

30:4-177.53 to 30:4-177.58

LEGISLATIVE HISTORY CHECKLIST

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"Community Mental health and Development
Disabilities Service Act"

NJSA: 30:4-177.53 to 30:4-177.58

LAWS OF: 1997 CHAPTER: 258

BILL NO: A2180

SPONSOR(S): Vandervalk

DATE INTRODUCED: June 20, 1996

COMMITTEE: ASSEMBLY: Community Affairs
SENATE: ---

AMENDED DURING PASSAGE: Yes Assembly Committee Substitute
(1R) enacted

DATE OF PASSAGE: ASSEMBLY: May 22, 1997
SENATE: June 19, 1997

DATE OF APPROVAL: September 23, 1997

FOLLOWING STATEMENTS ARE ATTACHED IF AVAILABLE:

SPONSOR STATEMENT: Yes Also attached: statement to
Assembly floor amendments,
adopted 5-8-97

COMMITTEE STATEMENT: ASSEMBLY: Yes
SENATE: No

FISCAL NOTE: No

VETO MESSAGE: No

MESSAGE ON SIGNING: No

FOLLOWING WERE PRINTED:

REPORTS: No

HEARINGS: No

KBP:pp

§§1 -6
C. 30:4-177.53
To 30:4-177.58

P.L. 1997, CHAPTER 258, *approved September 23, 1997*
Assembly Committee Substitute (*First Reprint*) for
Assembly, No. 2180

1 AN ACT concerning funding for community mental health and
2 developmental disability services and supplementing Title 30 of the
3 Revised Statutes.

4

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

7

8 1. This act shall be known and may be cited as the "Community
9 Mental Health and Developmental Disability Services Investment Act."
10

11 2. The Legislature finds and declares that:

12 a. It is desirable for persons with serious mental illness, including
13 children and adolescents with serious emotional disturbances, as well
14 as persons with developmental disabilities, to receive treatment in their
15 home community;

16 b. The availability of a range of community-based services will
17 enable many persons who might otherwise require continued
18 institutionalization to return to the community and allow the State to
19 reduce its longstanding reliance on State inpatient care for adults with
20 serious mental illness, and children and adolescents with serious
21 emotional disturbances, as well as persons with developmental
22 disabilities. As more services are provided at the local level, there is
23 a compelling State interest in assuring that these services are
24 coordinated and that resources are provided throughout the State; and

25 c. As expenditures for State inpatient resources are reduced,
26 additional funding should be invested in community-based mental

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 Assembly floor amendments adopted May 8, 1997.

1 health services for persons with serious mental illness, including
2 children and adolescents with serious emotional disturbances, as well
3 as community-based services for persons with developmental
4 disabilities.

5

6 3. As used in this act:

7 "Children and adolescents with serious emotional disturbances"
8 means individuals under 18 years of age who meet criteria established
9 by the commissioner, which shall include children and adolescents who
10 are in psychiatric crisis, or children and adolescents who have a
11 designated diagnosis of mental illness under the most recent edition of
12 the Diagnostic and Statistical Manual of Mental Disorders and whose
13 severity and duration of mental illness result in substantial functional
14 disability.

15 "Commissioner" means the Commissioner of Human Services.

16 "Community mental health and developmental disability services"
17 means ¹the following¹ services for persons with serious mental illness,
18 or for persons with developmental disabilities ¹; including: as
19 appropriate:¹

20 a. ¹emergency and crisis services provided in programs licensed
21 or approved by the commissioner;

22 b. case management services;

23 c. outpatient services which provide an adequate level of
24 treatment and rehabilitation to persons with serious mental illness;

25 d. residential services, other than inpatient services, provided in
26 programs licensed or approved by the commissioner and in long-term
27 health care facilities licensed by the Department of Health and Senior
28 Services, including, but not limited to, assisted living residences,
29 comprehensive personal care homes and residential health care
30 facilities;

31 e. psychiatric rehabilitation services, including, but not limited to,
32 supported employment, supported living, psychosocial clubhouse and
33 other partial care modalities;

34 f. other community support services, including, but not limited to,
35 consumer advocacy, consumer operated self-help activities, drop-in
36 centers, and family education and support services;

37 g. ¹ services which are directed toward the alleviation of a
38 developmental disability or mental illness, or toward the social,
39 personal, physical or economic habilitation or rehabilitation of a
40 person with a developmental disability or mental illness, and provided
41 by an agency or program approved by the commissioner; and

42 ¹[b.] h. ¹ other services as approved by the commissioner.

