

3014-3.15

LEGISLATIVE HISTORY CHECKLIST

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(Greystone reporting of abuse)

NJSA: 30:4-3.15

LAWS OF: 1997 CHAPTER: 70

BILL NO: S1542

SPONSOR(S): Bassano and others

DATE INTRODUCED: October 3, 1996

COMMITTEE: ASSEMBLY: Community Services
SENATE: Human Services

AMENDED DURING PASSAGE: Yes Amendments during passage
First reprint enacted denoted by superscript numbers

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: Yes

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. 3 & 9]

974.90 New Jersey. Senate. Task Force on Greystone.
I52 Public hearing held 2-27-96, 3-12-96 & 4-17-96. Parsippany
1996 Morris Plains, 1996.
[see especially vols. 1 & 2]

See newspaper clippings--attached:

"Psychiatric hospitals to get more supervision," 4-17-97, Asbury Park Press.

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

KBP:pp

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[First Reprint]

SENATE, No. 1542

STATE OF NEW JERSEY

INTRODUCED OCTOBER 3, 1996

By Senators BASSANO, CODEY, Martin and MacInnes

1 AN ACT establishing a system for reporting patient abuse and
2 professional misconduct at State psychiatric hospitals and
3 supplementing Title 30 of the Revised Statutes.

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

7
8 1. For the purposes of this act:

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

13 "Employee" means a person employed by the State to work at a
14 State psychiatric hospital or a person employed by a private entity
15 under contract with the State to provide contracted services at a State
16 psychiatric hospital.

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

20 "State psychiatric hospital" means a psychiatric hospital listed in
21 R.S.30:1-7.

22
23 2. a. Any employee of a State psychiatric hospital, who, as a result
24 of information obtained in the course of his employment, has
25 reasonable cause to suspect or believe that a patient is being or has
26 been abused by any other employee of the hospital, by another patient
27 in the hospital or by any other person, shall report the information in
28 a timely manner to the person designated by the Commissioner of
29 Human Services pursuant to this act to receive the report.

30 b. Any other person having reasonable cause to suspect or believe
31 that a patient is being or has been abused may report the information

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

Matter underlined thus is new matter.

Matter enclosed in superscript numerals has been adopted as follows:

¹ Senate SHU committee amendments adopted November 7, 1996.

1 to the person designated by the Commissioner of Human Services
2 pursuant to this act to receive the report.

3 c. The report shall contain the name of the patient, the name of the
4 psychiatric hospital and the unit to which the patient is assigned, if
5 known, information regarding the nature of the suspected abuse and
6 any other information which might be helpful in an investigation of the
7 case and the protection of the patient.

8

9 3. Any employee of a State psychiatric hospital who, as a result of
10 information obtained in the course of his employment, has reasonable
11 cause to suspect or believe that a clinical treatment staff or nursing
12 direct care staff member working at the hospital has or is engaging in
13 professional misconduct shall report the information to the person
14 designated by the Commissioner of Human Services pursuant to this
15 act to receive the report.

16 The report shall contain the name of the staff member, the name of
17 the psychiatric hospital and the unit to which the staff member is
18 assigned, information regarding the nature of the suspected
19 professional misconduct and any other information which might be
20 helpful in an investigation of the case.

21

22 4. The Commissioner of Human Services shall establish a patient
23 abuse and professional misconduct reporting program for the State
24 psychiatric hospitals.

25 a. The program shall provide, at a minimum, that State psychiatric
26 hospital employees are:

27 (1) trained in recognizing probable incidents of or behavior that
28 constitutes patient abuse or professional misconduct and other abuse
29 prevention activities pursuant to P.L. , c. (C.)(pending before the
30 Legislature as Senate Bill No. ¹1543 or Assembly Bill No. 2427¹ of
31 1996);

32 (2) informed of the duty to report the suspected patient abuse or
33 professional misconduct pursuant to this act; and

34 (3) provided with the name and phone number of the person
35 designated by the commissioner who shall be notified of any suspected
36 patient abuse or professional misconduct.

