

ASSEMBLY, No. 4138

STATE OF NEW JERSEY 219th LEGISLATURE

INTRODUCED MAY 11, 2020

Sponsored by:

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District 37 (Bergen)

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District 14 (Mercer and Middlesex)

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SYNOPSIS

Requires Division of Developmental Disabilities to develop public emergency response plan for service providers and facilities serving individuals with developmental disabilities.

CURRENT VERSION OF TEXT

As introduced.



(Sponsorship Updated As Of: 5/28/2020)

1 AN ACT concerning the development of a public emergency
2 response plan for providers of services to individuals with
3 developmental disabilities and supplementing Title 30 of the
4 Revised Statutes.

5

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

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9 1. a. As used in this section:

10 “Commissioner” means the Commissioner of Human Services.

11 “Assistant commissioner” means the Assistant Commissioner of
12 the Division of Developmental Disabilities in the Department of
13 Human Services.

14 “Department” means the Department of Human Services.

15 “Division” means the Division of Developmental Disabilities in
16 the Department of Human Services.

17 “Patient” means a person with developmental disabilities who
18 receives services from the division or any relevant service provider
19 or facility.

20 “Public emergency” means an environmental, public health, or
21 public safety emergency that is occurring in New Jersey or in one or
22 more counties, regions, or other parts of the State, and which is
23 officially recognized and declared as an emergency by the Governor
24 of New Jersey or by the President of the United States.

25 “Relevant service provider or facility” means any person or
26 entity that is licensed, certified, or otherwise authorized by the
27 division to provide services to individuals with developmental
28 disabilities or their families in the State.

29 “Relevant services” or “services” means services that are
30 provided to individuals with developmental disabilities or their
31 families.

32 b. The assistant commissioner of the division, in consultation
33 with the commissioner, the Commissioner of Health, and the
34 Director of the State Office of Emergency Management in the
35 Department of Law and Public Safety, shall develop and oversee
36 the implementation of a public emergency response plan for
37 relevant service providers and facilities in the State. At a minimum,
38 the public emergency response plan shall:

39 (1) establish guidelines and best practices for operations,
40 activities, and procedures that are to be undertaken or implemented
41 by relevant service providers and facilities during a time of public
42 emergency, including, but not limited to, guidelines and best
43 practices governing the general operation of relevant facilities and
44 the actions that are to be undertaken by staff, visitors, and patients
45 in association with the provision or receipt of services during a time
46 of public emergency;

47 (2) identify the means, methods, and channels through which
48 relevant service providers and facilities will be able to obtain

1 personal protective equipment (PPE), electronic communications
2 equipment, and other resources deemed by the division to be
3 necessary for those providers and facilities to continue to operate
4 and provide services in a safe manner that is conducive to the
5 health, security, and well-being of patients, staff, and visitors during
6 the course of a public emergency; and

7 (3) address various possible public emergency scenarios and
8 provide for the application of differing standards and best practices
9 under paragraph (1) of this subsection and the use of differing
10 sourcing methods pursuant to paragraph (2) of this subsection for
11 different types of public emergency, as appropriate, while
12 highlighting the standards, best practices, and resource sourcing
13 methods that are applicable for the purposes of any currently
14 declared public emergency.

15 c. The division shall:

16 (1) prepare a public emergency response plan, as required by
17 this section, within 30 days after the enactment of this act;

18 (2) review and revise the plan: (a) on at least a biennial basis
19 after the plan's initial preparation under paragraph (1) of this
20 subsection; and (b) immediately upon the declaration of any new
21 public emergency in the State; and

22 (3) provide a copy of the initial response plan developed under
23 paragraph (1) of this subsection and a copy of any revised response
24 plan developed under paragraph (2) of this subsection to the
25 Commissioner of Health, the Commissioner of Human Services, the
26 chairs of the Assembly Human Services Committee and the Senate
27 Health, Human Services and Senior Citizens Committee, or their
28 successor committees, and all relevant service providers and
29 facilities, within 10 days after completion thereof.

30 d. An updated copy of the response plan prepared pursuant to
31 subsection c. of this section shall be posted on the Internet websites
32 of the department, the division, and the Department of Health.

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34 2. This act shall take effect immediately.

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STATEMENT

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39 This bill would require the Assistant Commissioner of the
40 Division of Developmental Disabilities (DDD) in the Department of
41 Human Services (DHS), in consultation with the Commissioners of
42 Human Services and Health and the Director of the State Office of
43 Emergency Management in the Department of Law and Public
44 Safety, to develop and oversee the implementation of a public
45 emergency response plan for service providers and facilities in the
46 State that provide services to individuals with developmental
47 disabilities and their families. At a minimum, the public emergency
48 response plan is to:

1 1) establish guidelines and best practices for operations,
2 activities, and procedures that are to be undertaken or implemented
3 by relevant service providers and facilities during a time of public
4 emergency, including, but not limited to, guidelines and best
5 practices governing the general operation of relevant facilities and
6 the actions that are to be undertaken by staff, visitors, and patients
7 in association with the provision or receipt of services during a time
8 of public emergency;

9 2) identify the means, methods, and channels through which
10 relevant service providers and facilities will be able to obtain
11 personal protective equipment (PPE), electronic communications
12 equipment, and other resources deemed by the division to be
13 necessary for those providers and facilities to continue to operate
14 and provide services in a safe manner that is conducive to the
15 health, security, and well-being of patients, staff, and visitors during
16 the course of a public emergency; and

17 3) address various possible public emergency scenarios and
18 provide for the application of differing standards and best practices
19 and the use of differing resource sourcing methods, as appropriate,
20 for different types of public emergency, while highlighting the
21 standards, best practices, and sourcing methods that are applicable
22 for the purposes of any currently declared public emergency.

23 The division will be required to: 1) prepare a public emergency
24 response plan, as required by the bill, within 30 days after the date
25 of the bill's enactment; 2) review and revise the plan on at least a
26 biennial basis after the plan's initial preparation and immediately
27 upon the declaration of any new public emergency in the State; and
28 3) provide a copy of the initial response plan and any revised
29 response plan to the Commissioners of Human Services and Health,
30 the chairs of the Assembly Human Services Committee and the
31 Senate Health, Human Services and Senior Citizens Committee, or
32 their successor committees, and all relevant service providers and
33 facilities, within 10 days after completion thereof.

34 An updated copy of the response plan is to be posted on the
35 Internet websites of the DDD, DHS, and the Department of Health.