43 "Department" means the Department of Human Services.

44 "Developmental disability" means a developmental disability as
45 defined in the "Developmentally Disabled Rights Act," P.L.1977, c.82
46 (C.30:6D-1 et seq.).

1 "Facility" means a State psychiatric hospital or developmental
2 center operated by the department.

3 "Persons with serious mental illness" means individuals who meet
4 criteria established by the commissioner, which shall include persons
5 who are in psychiatric crisis, or persons who have a designated
6 diagnosis of mental illness under the most recent edition of the
7 Diagnostic and Statistical Manual of Mental Disorders and whose
8 severity and duration of mental illness result in substantial functional
9 disability. Persons with serious mental illness shall include children
10 and adolescents with serious emotional disturbances.

11
12 4. a. The commissioner shall take such actions as are necessary
13 to ensure that ¹[when] as¹ a mental health facility closes that all funds
14 be redirected to services in the community ¹[or other institution]¹
15 thereby increasing the State's financial support to community ¹[and
16 institutional]¹ mental health services for its citizens¹ except for
17 money already earmarked for institutional use through the Marlboro
18 Redirection Plan¹ .

19 b. ¹[The commissioner shall develop a plan to ensure distribution
20 of funding between community and institutional programs is adequate
21 to meet the needs of those discharged to community programs or
22 transferred to other State facilities.

23 c.]¹ The commissioner shall ensure that when individuals with a
24 developmental disability move into the community from a
25 developmental center affected by a significant service reduction,
26 funding utilized for the individual in the developmental center shall be
27 used to fund the individual's community placement.

28 ¹[d.] c.¹ Any funding from the developmental center placement
29 not needed to fully fund the community placement for that individual
30 shall be directed toward the reduction of the waiting list for services
31 in the Division of Developmental Disabilities in the department.

32
33 5. All monies received by the State from the sale of facility
34 property shall be earmarked exclusively for capital and equipment
35 costs associated with the development of community placement for
36 persons with serious mental illness or developmental disabilities,
37 according to criteria to be established by the commissioner.

38
39 6. The commissioner, pursuant to the "Administrative Procedure
40 Act," P.L.1968, c.410 (C.52:14B-1 et seq.), shall adopt rules and
41 regulations to effectuate the purposes of this act.

42
43 7. This act shall take effect immediately.

1 _____
2
3 "Community Mental Health and Developmental Disability Services
4 Investment Act."

LAW ENFORCEMENT
DO NOT REMOVE

STATE OF NEW JERSEY

INTRODUCED JUNE 20, 1996

By Assemblyman BAGGER and Assemblywoman
VANDERVALK

1 AN ACT concerning funding for community mental health and
2 developmental disability services and supplementing Title 30 of the
3 Revised Statutes.

4

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

7

8 1. This act shall be known and may be cited as the "Community
9 Mental Health and Developmental Disability Services Investment Act."
10

11 2. The Legislature finds and declares that:

12 a. It is desirable for persons with serious mental illness, including
13 children and adolescents with serious emotional disturbances, as well
14 as persons with developmental disabilities, to receive treatment in their
15 home community;

16 b. The availability of a range of community-based services will
17 enable many persons who might otherwise require continued
18 institutionalization to return to the community and allow the State to
19 reduce its longstanding reliance on State inpatient care for adults with
20 serious mental illness, and children and adolescents with serious
21 emotional disturbances, as well as persons with developmental
22 disabilities. As more services are provided at the local level, there is
23 a compelling State interest in assuring that these services are
24 coordinated and that resources are equitably distributed throughout
25 the State;

26 c. As expenditures for State inpatient resources are reduced,
27 additional funding should be invested in community-based mental
28 health services for persons with serious mental illness, including
29 children and adolescents with serious emotional disturbances, as well
30 as community-based services for persons with developmental
31 disabilities; and

32 d. There is a compelling State interest to provide assistance to
33 communities and State employees who will be impacted by any
34 anticipated significant service reductions in State psychiatric hospitals
35 or developmental centers.

