

26:1A-36.6

LEGISLATIVE HISTORY CHECKLIST
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(Infants & toddlers--early
intervention)

NJSA: 26:1A-36.6

LAWS OF: 1993 **CHAPTER:** 309

BILL NO: A2942

SPONSOR(S) Colburn

DATE INTRODUCED: November 8, 1993

COMMITTEE: **ASSEMBLY:** Health and Human Services

SENATE: ---

AMENDED DURING PASSAGE: No

DATE OF PASSAGE: **ASSEMBLY:** December 13, 1993

SENATE: December 13, 1993

DATE OF APPROVAL: December 23, 1993

FOLLOWING STATEMENTS ARE ATTACHED IF AVAILABLE:

SPONSOR STATEMENT: Yes

COMMITTEE STATEMENT: **ASSEMBLY:** Yes

SENATE: No

FISCAL NOTE: No

VETO MESSAGE: No

MESSAGE ON SIGNING: No

FOLLOWING WERE PRINTED:

REPORTS: No

HEARINGS: No

KBG:pp

P.L.1993, CHAPTER 309, approved December 23, 1993
1993 Assembly No. 2942

1 AN ACT concerning early intervention services, supplementing
2 Title 26 of the Revised Statutes and repealing section 3 of
3 P.L.1981, c.415.

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

7 1. The Legislature finds and declares that:

8 a. It is in the best interests of the State to provide a
9 comprehensive system of early intervention services to support
10 infants and toddlers with disabilities, those at risk for disability,
11 and their families, that is built on existing social networks, and
12 naturally occurring supports such as community associations and
13 extended families which promote the inclusion of the child and
14 the family within the community;

15 b. Infants and toddlers with disabilities are uniquely dependent
16 on their families for survival and nurturance, and while service
17 systems and the personnel within those systems may fluctuate, a
18 family is the only common thread in a child's life;

19 c. There is an urgent need to enhance the development of
20 infants and toddlers with disabilities to minimize their potential
21 for developmental delay and to enhance the capacity for families
22 to meet the needs of these infants and toddlers;

23 d. There is also a need to reduce the education costs to our
24 society, reduce costs associated with reliance on social services,
25 minimize the likelihood of institutionalization, reduce health care
26 costs and improve the long-term health and potential for future
27 employability and independence of infants and toddlers with
28 disabilities;

29 e. No one agency or discipline can meet the complex needs of
30 infants with disabilities and their families, and services to infants
31 and toddlers with disabilities must be comprehensive and
32 multi-disciplinary and must be coordinated so as to assure access
33 and assist families in obtaining needed information and
34 encouraging advocacy on their behalf; and

35 f. Services and strategies to assist and support families must
36 respect autonomy, interdependence and decision-making in a way
37 which reflects the unique racial, ethnic, cultural and
38 social-economic experiences and background of a family.

39 2. The Department of Health, in conjunction with the
40 Departments of Education and Human Services, shall establish a
41 Statewide system of early intervention services for eligible
42 infants and toddlers from birth to age two, inclusive, in
43 accordance with Part H of the "Individuals with Disabilities
44 Education Act," Pub.L.91-330 (20 U.S.C. §1471 et seq.).

45 3. The Department of Health, in consultation with the

1 Departments of Education and Human Services, shall adopt rules
2 and regulations pursuant to the "Administrative Procedure Act,"
3 P.L.1988, c.410 (C.52:14B-1 et seq.) to carry out the purposes of
4 this act.

5 4. Section 3 of P.L.1991, c.415 (C.18A:46-6.2) is repealed.

6 5. This act shall take effect immediately.

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STATEMENT

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11 This bill clarifies the legislative mandate for the Department
12 of Health, in conjunction with the Departments of Education and
13 Human Services, to create a Statewide system of coordinated,
14 comprehensive, multidisciplinary interagency programs for the
15 provision of early intervention services to eligible infants and
16 toddlers from birth to age three, and their families. The early
17 intervention services are required under Part H of the federal
18 "Individuals with Disabilities Education Act," Pub.L.91-230 (20
19 U.S.C. §1471 et seq.).

20 The bill repeals section 3 of P.L.1981, c.415 (C.18A:46-6.2)
21 which originally mandated the Department of Education to
22 provide early intervention services to infants and toddlers with
23 disabilities under three years of age. Section 3 was amended in
24 1992 (P.L.1992, c.155), effective July 1, 1993, to transfer the
25 responsibility for early intervention services from the
26 Department of Education to the Department of Health; however,
27 the allocation of the statute remained in Title 18A (Education) of
28 the New Jersey Statutes. This bill repeals the statute in Title
29 18A and replaces it with similar statutory language, updated to
30 reflect federal law, that would be allocated in Title 26 (Health)
31 of the Revised Statutes.

32 Currently, approximately 2,750 infants and toddlers with
33 disabilities receive early intervention services provided through
34 the Department of Education. In Fiscal Year 1993, the program
35 is funded at a level of \$18.3 million (\$14.8 million State and \$3.5
36 million federal). This funding will be transferred to the
37 Department of Health in Fiscal Year 1994, and upon enactment
38 into law of this bill, additional federal funds will be available to
39 the State so that other eligible infants and toddlers will be able
40 to receive needed early intervention services.

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Provide for early intervention program in DOH.

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45 Provides for early intervention program in DOH.

ASSEMBLY HEALTH AND HUMAN SERVICES COMMITTEE

STATEMENT TO

ASSEMBLY, No. 2942

STATE OF NEW JERSEY

DATED: NOVEMBER 22, 1993

The Assembly Health and Human Services Committee favorably reports Assembly Bill No. 2942.

This bill clarifies the legislative mandate for the Department of Health, in conjunction with the Departments of Education and Human Services, to create a Statewide system of coordinated, comprehensive, multidisciplinary interagency programs for the provision of early intervention services to eligible infants and toddlers from birth to age three, and their families. The early intervention services are required under Part H of the federal "Individuals with Disabilities Education Act," Pub.L.91-230 (20 U.S.C. §1471 et seq.).

The bill repeals section 3 of P.L.1981, c.415 (C.18A:46-6.2) which originally mandated the Department of Education to provide early intervention services to infants and toddlers with disabilities under three years of age. Section 3 was amended in 1992 (P.L.1992, c.155), effective July 1, 1993, to transfer the responsibility for early intervention services from the Department of Education to the Department of Health; however, the allocation of the statute remained in Title 18A (Education) of the New Jersey Statutes. This bill repeals the statute in Title 18A and replaces it with similar statutory language, updated to reflect federal law, that would be allocated in Title 26 (Health) of the Revised Statutes.

In Fiscal Year 1993, approximately 2,750 infants and toddlers with disabilities received early intervention services provided through the Department of Education, and the program was funded at a level of \$18.3 million (\$14.8 million State and \$3.5 million federal). This funding was transferred to the Department of Health in Fiscal Year 1994, and upon enactment into law of this bill, additional federal funds will be available to the State so that other eligible infants and toddlers will be able to receive needed early intervention services.

This bill is identical to Senate Bill No. 1732 (Ewing/Palaia), which is currently pending before the Senate.