

30:4C-66

LEGISLATIVE HISTORY CHECKLIST
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("Bring Our Children
Home Act")

NJSA: 30:4C-66

LAWS OF: 1992 CHAPTER: 111

BILL NO: S647

SPONSOR(S) DiFrancesco

DATE INTRODUCED: March 30, 1992

COMMITTEE: ASSEMBLY: Senior Citizens
SENATE: Women's Issues

AMENDED DURING PASSAGE: Yes Amendments during passage
denoted by asterisks

DATE OF PASSAGE: ASSEMBLY: August 3, 1992
SENATE: May 14, 1992

DATE OF APPROVAL: September 29, 1992

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: No

HEARINGS: No

Plan, mentioned in statements, not available as of 1-15-93.
KBG:pp

[SECOND REPRINT]

SENATE, No. 647

STATE OF NEW JERSEY

INTRODUCED MARCH 30, 1992

By Senators DiFRANCESCO, Cafiero and Bubba

1 AN ACT concerning emotionally disturbed children and
2 supplementing Title 30 of the Revised Statutes.

3

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

6 1. This act shall be known and may be cited as the "Bring Our
7 Children Home Act."

8 2. The Legislature finds and declares that it is the intent of
9 the Legislature to preserve the sanctity of the family unit and to
10 prevent the unnecessary out-of-home placement of emotionally
11 disturbed children ¹, whether in New Jersey or out-of-State¹.

12 The Legislature further finds and declares that it is in the best
13 interest of children that ¹[a coordinated system of care] an
14 individualized, appropriate child and family driven care system¹
15 be developed so that children with ¹[emotional disturbance]
16 special emotional needs¹ and their families receive appropriate
17 educational, nonresidential, residential and family ¹[support]
18 supportive¹ services.

19 ²3. As used in this act:

20 "Case Assessment Resource Team" or "CART" means an
21 entity that reviews the needs of every child in the defined target
22 population and recommends a service plan that best meets the
23 needs of that child and his family;

24 "County Inter-Agency Coordinating Council" or "CIACC"
25 means an entity which fosters cross-system service planning for
26 the defined target population; and

27 "Individualized, appropriate child and family driven care
28 system" means a plan of care for a child with special emotional
29 needs that will provide for, as a priority, the needs of the child
30 and the family, including whatever placement in or out-of-State
31 that is most appropriate for the child and his family.²

32 ²[3.] ^{4.}² The Commissioner of Human Services shall develop an
33 interdepartmental plan for the implementation of ¹[a coordinated
34 system of care] an individualized, appropriate child and family
35 driven care system¹ for children with ¹[emotional disturbance]
36 special emotional needs¹ and for the reduction of inappropriate
37 use of out-of-home placements of these children. ¹The plan shall
38 first address children ready to be returned from institutions such
39 as the Arthur Brisbane Child Treatment Center and other
40 in-State and out-of-State residential facilities, and those at
41 imminent risk of extended out-of-home placement.¹ The
42 commissioner shall consult with appropriate representatives from

EXPLANATION--Matter enclosed in bold-faced brackets [thus] in the
above bill is not enacted and is 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 SWF committee amendments adopted May 4, 1992.

² Assembly ASC committee amendments adopted June 22, 1992.

1 the State departments of Education, Corrections, Health,
2 Community Affairs ¹and the Public Advocate¹, the Statewide
3 Children's Coordinating Council in the Department of Human
4 Services ¹[and]¹ the Administrative Office of the Courts¹, and
5 Statewide family advocacy groups¹, in the development of the
6 plan.