1 3. As used in this act:

2 "Children and adolescents with serious emotional disturbances"
3 means individuals under 18 years of age who meet criteria established
4 by the commissioner, which shall include children and adolescents who
5 are in psychiatric crisis, or children and adolescents who have a
6 designated diagnosis of mental illness under the most recent edition of
7 the Diagnostic and Statistical Manual of Mental Disorders and whose
8 severity and duration of mental illness result in substantial functional
9 disability.

10 "Commissioner" means the Commissioner of Human Services.

11 "Community mental health and developmental disability services"
12 means the following services for persons with serious mental illness,
13 or for persons with developmental disabilities, as appropriate:

14 a. emergency and crisis services provided in programs licensed or
15 approved by the commissioner;

16 b. case management services;

17 c. outpatient services which provide an adequate level of treatment
18 and rehabilitation to persons with serious mental illness;

19 d. residential services, other than inpatient services, provided in
20 programs licensed or approved by the commissioner and in long-term
21 health care facilities licensed by the Department of Health, including,
22 but not limited to, assisted living residences, comprehensive personal
23 care homes and residential health care facilities;

24 e. psychiatric rehabilitation services, including, but not limited to,
25 supported employment, supported living, psychosocial clubhouse and
26 other partial care modalities;

27 f. other community support services, including, but not limited to,
28 consumer advocacy, consumer operated self-help activities, drop-in
29 centers, and family education and support services;

30 g. other services not included in subsections a. through f. which are
31 directed toward the alleviation of a developmental disability or toward
32 the social, personal, physical or economic habilitation or rehabilitation
33 of a person with a developmental disability, and provided by an agency
34 or program approved by the commissioner; and

35 h. other services as approved by the commissioner.

36 "Department" means the Department of Human Services.

37 "Developmental disability" means a developmental disability as
38 defined in the "Developmentally Disabled Rights Act," P.L.1977, c.82
39 (C.30:6D-1 et seq.).

40 "Facility" means a State psychiatric hospital or developmental
41 center operated by the Department of Human Services.

42 "Persons with serious mental illness" means individuals who meet
43 criteria established by the commissioner, which shall include persons
44 who are in psychiatric crisis, or persons who have a designated
45 diagnosis of mental illness under the most recent edition of the
46 Diagnostic and Statistical Manual of Mental Disorders and whose

1 severity and duration of mental illness result in substantial functional
2 disability. Persons with serious mental illness shall include children
3 and adolescents with serious emotional disturbances.

4

5 4. The commissioner, in consultation with the Commissioner of
6 Personnel, shall issue to the Governor and the Legislature, no later
7 than one year after the effective date of this act, a report concerning
8 the retraining and continuation of employment of persons whose
9 employment in a facility may be terminated because of a significant
10 service reduction in that facility which is anticipated to occur within
11 five years after the effective date of this act. The report shall include,
12 but not be limited to:

13 a. specific proposals to implement transitional employment
14 arrangements with State and county government agencies and
15 voluntary agencies;

16 b. specific proposals to provide for the development of appropriate
17 retraining programs;

18 c. specific proposals to provide for continuity of employment and
19 utilization of alternatives to layoffs; and

20 d. specific proposals to provide for the active participation of the
21 legal bargaining representatives of the affected employees, where
22 appropriate, in the planning for and implementation of mechanisms to
23 ensure continuity of employment.

