

# 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.