37 b. The commissioner shall designate one or more employees of the
38 Department of Human Services who are not employees of any of the
39 State psychiatric hospitals to serve as a contact person for employees
40 of State psychiatric hospitals to notify in the event an employee has
41 reasonable cause to suspect that a patient is being or has been abused
42 by any other employee of the hospital, by another patient in the
43 hospital or by any other person, or has any information concerning
44 suspected professional misconduct by a clinical treatment staff or
45 nursing direct care staff member working at the hospital.

46 c. The designated contact person shall report all reported incidents

1 or allegations of patient abuse and professional misconduct to the
2 Director of the Division of Mental Health Services ¹, the
3 Commissioner of Human Services, or their designees.¹ The director
4 shall cause a prompt investigation of any report of patient abuse or
5 professional misconduct and notify the Commissioner of Human
6 Services of the results of the investigation.

7 d. The Director of the Division of Mental Health Services, in a case
8 in which professional misconduct is suspected, shall promptly notify
9 the appropriate State licensing or certifying authority or professional
10 board, if any, having jurisdiction over the person who has been
11 reported, of the report by the hospital employee and the results of the
12 director's investigation of the report.

13 e. The Director of the Division of Mental Health Services shall
14 promptly report all instances of suspected patient abuse, as determined
15 by the director's investigation of a report by an employee of a State
16 psychiatric hospital, to the county prosecutor of the county in which
17 the hospital is located. The report to the county prosecutor shall be
18 in accordance with regulations adopted by the Commissioner of
19 Human Services in consultation with the County Prosecutors
20 Association of New Jersey and the Attorney General.

21 f. Upon receipt of a report pursuant to subsection e. of this section,
22 the county prosecutor ¹~~shall~~ may¹ conduct his own review of the
23 suspected patient abuse and take any appropriate action.

24 ¹g. Nothing in this section shall preclude the Human Services police
25 officers from conducting an investigation.¹

26
27 5. a. The name of any person who reports suspected patient abuse
28 or professional misconduct pursuant to this act shall not be disclosed,
29 unless the person who reported the abuse or misconduct specifically
30 requests the disclosure or a judicial proceeding results from the report.

31 b. A person who reports suspected abuse or professional
32 misconduct pursuant to this act or who testifies in any administrative
33 or judicial proceeding arising from the report or testimony shall have
34 immunity from any civil or criminal liability on account of the report
35 or testimony, unless the person has acted in bad faith or with malicious
36 purpose.

37
38 6. Any person required to report suspected patient abuse or
39 professional misconduct pursuant to this act who fails to make the
40 report shall be liable to a penalty of not more than \$5,000 ¹, after that
41 person has completed the abuse prevention program pursuant to
42 paragraph (2) of subsection c. of section 2 of P.L. , c. (C.)(pending
43 before the Legislature as Senate Bill No. 1543 or Assembly Bill No.
44 2427 of 1996.¹ The penalty shall be collected and enforced ¹~~by~~
45 ~~summary proceedings pursuant to "the penalty enforcement law,"~~
46 ~~N.J.S.2A:58-1 et seq]~~ pursuant to Title 11A of the New Jersey

1 Statutes.¹ Each violation of this act shall constitute a separate offense.

2

3 7. The Commissioner of Human Services shall adopt regulations
4 pursuant to the "Administrative Procedure Act," P.L.1968, c.410
5 (C.52:14B-1 et seq.), to carry out the purposes of this act.

6

7 8. This act shall take effect 60 days after the date of enactment.

8

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10

11

12 _____
13 Requires reporting of patient abuse and professional misconduct by
14 employees of State psychiatric hospitals and establishes reporting and
investigation program in DHS.

1 in which professional misconduct is suspected, shall promptly notify
2 the appropriate State licensing or certifying authority or professional
3 board, if any, having jurisdiction over the person who has been
4 reported, of the report by the hospital employee and the results of the
5 director's investigation of the report.

6 e. The Director of the Division of Mental Health Services shall
7 promptly report all instances of suspected patient abuse, as determined
8 by the director's investigation of a report by an employee of a State
9 psychiatric hospital, to the county prosecutor of the county in which
10 the hospital is located. The report to the county prosecutor shall be
11 in accordance with regulations adopted by the Commissioner of
12 Human Services in consultation with the County Prosecutors
13 Association of New Jersey and the Attorney General.