24

25 5. The commissioner shall establish a task force on the future uses
26 of facility property for a facility in which the commissioner determines
27 that a significant service reduction has occurred. The task force shall
28 include representatives from the Departments of Labor and Commerce
29 and Economic Development and from the county in which the facility
30 is located. The task force shall be advisory in nature and shall have
31 the following duties and responsibilities:

32 a. solicit and receive recommendations concerning possible
33 alternative uses of land and buildings to be vacated by the facility;

34 b. consult with State and county government officials regarding
35 possible future uses of facility property;

36 c. receive input from the community concerning the future use of
37 facility property;

38 d. develop a master plan to be submitted to the commissioner,
39 containing recommendations for the use of the land and buildings; and

40 e. hold one or more public hearings to receive input from the
41 community concerning the elements of the master plan and review and
42 consider any recommendations received at the hearing prior to
43 finalizing the master plan.

44

45 6. a. The commissioner shall take such actions as are necessary to
46 ensure the provision of adequate and appropriate community mental

1 health or developmental disability services, as appropriate, in any area
2 affected by a significant service reduction in a facility.

3 b. Funds appropriated by the Legislature for the development,
4 expansion or operation of community mental health or developmental
5 disability services in an area affected by a significant service reduction
6 in a facility shall be made available to the department to provide grants
7 to one or more counties. A county may directly provide services or
8 contract with a provider of services, or the department may contract
9 directly with a provider of services in any area in which a county elects
10 not to provide services.

11 c. As a condition of receiving a grant from the department, a
12 county shall develop and submit to the commissioner for his approval
13 a community services plan, in accordance with regulations adopted by
14 the commissioner, which contains a description of plans for the
15 provision of community mental health or developmental disability
16 services, as appropriate, within the county. Two or more counties
17 may jointly submit a plan to the commissioner for his approval.

18 d. The commissioner shall allocate funds appropriated pursuant to
19 this section in accordance with the following formula: (1) 50% of the
20 funds shall be allocated on a pro rata basis to one or more counties
21 according to an estimate of the number of persons with serious mental
22 illness or persons with developmental disabilities, as appropriate, who
23 are residents thereof, and including residents who are patients or
24 residents, as appropriate, in facilities located within another county;
25 (2) 25% of the funds shall be allocated based upon the disparity
26 between the estimated number of persons with serious mental illness
27 or developmental disabilities, as appropriate, who are in need of
28 services and the amount of funding for the appropriate services for
29 each county; and (3) the remainder of the funds shall be allocated
30 based upon the efficiency and effectiveness of the use of funding
31 within a county for the delivery of services to persons with serious
32 mental illness or persons with developmental disabilities, as
33 appropriate, and other relevant factors which require the development
34 of new mental health or developmental disability services, as
35 appropriate, as determined by the commissioner.

36 e. Grants provided pursuant to this section shall not be used for
37 capital costs associated with the development of community mental
38 health or developmental disability services; except that, with the
39 approval of the commissioner, these funds may be used for program
40 development costs associated with these services; however, all monies
41 received by the State from the sale of facility property shall be
42 earmarked exclusively for capital and equipment costs associated with
43 the development of community housing for persons with serious
44 mental illness or developmental disabilities, according to criteria to be
45 established by the commissioner.

46 f. Prior to entering into a contract with a provider of services for

1 the provision of community mental health or developmental disability
2 services, the department or county, as appropriate, shall consider the
3 following:

4 (1) the service needs of persons with serious mental illness or
5 persons with developmental disabilities, as appropriate, in the area to
6 be covered by the contract;

7 (2) the capacity of the provider to meet identified service needs and
8 specified performance standards related to access, admission, referral,
9 and service coordination and delivery, which are developed by the
10 department or county, as appropriate;

11 (3) the extent to which the services authorized by the contract will
12 be integrated with other available services in the area to more
13 effectively maintain persons with serious mental illness or persons with
14 developmental disabilities, as appropriate, in the community;

15 (4) the availability of resources for these services;

16 (5) the extent to which community mental health or developmental
17 disability services authorized by the contract are consistent and
18 integrated with plans prepared and approved by the department or
19 county, as appropriate; and

20 (6) the extent to which the contract conforms with minimum
21 contractual requirements established by the commissioner.

22 g. The commissioner is authorized to make inspections and
23 examine records of a county government agency receiving State aid
24 under this section or a provider of services which directly contracts
25 with the department for the provision of community mental health or
26 developmental disability services.

27

28 7. No provision of this act shall be interpreted to create an
29 entitlement for any individual to receive community mental health or
30 developmental disability services.

