ASSEMBLY, No. 4239 **STATE OF NEW JERSEY** 219th LEGISLATURE

INTRODUCED JUNE 8, 2020

Sponsored by: Assemblywoman VALERIE VAINIERI HUTTLE District 37 (Bergen) Assemblywoman AURA K. DUNN District 25 (Morris and Somerset)

SYNOPSIS

Allows in-person visitation for immediate family members and legal guardians of residents of community-based residential programs and group homes during COVID-19 pandemic.

CURRENT VERSION OF TEXT

As introduced.



(Sponsorship Updated As Of: 6/22/2020)

A4239 VAINIERI HUTTLE, DUNN

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AN ACT concerning certain community-based residential programs

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2 and group homes and supplementing Title 30 of the Revised 3 Statutes. 4 5 **BE IT ENACTED** by the Senate and General Assembly of the State 6 of New Jersey: 7 8 1. As used in this act: 9 "Community-based residential program" means a developmental 10 center, supervised apartment, community care residence, nursing 11 or any other residential setting, which is licensed and home 12 regulated by the Department of Human Services. 13 "Group home" means a living arrangement that is operated in a 14 residence or residences leased or owned by an individual licensed 15 by the Department of Human Services; which provides the 16 opportunity for individuals with developmental disabilities to live 17 together in a home, sharing in chores and the overall management 18 of the residence; and in which staff provides supervision, training, or assistance in a variety of forms and intensity as required to assist 19 20 the individuals as they move toward independence. 21 "Resident" means any child or adult whose primary residence is 22 a community-based residential program or group home that is 23 operated by, or under contract with, the Department of Human 24 Services. 25 26 2. a. During the public health emergency declared pursuant to 27 P.L.2005, c.222 (C.26:13-1 et seq.) in response to the coronavirus 28 disease 2019 (COVID-19), the Department of Human Services shall 29 require the operator of a community-based residential program or 30 group home to allow in-person visitation between a resident of the 31 community-based residential program or group home and the resident's immediate family members and legal guardian. 32 33 b. Each visitor of a resident of a community-based residential 34 program or group home pursuant to subsection a. of this section 35 shall be subject to all restrictions and limitations imposed by the 36 department in response to the coronavirus disease 2019 (COVID-37 19), which may, but not limited to requiring each visitor to: 38 (1) undergo a complete screening for exposure to, or symptoms 39 of the coronavirus disease 2019 (COVID-19); 40 (2) practice social distancing, including maintaining a six foot 41 distance between the visitor and all residents and staff while in, or 42 on the premises of, the community-based residential program or 43 group home; and

44 (3) wear a non-medical facial covering while in, or on the
45 premises of, the community-based residential program or group
46 home.

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The Department of Human Services, pursuant to the
 "Administrative Procedures Act," P.L.1968, c.410 (C.52:14B-1 et
 seq.) shall adopt rules and regulations necessary to effectuate the
 purposes of this act.

- 4. This act shall take effect immediately.
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STATEMENT

11 This bill requires that during the public health emergency 12 declared pursuant to P.L.2005, c.222 (C.26:13-1 et seq.) in response 13 to the coronavirus disease 2019 (COVID-19), the Department of 14 Human Services (DHS) would require the operator of a community-15 based residential program or group home to allow in-person 16 visitation between a resident of the community-based residential 17 program or group home and the resident's immediate family 18 members and legal guardian.

19 As used in the bill: "community-based residential program 20 means a developmental center, supervised apartment, community 21 care residence, nursing home or any other residential setting, which 22 is licensed and regulated by the DHS; "group home" means a living 23 arrangement that is operated in a residence or residences leased or 24 owned by an individual licensed by the DHS; which provides the 25 opportunity for individuals with developmental disabilities to live 26 together in a home, sharing in chores and the overall management 27 of the residence; and in which staff provides supervision, training, 28 or assistance in a variety of forms and intensity as required to assist 29 the individuals as they move toward independence; and "resident" 30 means any child or adult whose primary residence is a community-31 based residential program or group home that is operated by, or under contract with, the DHS. 32

33 Specifically, the bill stipulates that each visitor of a resident of a 34 community-based residential program or group home would be 35 subject to all restrictions and limitations imposed by the DHS in response to the public health emergency, which may include, but 36 37 not limited to, requiring each visitor to: undergo a complete 38 screening for exposure to, or symptoms of COVID-19; practice 39 social distancing, including maintaining a six foot distance between 40 the visitor and all residents and staff while in, or on the premises of, 41 the community-based residential program or group home; and wear 42 a non-medical facial covering while in, or on the premises of, the 43 program or home.