14 f. Upon receipt of a report pursuant to subsection e. of this section,
15 the county prosecutor shall conduct his own review of the suspected
16 patient abuse and take any appropriate action.

17
18 5. a. The name of any person who reports suspected patient abuse
19 or professional misconduct pursuant to this act shall not be disclosed,
20 unless the person who reported the abuse or misconduct specifically
21 requests the disclosure or a judicial proceeding results from the report.

22 b. A person who reports suspected abuse or professional
23 misconduct pursuant to this act or who testifies in any administrative
24 or judicial proceeding arising from the report or testimony shall have
25 immunity from any civil or criminal liability on account of the report
26 or testimony, unless the person has acted in bad faith or with malicious
27 purpose.

28
29 6. Any person required to report suspected patient abuse or
30 professional misconduct pursuant to this act who fails to make the
31 report shall be liable to a penalty of not more than \$5,000. The
32 penalty shall be collected and enforced by summary proceedings
33 pursuant to "the penalty enforcement law," N.J.S.2A:58-1 et seq.
34 Each violation of this act shall constitute a separate offense.

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36 7. The Commissioner of Human Services shall adopt regulations
37 pursuant to the "Administrative Procedure Act," P.L.1968, c.410
38 (C.52:14B-1 et seq.), to carry out the purposes of this act.

39
40 8. This act shall take effect 60 days after the date of enactment.

41
42
43 STATEMENT

44
45 This bill requires any employee of a State psychiatric hospital, who,
46 as a result of information obtained in the course of his employment,

1 has reasonable cause to suspect or believe that a patient is being or has
2 been abused by any other employee of the hospital, by another patient
3 in the hospital or by any other person, to report the information in a
4 timely manner to a person designated by the Commissioner of Human
5 Services. The bill also provides that any other person having
6 reasonable cause to suspect or believe that a patient is being or has
7 been abused may report the information to the person designated by
8 the Commissioner of Human Services. Under the bill, employee
9 includes a person employed by the State to work at a State psychiatric
10 hospital or a person employed by a private entity under contract with
11 the State to provide contracted services at a State psychiatric hospital.

12 The bill also requires any employee of a State psychiatric hospital
13 who, as a result of information obtained in the course of his
14 employment, has reasonable cause to suspect or believe that a clinical
15 treatment staff or nursing direct care staff member working at the
16 hospital has or is engaging in professional misconduct to report the
17 information to a person designated by the Commissioner of Human
18 Services.

19 The bill directs the Commissioner of Human Services to establish
20 a patient abuse and professional misconduct reporting program for the
21 State psychiatric hospitals. The program shall provide, at a minimum,
22 that State psychiatric hospital employees are:

23 (1) trained in recognizing probable incidents of or behavior that
24 constitutes patient abuse or professional misconduct and other abuse
25 prevention activities;

26 (2) informed of their duty to report the suspected patient abuse or
27 professional misconduct; and

28 (3) provided with the name and phone number of the person
29 designated by the commissioner who shall be notified of any suspected
30 patient abuse or professional misconduct.

31 The bill directs the commissioner to designate one or more
32 employees of the Department of Human Services who are not
33 employees of any of the State psychiatric hospitals to serve as a
34 contact person for employees of State psychiatric hospitals to notify
35 in the event an employee has reasonable cause to suspect patient abuse
36 or professional misconduct.

37 The designated contact person will be required to report all
38 reported incidents or allegations of patient abuse and professional
39 misconduct to the Director of the Division of Mental Health Services.
40 The director shall conduct a prompt investigation of any report of
41 patient abuse or professional misconduct and notify the Commissioner
42 of Human Services of the results of the investigation.

43 The Director of the Division of Mental Health Services also will be
44 required to promptly notify the appropriate State licensing or
45 certifying authority or professional board, if any, having jurisdiction
46 over a person who has been reported for professional misconduct, of

1 the report by the hospital employee and the results of the director's
2 investigation of the report.