31

32 8. The commissioner, pursuant to the "Administrative Procedure
33 Act," P.L.1968, c.410 (C.52:14B-1 et seq.), shall adopt rules and
34 regulations to effectuate the purposes of this act.

35

36 9. This act shall take effect immediately.

37

38

39

STATEMENT

40

41 This bill is intended to facilitate the redirection of State mental
42 health and developmental disability services funding from institutional
43 settings to community-based programs by ensuring an orderly and
44 deliberative approach to the downsizing of State psychiatric hospitals
45 and developmental centers and establishing a formula for
46 community-based program expenditures from monies made available

1 by service reductions in the psychiatric hospitals and developmental
2 centers.

3

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6

7 "Community Mental Health and Developmental Disability Services
8 Investment Act."

[Passed Both Houses]

[First Reprint]

ASSEMBLY COMMITTEE SUBSTITUTE FOR
ASSEMBLY, No. 2180

STATE OF NEW JERSEY

ADOPTED MARCH 3, 1997

Sponsored by Assemblyman BAGGER, Assemblywomen
VANDERVALK, Weinberg, Assemblymen Gusciora, Felice,
Wolfe, Holzapfel, Senators Bassano, Codey, Palaia, Ciesla,
Matheussen and Connors

1 AN ACT concerning funding for community mental health and
2 developmental disability services and supplementing Title 30 of the
3 Revised Statutes.

4

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

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8 1. This act shall be known and may be cited as the "Community
9 Mental Health and Developmental Disability Services Investment Act."

10

11 2. The Legislature finds and declares that:

12 a. It is desirable for persons with serious mental illness, including
13 children and adolescents with serious emotional disturbances, as well
14 as persons with developmental disabilities, to receive treatment in their
15 home community;

16 b. The availability of a range of community-based services will
17 enable many persons who might otherwise require continued
18 institutionalization to return to the community and allow the State to
19 reduce its longstanding reliance on State inpatient care for adults with
20 serious mental illness, and children and adolescents with serious
21 emotional disturbances, as well as persons with developmental

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 Assembly floor amendments adopted May 8, 1997.

1 disabilities. As more services are provided at the local level, there is
2 a compelling State interest in assuring that these services are
3 coordinated and that resources are provided throughout the State; and
4 c. As expenditures for State inpatient resources are reduced,
5 additional funding should be invested in community-based mental
6 health services for persons with serious mental illness, including
7 children and adolescents with serious emotional disturbances, as well
8 as community-based services for persons with developmental
9 disabilities.

10

11 3. As used in this act:

12 "Children and adolescents with serious emotional disturbances"
13 means individuals under 18 years of age who meet criteria established
14 by the commissioner, which shall include children and adolescents who
15 are in psychiatric crisis, or children and adolescents who have a
16 designated diagnosis of mental illness under the most recent edition of
17 the Diagnostic and Statistical Manual of Mental Disorders and whose
18 severity and duration of mental illness result in substantial functional
19 disability.

20 "Commissioner" means the Commissioner of Human Services.

21 "Community mental health and developmental disability services"
22 means ¹the following¹ services for persons with serious mental illness,
23 or for persons with developmental disabilities ¹【; including:】 as
24 appropriate:¹

25 a. ¹ emergency and crisis services provided in programs licensed
26 or approved by the commissioner;

27 b. case management services;

28 c. outpatient services which provide an adequate level of
29 treatment and rehabilitation to persons with serious mental illness;

30 d. residential services, other than inpatient services, provided in
31 programs licensed or approved by the commissioner and in long-term
32 health care facilities licensed by the Department of Health and Senior
33 Services, including, but not limited to, assisted living residences,
34 comprehensive personal care homes and residential health care
35 facilities;

36 e. psychiatric rehabilitation services, including, but not limited to,
37 supported employment, supported living, psychosocial clubhouse and
38 other partial care modalities;

39 f. other community support services, including, but not limited to,
40 consumer advocacy, consumer operated self-help activities, drop-in
41 centers, and family education and support services;

42 g. ¹ services which are directed toward the alleviation of a
43 developmental disability or mental illness, or toward the social,
44 personal, physical or economic habilitation or rehabilitation of a
45 person with a developmental disability or mental illness, and provided
46 by an agency or program approved by the commissioner; and

1 **1** **[b.] h.** **1** other services as approved by the commissioner.