7 ²5. A county may establish a CART and CIACC in accordance
8 with the provisions of this act. In the event that a county does
9 not establish a CART or CIACC, the Department of Human
10 Services may establish a CART or CIACC for that county.²

11 ²[4.] ^{6.}² The plan shall:

12 a. Assess current policies and activities of all divisions in the
13 Department of Human Services in the implementation of the
14 ¹[coordinated system of care] individualized, appropriate child
15 and family driven care system¹;

16 b. ¹Assess the implementation of the policies and procedures
17 of the Case Assessment Resource Teams (CARTs) and the County
18 Inter-Agency Coordinating Councils (CIACCs) sanctioned by the
19 Department of Human Services to be certain, among other things,
20 that a family using the services is a full participant in the
21 CART/CIACC process;

22 c.¹ Be consistent with principles set forth in section ²[5] ⁷² of
23 this act;

24 ¹[c.] d.¹ Set forth specific timelines and procedures for the
25 implementation of new policies and practices that shall be
26 undertaken to develop a system of care which is integrated across
27 divisional and departmental lines;

28 ¹[d.] e.¹ Specify the role and function of ¹[any public or
29 private entity]the CARTs and CIACCs¹ in developing the
30 ¹[coordinated system of care] individualized ^{2,2} appropriate child
31 and family driven care system¹;

32 ¹[e.] f.¹ Recommend departmental or divisional organizational
33 changes required to execute the system of care;

34 ¹[f.] g.¹ Specify the interdepartmental amounts and sources of
35 financial resources required to implement and maintain a
36 coordinated system of care;

37 ¹[g.] h.¹ Develop a mechanism ¹[to apply] to guarantee that¹
38 savings accrued through implementation of this plan ¹be applied¹
39 to community-based children's services;

40 ¹[h.] i.¹ Identify funding mechanisms compatible with
41 individual county needs to carry out the purposes of this act; and

42 ¹[i.] j.¹ Develop a system to monitor and evaluate the
43 outcomes for children with ¹[emotional disturbance] special
44 emotional needs¹ who have received community-based services
45 as a result of the implementation of ¹[a coordinated system of
46 care] an individualized, appropriate child and family driven care
47 system;

48 k. Develop an independent ²[monitoring] evaluation²
49 mechanism ²to report at least quarterly, which is² designed to
50 enhance and evaluate the CART/CIACC interagency system at
51 both the local and Statewide levels;

52 l. Describe all services, both public and private, including
53 rehabilitation services, vocational services, substance abuse
54 services, housing services, educational services, medical and

1 dental care to be provided by local school systems under the
 2 "Education of the Handicapped Act," (20 U.S.C. §1401 et seq.)
 3 and;

4 m. Describe how parents will be involved in the development
 5 of the plan and how the plan will insure their full participation in
 6 the CART/CIAAC process¹.

7 ²[5.] 7.2 The ¹[coordinated system of care] individualized ^{2,2}
 8 appropriate child and family driven system of care¹ ²[shall] may²
 9 embody the following principles:

10 a. Services are to be ¹[child and family-oriented] child and
 11 family driven¹, with priority given to keeping children in their
 12 own homes. ¹[Families] A child and his family or his primary
 13 caregiver, if no family is living,¹ shall be fully involved in all
 14 aspects of the planning and delivery of services;

15 b. Services are to be community-based and are to be provided
 16 in the least restrictive setting consistent with the unique needs
 17 and potential of each child and family;

18 ²[c. Services are to be comprehensive, addressing the child's
 19 physical, educational, social and emotional needs;

20 d.] c.2 Services are to promote early identification and
 21 intervention;

22 ²[e.] d.2 Services are to be culturally and ethnically
 23 ¹[sensitive] competent¹; ¹[and]¹

24 ²[f.] e.2 ¹Services should be based upon the child's potential
 25 and reflect a continuum of care that includes out-of-home
 26 placement when appropriate;

27 ²[g.1] f.2 The rights of children and their families are to be
 28 protected¹; and

29 ²[h.] g.2 A case coordinator should be assigned to each child
 30 and family to insure that service plans are implemented¹.