3 The Director of the Division of Mental Health Services also shall
4 promptly report all instances of suspected patient abuse, as determined
5 by the director's investigation, to the county prosecutor of the county
6 in which the hospital is located. The county prosecutor is directed to
7 conduct his own review of the suspected patient abuse and take any
8 appropriate action.

9 The bill provides that the name of any person who reports
10 suspected patient abuse or professional misconduct shall not be
11 disclosed, unless the person who reported the abuse or misconduct
12 specifically requests the disclosure or a judicial proceeding results
13 from the report. Also, a person who reports suspected abuse or
14 professional misconduct or who testifies in any administrative or
15 judicial proceeding arising from the report or testimony shall have
16 immunity from any civil or criminal liability on account of the report
17 or testimony, unless the person has acted in bad faith or with malicious
18 purpose.

19 The bill provides that the penalty for failure to report in accordance
20 with the bill shall be a fine of not more than \$5,000 for each violation.

21 The provisions of this bill are intended to address problems cited in
22 the report of the Senate Task Force on Greystone Park Psychiatric
23 Hospital (June 1996) regarding the reporting of incidents of patient
24 abuse. The report noted that there is an apparent reluctance by staff
25 and patients "to report instances of abuse for fear of retaliation. There
26 appear to be practices of intimidation and fear of reprisals for initiating
27 reports of abuse. It also appears that all allegations of sexual abuse at
28 the hospital are not investigated in a prompt, independent manner."
29 The reporting requirements in this bill are similar to those required of
30 staff working with institutionalized elderly persons.

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35 Requires reporting of patient abuse and professional misconduct by
36 employees of State psychiatric hospitals and establishes reporting and
37 investigation program in DHS.

ASSEMBLY COMMUNITY SERVICES COMMITTEE

STATEMENT TO

[First Reprint]

SENATE, No. 1542

STATE OF NEW JERSEY

DATED: JANUARY 9, 1997

The Assembly Community Services Committee reports favorably Senate Bill No. 1542 (1R).

This bill requires any employee of a State psychiatric hospital, who, as a result of information obtained in the course of his employment, has reasonable cause to suspect or believe that a patient is being or has been abused by any other employee of the hospital, by another patient in the hospital or by any other person, to report the information in a timely manner to a person designated by the Commissioner of Human Services. The bill also provides that any other person having reasonable cause to suspect or believe that a patient is being or has been abused may report the information to the person designated by the Commissioner of Human Services. Under the bill, employee includes a person employed by the State to work at a State psychiatric hospital or a person employed by a private entity under contract with the State to provide contracted services at a State psychiatric hospital.

The bill also requires any employee of a State psychiatric hospital who, as a result of information obtained in the course of his employment, has reasonable cause to suspect or believe that a clinical treatment staff or nursing direct care staff member working at the hospital has or is engaging in professional misconduct to report the information to a person designated by the Commissioner of Human Services.

The bill directs the Commissioner of Human Services to establish a patient abuse and professional misconduct reporting program for the State psychiatric hospitals. The program shall provide, at a minimum, that State psychiatric hospital employees are:

(1) trained in recognizing probable incidents of or behavior that constitutes patient abuse or professional misconduct and other abuse prevention activities pursuant to Senate Bill No. 1543 (Codey/Martin) or Assembly Bill No. 2427 (DeCroce/Murphy) of 1996;

(2) informed of their duty to report the suspected patient abuse or professional misconduct; and

(3) provided with the name and phone number of the person designated by the commissioner who shall be notified of any suspected

patient abuse or professional misconduct.

The bill directs the commissioner to designate one or more employees of the Department of Human Services who are not employees of any of the State psychiatric hospitals to serve as a contact person for employees of State psychiatric hospitals to notify in the event an employee has reasonable cause to suspect patient abuse or professional misconduct.

The designated contact person will be required to report all reported incidents or allegations of patient abuse and professional misconduct to the Director of the Division of Mental Health Services, the Commissioner of Human Services, or their designees. The director shall conduct a prompt investigation of any report of patient abuse or professional misconduct and notify the Commissioner of Human Services of the results of the investigation.

