

SENATE, No. 1036

STATE OF NEW JERSEY
219th LEGISLATURE

INTRODUCED JANUARY 30, 2020

Sponsored by:
Senator VIN GOPAL
District 11 (Monmouth)

SYNOPSIS

Establishes a Personal Care Assistance Task Force in Department of Human Services.

CURRENT VERSION OF TEXT

As introduced.



S1036 GOPAL

2

1 AN ACT establishing a Personal Care Assistance Task Force, and
2 supplementing Title 26 of the Revised Statutes.

3

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

6

7 1. a. There is established, in the Department of Human
8 Services, a Personal Care Assistance Task Force.

9 b. The task force shall consist of 15 members as follows:

10 (1) the Commissioner of Human Services, the Commissioner of
11 Health, and the Ombudsman for Individuals with Intellectual or
12 Developmental Disabilities and Their Families, or the designees
13 thereof, who shall serve ex officio; and

14 (2) 12 public members, including: (a) three persons who
15 represent different disability advocacy groups from each of the
16 northern, central, and southern regions of the State; and (b) nine
17 persons who are receiving personal care assistance benefits or are
18 acting as a caregiver for a person who is receiving personal care
19 assistance benefits, including at least one such person who is a
20 student of higher education. The 12 members appointed pursuant to
21 this paragraph shall, to the maximum extent practicable, provide for
22 the equal representation of all genders, age-groups, and levels of
23 need.

24 c. Of the 12 public members appointed to the task force, four
25 shall be appointed by the Governor, three shall be appointed by the
26 President of the Senate, three shall be appointed by the Speaker of
27 the General Assembly, one shall be appointed by the minority
28 leader of the Senate, and one shall be appointed by the minority
29 leader of the General Assembly.

30 d. Each public member of the task force shall serve for a term
31 of five years, except that, of the members first appointed, four shall
32 serve for terms of five years, four shall serve for terms of four
33 years, and four shall serve for terms of three years. Each member
34 shall hold office for the term of appointment, and until their
35 successor is appointed and qualified.

36 e. Any vacancy in the task force membership shall be filled for
37 the unexpired term, in the same manner provided for the original
38 appointment. Members shall be eligible for reappointment to the
39 task force.

40 f. The Commissioner of Human Services shall serve as chair of
41 the task force.

42 g. The purpose and duties of the task force shall be to:

43 (1) study the accuracy of the personal care assistance evaluation
44 tool;

45 (2) study the feasibility of incorporating an additional index
46 within the personal care assistance evaluation tool to account for the
47 needs of students of higher education who are living on campus;
48 and

S1036 GOPAL

- 1 (3) study the feasibility of the State hiring a third party to
2 determine the allotment of personal care assistance and private duty
3 nursing benefits.
- 4 h. The task force shall organize as soon as practicable after the
5 appointment of a majority of its members, and may meet and hold
6 hearings at such places and times as the chair shall designate.
- 7 i. The Department of Human Services shall provide
8 professional and clerical staff to the task force as may be necessary
9 for the task force's purposes, and the task force shall also be
10 entitled to call upon the services of any State, county, or municipal
11 department, board, commission, or agency, as may be available to it
12 for its purposes.
- 13 j. The task force may solicit and receive grants and other funds
14 that are made available for the task force's purposes by any
15 governmental, public, private, not-for-profit, or for-profit agency,
16 including funds that are made available under any federal or State
17 law, regulation, or program.
- 18 k. Within 12 months after the task force's organizational
19 meeting, and every five years thereafter, the task force shall submit
20 to the Governor, and, pursuant to section 2 of P.L.1991, c.164
21 (C.52:14-19.1), to the Legislature, a report of its activities under
22 this section, including its recommendations regarding the updating
23 of the personal care assistance evaluation tool.

24
25 2. This act shall take effect immediately.
26
27

28 **STATEMENT**
29

30 This bill would establish a Personal Care Assistance Task Force
31 in the Department of Human Services. The task force would consist
32 of 15 members as follows: 1) the Commissioner of Human Services,
33 the Commissioner of Health, and the Ombudsman for Individuals
34 with Intellectual or Developmental Disabilities and Their Families,
35 or the designees thereof, who would serve ex officio; and 2) 12
36 public members, including three persons who represent different
37 disability advocacy groups from each of the northern, central, and
38 southern regions of the State; and nine persons who are receiving
39 personal care assistance benefits or are acting as a caregiver for a
40 person who is receiving personal care assistance benefits, including
41 at least one such person who is a student of higher education. The
42 12 public members, to the maximum extent practicable, are to
43 equally represent all genders, age-groups, and levels of need.

44 Of the 12 public members appointed to the task force, four are to
45 be appointed by the Governor, three are to be appointed by the
46 President of the Senate, three are to be appointed by the Speaker of
47 the General Assembly, one is to be appointed by the minority leader

S1036 GOPAL

4

1 of the Senate, and one is to be appointed by the minority leader of
2 the General Assembly.

3 The purpose and duties of the task force will be to: 1) study the
4 accuracy of the personal care assistance evaluation tool; 2) study
5 the feasibility of incorporating an additional index within the
6 personal care assistance evaluation tool to account for the needs of
7 students of higher education who are living on campus; and 3) study
8 the feasibility of the State hiring a third party to determine the
9 allotment of personal care assistance and private duty nursing
10 benefits.

11 Within 12 months after the task force's organizational meeting,
12 and every five years thereafter, the task force will be required to
13 submit a report of its activities to the Governor and Legislature,
14 including its recommendations regarding the updating of the
15 personal care assistance evaluation tool.