2 "Department" means the Department of Human Services.

3 "Developmental disability" means a developmental disability as
4 defined in the "Developmentally Disabled Rights Act," P.L.1977, c.82
5 (C.30:6D-1 et seq.).

6 "Facility" means a State psychiatric hospital or developmental
7 center operated by the department.

8 "Persons with serious mental illness" means individuals who meet
9 criteria established by the commissioner, which shall include persons
10 who are in psychiatric crisis, or persons who have a designated
11 diagnosis of mental illness under the most recent edition of the
12 Diagnostic and Statistical Manual of Mental Disorders and whose
13 severity and duration of mental illness result in substantial functional
14 disability. Persons with serious mental illness shall include children
15 and adolescents with serious emotional disturbances.

16

17 4. a. The commissioner shall take such actions as are necessary
18 to ensure that **1** **[when] as** **1** a mental health facility closes that all funds
19 be redirected to services in the community **1** **[or other institution]** **1**
20 thereby increasing the State's financial support to community **1** **[and**
21 **institutional]** **1** mental health services for its citizens **1** except for
22 money already earmarked for institutional use through the Marlboro
23 Redirection Plan **1** .

24 b. **1** **[The commissioner shall develop a plan to ensure distribution**
25 **of funding between community and institutional programs is adequate**
26 **to meet the needs of those discharged to community programs or**
27 **transferred to other State facilities.**

28 c. **1** The commissioner shall ensure that when individuals with a
29 developmental disability move into the community from a
30 developmental center affected by a significant service reduction,
31 funding utilized for the individual in the developmental center shall be
32 used to fund the individual's community placement.

33 **1** **[d.] c.** **1** Any funding from the developmental center placement
34 not needed to fully fund the community placement for that individual
35 shall be directed toward the reduction of the waiting list for services
36 in the Division of Developmental Disabilities in the department.

37

38 5. All monies received by the State from the sale of facility
39 property shall be earmarked exclusively for capital and equipment
40 costs associated with the development of community placement for
41 persons with serious mental illness or developmental disabilities,
42 according to criteria to be established by the commissioner.

43

44 6. The commissioner, pursuant to the "Administrative Procedure
45 Act," P.L.1968, c.410 (C.52:14B-1 et seq.), shall adopt rules and
46 regulations to effectuate the purposes of this act.

1 7. This act shall take effect immediately.

2

3

4

5

6 "Community Mental Health and Developmental Disability Services
7 Investment Act."

ASSEMBLY COMMUNITY SERVICES COMMITTEE

STATEMENT TO

ASSEMBLY COMMITTEE SUBSTITUTE FOR ASSEMBLY, No. 2180

STATE OF NEW JERSEY

DATED: MARCH 3, 1997

The Assembly Community Services Committee favorably reports an Assembly Committee Substitute for Assembly Bill No. 2180.

This committee substitute is intended to facilitate the redirection of State mental health and developmental disability services funding from institutional settings to community-based programs by ensuring an orderly and deliberative approach to the downsizing of State psychiatric hospitals and developmental centers.

The committee substitute requires the Commissioner of Human Services to:

a. take such actions as are necessary to ensure that when a mental health facility closes that all funds be redirected to services in the community or other institution thereby increasing the State's financial support to community and institutional mental health services for its citizens.

b. develop a plan to ensure distribution of funding between community and institutional programs which is adequate to meet the needs of those discharged to community programs or transferred to other State facilities.

c. ensure that when individuals with a developmental disability move into the community from a developmental center affected by a significant service reduction, funding utilized for the individual in the developmental center shall be used to fund the individual's community placement.

The committee substitute also provides that any funding from the developmental center placement not needed to fully fund the community placement for that individual shall be directed toward the reduction of the waiting list for services in the Division of Developmental Disabilities in the department. Additionally, the substitute provides that all monies received by the State from the sale of facility property shall be earmarked exclusively for capital and equipment costs associated with the development of community placement for persons with serious mental illness or developmental disabilities, according to criteria to be established by the Commissioner.