The Director of the Division of Mental Health Services also will be required to promptly notify the appropriate State licensing or certifying authority or professional board, if any, having jurisdiction over a person who has been reported for professional misconduct, of the report by the hospital employee and the results of the director's investigation of the report.

The Director of the Division of Mental Health Services also shall promptly report all instances of suspected patient abuse, as determined by the director's investigation, to the county prosecutor of the county in which the hospital is located. The county prosecutor may conduct his own review of the suspected patient abuse and take any appropriate action. Also, the Human Services police officers may conduct their own investigation.

The bill provides that the name of any person who reports suspected patient abuse or professional misconduct shall not be disclosed, unless the person who reported the abuse or misconduct specifically requests the disclosure or a judicial proceeding results from the report. Also, a person who reports suspected abuse or professional misconduct or who testifies in any administrative or judicial proceeding arising from the report or testimony shall have immunity from any civil or criminal liability on account of the report or testimony, unless the person has acted in bad faith or with malicious purpose.

The bill provides that the penalty for failure to report in accordance with the bill shall be a fine of not more than \$5,000 for each violation and shall be enforced pursuant to Title 11A of the New Jersey Statutes, the "Civil Service Act." The penalty provision applies to persons who have completed the abuse prevention program pursuant to paragraph (2) of subsection c. of section 2 of Senate Bill No. 1543 (Codey/Martin) or Assembly Bill No. 2427 (DeCroce/Murphy) of 1996.

The provisions of this bill are intended to address problems cited in the report of the Senate Task Force on Greystone Park Psychiatric Hospital (June 1996) regarding the reporting of incidents of patient

abuse. The report noted that there is an apparent reluctance by staff and patients "to report instances of abuse for fear of retaliation. There appear to be practices of intimidation and fear of reprisals for initiating reports of abuse. It also appears that all allegations of sexual abuse at the hospital are not investigated in a prompt, independent manner." The reporting requirements in this bill are similar to those required of staff working with institutionalized elderly persons.

This bill is identical to Assembly Bill No. 2426 Aca, which was released by this committee on this date.

SENATE HUMAN SERVICES COMMITTEE

STATEMENT TO

SENATE, No. 1542

with committee amendments

STATE OF NEW JERSEY

DATED: NOVEMBER 4, 1996

The Senate Human Services Committee reports favorably Senate Bill No. 1542 with committee amendments.

As amended by the committee, this bill requires any employee of a State psychiatric hospital, who, as a result of information obtained in the course of his employment, has reasonable cause to suspect or believe that a patient is being or has been abused by any other employee of the hospital, by another patient in the hospital or by any other person, to report the information in a timely manner to a person designated by the Commissioner of Human Services. The bill also provides that any other person having reasonable cause to suspect or believe that a patient is being or has been abused may report the information to the person designated by the Commissioner of Human Services. Under the bill, employee includes a person employed by the State to work at a State psychiatric hospital or a person employed by a private entity under contract with the State to provide contracted services at a State psychiatric hospital.

The bill also requires any employee of a State psychiatric hospital who, as a result of information obtained in the course of his employment, has reasonable cause to suspect or believe that a clinical treatment staff or nursing direct care staff member working at the hospital has or is engaging in professional misconduct to report the information to a person designated by the Commissioner of Human Services.

The bill directs the Commissioner of Human Services to establish a patient abuse and professional misconduct reporting program for the State psychiatric hospitals. The program shall provide, at a minimum, that State psychiatric hospital employees are:

(1) trained in recognizing probable incidents of or behavior that constitutes patient abuse or professional misconduct and other abuse prevention activities pursuant to Senate, No. 1543 (Codey/Martin) or Assembly, No. 2427 (DeCroce/Murphy) of 1996;

(2) informed of their duty to report the suspected patient abuse or professional misconduct; and

(3) provided with the name and phone number of the person designated by the commissioner who shall be notified of any suspected

patient abuse or professional misconduct.

The bill directs the commissioner to designate one or more employees of the Department of Human Services who are not employees of any of the State psychiatric hospitals to serve as a contact person for employees of State psychiatric hospitals to notify in the event an employee has reasonable cause to suspect patient abuse or professional misconduct.

