblings and parents and the spouses of the staff member's
17 children.

18 The bill also requires a clinical treatment staff or nursing direct care
19 staff member of a State psychiatric hospital to promptly notify the
20 chief executive officer of the hospital if the staff member also is
21 employed outside of the State psychiatric hospital. The notification
22 shall include the name of the employer and the number of hours per
23 day or week, as applicable, that the staff member is so employed. The
24 notification to the chief executive officer shall be confidential, and the
25 information shall only be used for the purpose of ensuring that the
26 outside employment does not create a conflict or interfere with the
27 staff member's duties and responsibilities at the State psychiatric
28 hospital.

29 The bill provides that if a staff member does not comply with the
30 notification requirement, subject to the provisions of Title 11A of the
31 New Jersey Statutes, the staff member shall be subject to salary and
32 promotion limitations or demotion, and in the case of deliberate
33 noncompliance with the notification requirement, removal from
34 employment.

35 The provisions of this bill address the findings and
36 recommendations of the Senate Task Force on Greystone Park
37 Psychiatric Hospital regarding staff supervision. The task force found
38 that staff supervision is problematic and fraught with conflict of
39 interest, and that staff scheduling is not necessarily in the patients' best
40 interest.

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42 _____
43
44 Prohibits supervision of family members by certain staff at State
45 psychiatric hospitals; requires reporting of outside employment by
46 certain hospital staff members.

ASSEMBLY COMMUNITY SERVICES COMMITTEE

STATEMENT TO

SENATE, No. 1541

STATE OF NEW JERSEY

DATED: JANUARY 9, 1997

The Assembly Community Services Committee reports favorably Senate Bill No. 1541.

This bill provides that a clinical treatment staff or nursing direct care staff member of a State psychiatric hospital shall not have direct supervisory responsibilities over any immediate family member. Immediate family member includes the staff member's spouse and children, the staff member's siblings and parents, the staff member's spouse's siblings and parents and the spouses of the staff member's children.

The bill also requires a clinical treatment staff or nursing direct care staff member of a State psychiatric hospital to promptly notify the chief executive officer of the hospital if the staff member also is employed outside of the State psychiatric hospital. The notification shall include the name of the employer and the number of hours per day or week, as applicable, that the staff member is so employed. The notification to the chief executive officer shall be confidential, and the information shall only be used for the purpose of ensuring that the outside employment does not create a conflict or interfere with the staff member's duties and responsibilities at the State psychiatric hospital.

The bill provides that if a staff member does not comply with the notification requirement, subject to the provisions of Title 11A of the New Jersey Statutes, the staff member shall be subject to salary and promotion limitations or demotion, and in the case of deliberate noncompliance with the notification requirement, removal from employment.

The provisions of this bill address the findings and recommendations of the Senate Task Force on Greystone Park Psychiatric Hospital regarding staff supervision. The task force found that staff supervision is problematic and fraught with conflict of interest, and that staff scheduling is not necessarily in the patients' best interest.

This bill is identical to Assembly Bill No. 2425, which was released by this committee on this date.

SENATE HUMAN SERVICES COMMITTEE

STATEMENT TO

SENATE, No. 1541

STATE OF NEW JERSEY

DATED: NOVEMBER 4, 1996

The Senate Human Services Committee reports favorably Senate Bill No. 1541.

This bill provides that a clinical treatment staff or nursing direct care staff member of a State psychiatric hospital shall not have direct supervisory responsibilities over any immediate family member. Immediate family member includes the staff member's spouse and children, the staff member's siblings and parents, the staff member's spouse's siblings and parents and the spouses of the staff member's children.

The bill also requires a clinical treatment staff or nursing direct care staff member of a State psychiatric hospital to promptly notify the chief executive officer of the hospital if the staff member also is employed outside of the State psychiatric hospital. The notification shall include the name of the employer and the number of hours per day or week, as applicable, that the staff member is so employed. The notification to the chief executive officer shall be confidential, and the information shall only be used for the purpose of ensuring that the outside employment does not create a conflict or interfere with the staff member's duties and responsibilities at the State psychiatric hospital.

The bill provides that if a staff member does not comply with the notification requirement, subject to the provisions of Title 11A of the New Jersey Statutes, the staff member shall be subject to salary and promotion limitations or demotion, and in the case of deliberate noncompliance with the notification requirement, removal from employment.

The provisions of this bill address the findings and recommendations of the Senate Task Force on Greystone Park Psychiatric Hospital regarding staff supervision. The task force found that staff supervision is problematic and fraught with conflict of interest, and that staff scheduling is not necessarily in the patient's best interest.

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OFFICE OF THE GOVERNOR NEWS RELEASE

CN-004

CONTACT: Pete McDonough
609-777-2600

TRENTON, NJ 08625

RELEASE: Wednesday
APRIL 16, 1997

Gov. Christie Whitman today signed legislation to improve the care for people with severe mental illness in the state's psychiatric hospitals, part of her continuing commitment to improving mental health services.

The legislation stems from the work of a Senate Task Force headed by Sen. Robert Martin R-Morris, that looked at Greystone Park Psychiatric Hospital. The changes in the law, however, apply to all state psychiatric hospitals.

"It's a right of every patient to receive safe, effective care in our psychiatric hospitals and it is our responsibility to meet that standard. These bills will increase accountability and make our hospitals better," Gov. Whitman said. "This administration has promised to improve mental health services, both inside and outside institutions, and this furthers that goal."

The five bills are S1540, S1541, S1542, S1545 and S1546. The new laws will require unannounced inspections and undercover surveillance at state psychiatric hospitals; prohibit supervision of family members by certain hospital staff; require reporting of patient abuse and professional misconduct in state facilities; check for criminal history every two years for employees in state psychiatric hospitals and developmental centers; and require certain training for Human Services Police, who have jurisdiction at state psychiatric hospitals and development centers.

Gov. Whitman last year appointed Sen. Martin to head a task force to look at the state's legal and mental health system for people found not guilty of crimes by reason of insanity. She also has put in place the state Redirection Plan for mental health, which will improve mental health programs statewide. The plan has reduced the population of Greystone from 670 a year ago to about 570 today and will continue to reduce it to about 450 patients next year. Under the plan, community mental health programs are expanding and the need for hospitalization lessening as the quality of life for people with mental illness improves.

The plan, in the second of its three-year phase in, will use all the money now used to operate Marlboro Psychiatric Hospital to improve mental health services in our remaining state psychiatric hospitals and in all 21 counties.

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