STATEMENT TO
ASSEMBLY COMMITTEE SUBSTITUTE FOR
ASSEMBLY, No. 2180

with Assembly Floor Amendments
(Proposed By Assemblyman BAGGER)

ADOPTED: MAY 8, 1997

These floor amendments require the Commissioner of Human Services to take such actions as are necessary to ensure that as a mental health facility closes, all funds shall be redirected to services in the community, thereby increasing the State's financial support to community and mental health services for its citizens. This redirection of funding shall not apply to money already earmarked for institutional use through the Marlboro Redirection Plan.

The floor amendments specify that community mental health and developmental disability services mean the following services for persons with serious mental illness, or for persons with developmental disabilities, as appropriate;

- a. emergency and crisis services provided in programs licensed or approved by the commissioner;
- b. case management services;
- c. outpatient services which provide an adequate level of treatment and rehabilitation to persons with serious mental illness;
- d. residential services, other than inpatient services, provided in programs licensed or approved by the commissioner and in long-term health care facilities licensed by the Department of Health and Senior Services, including, but not limited to, assisted living residences, comprehensive personal care homes and residential health care facilities;
- e. psychiatric rehabilitation services, including, but not limited to, supported employment, supported living, psychosocial clubhouse and other partial care modalities;
- f. other community support services, including, but not limited to, consumer advocacy, consumer operated self-help activities, drop-in centers, and family education and support services;
- g. services which are directed toward the alleviation of a developmental disability or mental illness, or toward the social, personal, physical or economic habilitation or rehabilitation of a person with a developmental disability or mental illness, and provided by an agency or program approved by the commissioner; and
- h. other services as approved by the commissioner.

The floor amendments delete references to distribution of funds to institutional programs and provide that any funds will be applied to community programs.

These floor amendments make this Assembly Committee Substitute identical to the Senate Committee Substitute for Senate Bill No. 1692 of 1996 which was released by the Senate Senior Citizens, Veterans' Affairs and Human Services Committee on May 8, 1997.

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OFFICE OF THE GOVERNOR NEWS RELEASE

PO BOX-004

CONTACT: Jayne O'Connor
Gene Herman
(609) 777-2600

TRENTON, NJ 08625

RELEASE: Tuesday
September 23, 1997

Gov. Christie Whitman today signed the following legislation:

A-691, sponsored by Assembly Members Charles Zisa (D-Bergen) and Loretta Weinberg (D--Bergen), and Senators Jack Sinagra (R-Middlesex) and Byron Baer (D-Bergen), creates the New Jersey Human Relations Council. The council is designed to promote anti-prejudice education and to address the problem of bias and violent acts based on the victim's race, color, religion, national origin, ethnicity, sexual orientation, gender or disability.

S-1886, sponsored by Senator Robert J. Martin (R-Essex/Morris/Passaic) and by Assembly Members David C. Russo (R-Bergen/Passaic) and Wilfredo Caraballo (D-Essex), requires each municipality to have a public defender. The bill, an initiative of the New Jersey State Bar Association, is designed to provide higher quality legal representation for indigent defendants in municipal court. Current law permits, but does not require, municipalities to employ a public defender. The League of Municipalities supports the bill, which allows municipalities to charge fees to recoup their costs.

A-2180, sponsored by Assembly Members Richard H. Bagger (R-Middlesex/Union/Morris/Somerset) and Charlotte Vandervalk (R-Bergen/Passaic), and Senators C. Louis Bassano (R-Essex/Union) and William Codey (D-Essex), provides a range of community-based services which would allow for persons who might otherwise require continued institutionalization to return to the community. Any funding from the developmental center placement not needed to fully fund the community placement for an individual shall be directed toward the reduction of the Division of Developmental Disabilities waiting list. The "Community Mental Health and Developmental Disability Services Investment Act" directs the Commissioner of Health and Human Services to ensure that all funding derived from the closure of a mental health facility is redirected to support services within the community.