The designated contact person will be required to report all reported incidents or allegations of patient abuse and professional misconduct to the Director of the Division of Mental Health Services, the Commissioner of Human Services, or their designees. The director shall conduct a prompt investigation of any report of patient abuse or professional misconduct and notify the Commissioner of Human Services of the results of the investigation.

The Director of the Division of Mental Health Services also will be required to promptly notify the appropriate State licensing or certifying authority or professional board, if any, having jurisdiction over a person who has been reported for professional misconduct, of the report by the hospital employee and the results of the director's investigation of the report.

The Director of the Division of Mental Health Services also shall promptly report all instances of suspected patient abuse, as determined by the director's investigation, to the county prosecutor of the county in which the hospital is located. The county prosecutor may conduct his own review of the suspected patient abuse and take any appropriate action. Also, the Human Services police officers may conduct their own investigation.

The bill provides that the name of any person who reports suspected patient abuse or professional misconduct shall not be disclosed, unless the person who reported the abuse or misconduct specifically requests the disclosure or a judicial proceeding results from the report. Also, a person who reports suspected abuse or professional misconduct or who testifies in any administrative or judicial proceeding arising from the report or testimony shall have immunity from any civil or criminal liability on account of the report or testimony, unless the person has acted in bad faith or with malicious purpose.

The bill provides that the penalty for failure to report in accordance with the bill shall be a fine of not more than \$5,000 for each violation and shall be enforced pursuant to Title 11A of the New Jersey Statutes, the "Civil Service Act." The penalty provision applies to persons who have completed the abuse prevention program pursuant to paragraph (2) of subsection c. of section 2 of Senate, No. 1543 (Codey/Martin) or Assembly, No. 2427 (DeCroce/Murphy) of 1996.

The provisions of this bill are intended to address problems cited in the report of the Senate Task Force on Greystone Park Psychiatric Hospital (June 1996) regarding the reporting of incidents of patient

abuse. The report noted that there is an apparent reluctance by staff and patients "to report instances of abuse for fear of retaliation. There appear to be practices of intimidation and fear of reprisals for initiating reports of abuse. It also appears that all allegations of sexual abuse at the hospital are not investigated in a prompt, independent manner." The reporting requirements in this bill are similar to those required of staff working with institutionalized elderly persons.

The committee amended the bill to allow the designated contact person to report patient abuse or professional misconduct to the Director of the Division of Mental Health Services, the Commissioner of Human Services, or their designees. Also, the committee amendments allow the county prosecutor the discretion to conduct his own review of suspected patient abuse, and clarify that the Human Services police officers may still conduct their own investigation.

In addition, the committee amended the penalty provision of the bill by requiring enforcement pursuant to Title 11A of the New Jersey Statutes, and by providing that the penalty is applicable to persons after they have completed the abuse prevention program.

Lastly, the bill includes a technical amendment to reflect the bill numbers for the legislation concerning abuse prevention training which is pending before the Legislature as Senate Bill No 1543 (Codey/Martin) or Assembly Bill No. 2427 (DeCroce/Murphy) of 1996.

LEGISLATIVE FISCAL ESTIMATE TO

[First Reprint]
SENATE, No. 1542

STATE OF NEW JERSEY

DATED: DECEMBER 13, 1996

Bill Summary:

Senate Bill No. 1542 (1R) of 1996 requires the reporting of patient abuse and professional misconduct by employees of State psychiatric hospitals and establishes a reporting and investigation program in the Department of Human Services. Any person failing to report suspected patient abuse or professional misconduct after completing training in recognizing probable incidents of or behavior that constitutes patient abuse or professional misconduct, would be liable to a penalty of up to \$5,000.

Agency Comments:

The Department of Human Services and the Office of Management and Budget have not provided any fiscal information on the legislation.

Office of Legislative Services Comments:

No new significant costs are expected to be incurred as a result of the legislation.

This legislative fiscal estimate has been produced by the Office of Legislative Services due to the failure of the Executive Branch to respond to our request for a fiscal note.

This fiscal estimate has been prepared pursuant to P.L.1980, c.67.

174.901
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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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