31 ²8. Any monies saved by the Department of Human Services in
 32 preventing the out-of-home placement of children pursuant to
 33 this act shall be used by the department to provide services
 34 pursuant to the interdepartmental plan developed pursuant to this
 35 act.²

36 ²[6.] 9.2 The Commissioner shall develop the plan within six
 37 months of the effective date of this act and submit the plan to
 38 the Governor and Legislature.

39 ²[7.] 10.2 This act shall take effect immediately.

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Designated the "Bring Our Children Home Act."

- 1 services;
- 2 h. Identify funding mechanisms compatible with individual
3 county needs to carry out the purposes of this act; and
- 4 i. Develop a system to monitor and evaluate the outcomes for
5 children with emotional disturbance who have received
6 community-based services as a result of the implementation of a
7 coordinated system of care.
- 8 5. The coordinated system of care shall embody the following
9 principles:
- 10 a. Services are to be child and family-oriented, with priority
11 given to keeping children in their own homes. Families shall be
12 fully involved in all aspects of the planning and delivery of
13 services;
- 14 b. Services are to be community-based and are to be provided
15 in the least restrictive setting consistent with the unique needs
16 and potential of each child and family;
- 17 c. Services are to be comprehensive, addressing the child's
18 physical, educational, social and emotional needs;
- 19 d. Services are to promote early identification and
20 intervention;
- 21 e. Services are to be culturally and ethnically sensitive; and
- 22 f. The rights of children and their families are to be protected.
- 23 6. The Commissioner shall develop the plan within six months
24 of the effective date of this act and submit the plan to the
25 Governor and Legislature.
- 26 7. This act shall take effect immediately.
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29 STATEMENT

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31 This bill is designated the "Bring Our Children Home Act."
32 Under the provisions of the bill, the Commissioner of Human
33 Services would be required to develop a plan for the
34 implementation of a coordinated system of care and for the
35 reduction of the use of out-of-home placements for children with
36 emotional disturbance. The commissioner would be required to
37 develop the plan within six months of the enactment of the bill
38 and submit the plan to the Governor and the Legislature.

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Designated the "Bring Our Children Home Act."

ASSEMBLY SENIOR CITIZENS
AND SOCIAL SERVICES COMMITTEE

STATEMENT TO

[FIRST REPRINT]

SENATE, No. 647

with committee amendments

STATE OF NEW JERSEY

DATED: JUNE 22, 1992

The Assembly Senior Citizens and Social Services Committee favorably reports Senate Bill No. 647 (1R) with committee amendments.

As amended by committee, this bill is designated the "Bring Our Children Home Act." Under the provisions of the bill, the Commissioner of Human Services would be required to develop a plan for the implementation of a coordinated system of care and for the reduction of the use of out-of-home placements for children with special emotional needs, whether in New Jersey or out-of-State. The commissioner would be required to develop the plan within six months of the enactment of the bill and submit the plan to the Governor and the Legislature.

The commissioner is required to consult with appropriate representatives from the State departments of Education, Corrections, Health, Community Affairs and the Public Advocate, the Statewide Children's Coordinating Council in the Department of Human Services, the Administrative Office of the Courts, and Statewide family advocacy groups, in the development of the plan.

The bill also requires the Department of Human Services' interdepartmental plan to first address children who are ready to leave institutions, such as the Arthur Brisbane Child Treatment Center, and other in-State and out-of-State residential treatment facilities and children who are at imminent risk of extended out-of-home placements.

The interdepartmental plan would also include: (a) an assessment of the implementation of the policies and procedures of the Case Assessment Resource Teams (CARTs) and the County Inter-Agency Coordinating Councils (CIACCs) sanctioned by the Department of Human Services; (b) a description of the role and function of the CARTs and CIACCs in developing the coordinated system of care required under the provisions of the bill; (c) the development of an independent monitoring mechanism designed to enhance and evaluate the CART/CIACC interagency system at the local and Statewide levels; (d) a description of all services, including rehabilitation services, vocational services, substance abuse services, housing services, educational services and medical and dental care to be provided by local school systems under the "Education of the Handicapped Act," (20 U.S.C. §1401 et seq.); (e) a mechanism that would guarantee that savings accrued through the implementation of the plan be applied to community-based children's services; and (f) a description of how parents will be involved in the development of the plan and how the plan will insure their full participation in the CART/CIAAC process.

The committee amended the bill to add definitions for the terms CARTs, CIACCs and individualized appropriate child and family driven care system. The amendments also: clarify that a county may establish a CART or CIACC, and in the event that a county does not, the Department of Human Services may establish the entities for that county; specify that the plan shall develop a system for an independent evaluation mechanism, rather than monitoring mechanism, which will report quarterly; specify that the individualized appropriate child and family driven care system may, rather than shall, embody the principals listed in the bill; delete the principal that services are to be comprehensive, addressing the child's physical, educational, social and emotional needs; and provide that any monies saved by the department in preventing the out-of-home placement of children pursuant to the bill shall be used by the department to provide services pursuant to the interdepartmental plan developed in the bill.

SENATE WOMEN'S ISSUES, CHILDREN
AND FAMILY SERVICES COMMITTEE

STATEMENT TO

SENATE, No. 647

with committee amendments

STATE OF NEW JERSEY

DATED: MAY 4, 1992

The Senate Women's Issues, Children and Family Services Committee favorably reports Senate Bill No. 647 with committee amendments.

As amended, the bill is designated the "Bring Our Children Home Act." Under the provisions of the bill, the Commissioner of Human Services would be required to develop a plan for the implementation of a coordinated system of care and for the reduction of the use of out-of-home placements for children with special emotional needs. The commissioner would be required to develop the plan within six months of the enactment of the bill and submit the plan to the Governor and the Legislature.

The committee amended the bill to broaden the legislative intent of the bill to include the issue of the unnecessary out-of-home placement of children with special emotional needs, whether in New Jersey or out-of-State.

The bill was also amended to require the Department of Human Services' interdepartmental plan to first address children who are ready to leave institutions, such as the Arthur Brisbane Child Treatment Center, and other in-State and out-of-State residential treatment facilities and children who are at imminent risk of extended out-of-home placements. The committee also amended the bill to include the Public Advocate as one of the departments and family advocacy groups that the Commissioner of Human Services would consult with in order to develop the required interdepartmental plan.

Another amendment to the bill would expand the interdepartmental plan to include: (a) an assessment of the implementation of the policies and procedures of the Case Assessment Resource Teams (CARTs) and the County Inter-Agency Coordinating Councils (CIACCs) sanctioned by the Department of Human Services; (b) a description of the role and function of the CARTs and CIACCs in developing the coordinated system of care required under the provisions of the bill; (c) the development of an independent monitoring mechanism designed to enhance and evaluate the CART/CIACC interagency system at the local and Statewide levels; (d) a description of all services, including rehabilitation services, vocational services, substance abuse services, housing services, educational services and medical and dental care to be provided by local school systems under the "Education of the Handicapped Act," (20 U.S.C. §1401 et seq.); (e) a mechanism that would guarantee that savings accrued through the implementation of the plan be applied to community-based children's services; and (f) a description of how parents will be

involved in the development of the plan and how the plan will insure their full participation in the CART/CIAAC process.

The committee also amended the bill to expand the coordinated system of care established in the bill to include services that are based on a child's needs and that reflect a continuum of care that includes out-of-home placement when appropriate, to include the assignment of a case coordinator to each child and family to insure that service plans are implemented and to allow a child and his family or his primary caregiver, if no family is living, to be fully involved in all aspects of the planning and delivery of services.

The committee also adopted upon several language changes. They are as follows:

1. Changing the terms emotionally disturbed children or children with emotional disturbance to children with special emotional needs;
2. Changing the term coordinated system of care to individualized, appropriate child and family driven care system;
3. Changing the term child and family oriented to child and family driven;
4. Changing the term culturally and ethnically sensitive to culturally and ethnically competent; and
5. Changing the term a child's needs to a child's potential.

LEGISLATIVE FISCAL ESTIMATE TO

[SECOND REPRINT]

SENATE, No. 647

STATE OF NEW JERSEY

STATE LIBRARY
TREASURY DIVISION

DATED: July 30, 1992

Senate Bill No. 647 [2R] of 1992, the "Bring Our Children Home Act," requires the Commissioner of Human Services to develop a plan for the implementation of a coordinated system of care to reduce the use of out-of-home placements for children with special emotional needs within six months of the enactment of the bill and to submit the plan to the Governor and the Legislature.

The bill provides that interdepartmental plan shall include:

- A mechanism that would guarantee that savings accrued through the implementation of the plan be applied to community-based children's services;
- A description of how parents will be involved in the development of the plan and how the plan will insure their full participation in the CART/CIAAC process;
- An assessment of the implementation of the policies and procedures of the Case Assessment Resource Teams (CARTs) and the County Inter-Agency Coordinating Councils (CIACCs) sanctioned by the Department of Human Services;
- A description of the role and function of the CARTs and CIACCs in developing the coordinated system of care required under the provisions of the bill;
- The development of an independent evaluation mechanism designed to enhance and evaluate the CART/CIACC interagency system at the local and Statewide levels; and
- A description of all services, including rehabilitation services, vocational services, substance abuse services, housing services, educational services and medical and dental care to be provided by local school systems under the "Education of the Handicapped Act," (20 U.S.C. §1401 et seq.)

The bill provides that the coordinated system of care established in the bill may embody principles such as: services shall be based on a child's needs and reflect a continuum of care that includes out-of-home placement when appropriate; a case coordinator should be assigned to each child and family to insure that service plans are implemented; and a child and his family or his primary caregiver, if no family is living, should be fully involved in all aspects of the planning and delivery of services.

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

As the legislation essentially involves a reallocation of existing expenditures with respect to residential placement and related administrative costs, the Office of Legislative Services does not envision any significant "new" costs or significant savings as a result of this legislation. DHS has been reducing its reliance on out-of-State placements. Between March 1991 and March 1992, DHS reduced the number of out-of-State placements by 95; total

out-of-State placement costs were reduced by about \$4 million. The cost of developing and operating in-State placements for these 95 clients is not known.

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.

974,901

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OFFICE OF THE GOVERNOR NEWS RELEASE

CN-001
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Release:

Wednesday
Sept. 30, 1992

GOVERNOR FLORIO SIGNS BILL TO REDUCE OUT-OF-HOME PLACEMENTS FOR CHILDREN

Emphasizing his goal to keep families together, Governor Jim Florio today signed legislation aimed at reducing out-of-home placements for children with special emotional needs

"This bill will help preserve families and prevent unnecessary out-of-home placement for children with special needs," said Governor Florio. "Our first goal should always be our childrens" best interest which is best served by doing everything we can to allow them to remain in their own homes, surrounded by the love and support of their family."

The "Bring Our Children Home Act" is intended to reduce the use of out-of-home placements for children with special emotional needs who are often placed in facilities in New Jersey or out-of-state. The children affected range in age from 13 to 18 who have been clinically diagnosed as "seriously emotionally disturbed" or having a "conduct disorder", and often suffer drug or alcohol problems.

Under the bill, the Commissioner of Human Services would be required to develop an interdepartmental plan within six months to implement a coordinated system of care and reduce out-of-home placements. The plan would give priority to keeping children in their own homes with community based-services provided in the least restrictive setting.

The plan would first address the needs of those children ready to be returned from institutions such as the Arthur Brisbane Child Treatment Center and other in-state and out-of state residential facilities, as well as children considered at imminent risk of extended out-of-home placement. The Commissioner would be required to submit the plan to the Governor and the Legislature.

The bill, S 647, was sponsored by Senate President Donald DiFrancesco.

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