

ASSEMBLY, No. 2427

STATE OF NEW JERSEY

INTRODUCED OCTOBER 21, 1996

By Assemblyman DeCROCE, Assemblywoman MURPHY and  
Assemblyman Bucco

1 AN ACT concerning State psychiatric facilities and supplementing Title  
2 30 of the Revised Statutes.

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

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7 1. As used in this act, "nursing direct care staff" means a Human  
8 Services Assistant, Human Services Technician or a nurse licensed  
9 pursuant to Title 45 of the Revised Statutes.

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11 2. a. The Department of Human Services shall provide in-service,  
12 on-site training pursuant to this section for all nursing direct care staff  
13 and support staff who have direct contact with patients, including but  
14 not limited to, housekeeping, engineering, grounds, and food service  
15 staff, at a State psychiatric facility listed in R.S.30:1-7.

16 b. The chief executive officer, or his designee, of a State  
17 psychiatric facility shall designate and train employees from within the  
18 facility to be the instructors for the in-service, on-site training program  
19 established pursuant to this section.

20 c. The in-service, on-site training shall include:

21 (1) sensitivity training to encourage nursing direct care staff to  
22 interact with patients;

23 (2) an abuse prevention program which is designed to train nursing  
24 direct care staff and support staff to recognize probable incidents of  
25 or behavior that constitutes patient abuse or professional misconduct,  
26 educate and empower employees and patients and which shall include  
27 discussions in ward community groups concerning abuse, rights of  
28 staff and patients, and procedures for reporting abuse pursuant  
29 to P.L. , c. (C. )(now pending before the Legislature as Senate  
30 Bill No. );

31 (3) cultural training which addresses racial issues;

32 (4) an equivalency degree program, pursuant to section 3 of this  
33 act, for Human Services Assistants and Human Services Technicians  
34 who do not hold a high school diploma; and

35 (5) an extensive orientation program for new employees.

36 d. Nursing direct care staff and support staff employed on the

1 effective date of this act shall successfully complete the training  
2 program, as provided in paragraphs (1), (2), (3) and (5) of subsection  
3 c. of this section, within 18 months of the effective date of this act.

4 e. Nursing direct care staff and support staff hired after the  
5 effective date of this act shall successfully complete the training  
6 program, as provided in paragraphs (1), (2), (3) and (5) of subsection  
7 c. of this section within one year of their date of hire.

8 f. Subject to the provisions of Title 11A of the New Jersey  
9 Statutes, if an employee does not successfully complete the training  
10 program as provided in this act, within the allotted time periods  
11 specified in this act, he shall be subject to salary and promotion  
12 limitations or demotions, and in the case of deliberate noncompliance  
13 with the training program, removal from employment.

14 g. Nothing herein shall preclude the Commissioner of Human  
15 Services from providing training pursuant to this section to a person  
16 employed by a private entity under contract with the State to provide  
17 contracted services at a State psychiatric hospital.

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19 3. a. A Human Services Assistant or Human Services Technician  
20 employed on the effective date of this act, who does not hold an  
21 equivalency degree or high school diploma, shall complete that degree  
22 or diploma as part of in-service, on-site training by January 1, 1999.

23 b. Effective January 1, 1999, a Human Services Assistant or  
24 Human Services Technician shall not be hired unless he has  
25 successfully completed one year of schooling in a four-year or two-  
26 year college or one year of nursing in an accredited nursing program.

27 c. Effective January 1, 1999, any Human Services Assistant who  
28 has successfully completed one year of schooling in a four-year or  
29 two-year college or one year of nursing in an accredited nursing  
30 program shall earn a minimum base salary of \$25,000, based on a 35-  
31 hour work week.

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33 4. The Commissioner of Human Services, pursuant to the  
34 "Administrative Procedure Act," P.L.1968, c.410 (C.52:14B-1 et  
35 seq.), shall adopt rules and regulations to effectuate the purposes of  
36 this act.

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38 5. This act shall take effect 60 days after enactment.  
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#### 41 STATEMENT

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43 This bill requires the Department of Human Services to provide in-  
44 service, on-site training for all nursing direct care staff and support  
45 staff who have direct contact with patients at a State psychiatric  
46 facility. The chief executive officer, or his designee, shall designate

1 and train employees from within the facility to be the instructors.

2 The in-service, on-site training shall include:

- 3 C sensitivity training to encourage nursing direct care staff to interact  
4 with patients;
- 5 C an abuse prevention program which is designed to train nursing  
6 direct care staff and support staff to recognize probable incidents  
7 of or behavior that constitutes patient abuse or professional  
8 misconduct, educate and empower employees and patients and  
9 which shall include discussions in ward community groups  
10 concerning abuse, rights of staff and patients, and procedures for  
11 reporting abuse pursuant to P.L. , c. (C. )(now pending before  
12 the Legislature as Senate Bill No. );
- 13 C cultural training which addresses racial issues;
- 14 C an equivalency degree program for Human Services Assistants and  
15 Human Services Technicians who do not hold a high school  
16 diploma; and
- 17 C an extensive orientation program for new employees.

18 The provisions of the bill require that a Human Services Assistant  
19 or Human Services Technician employed on the effective date of the  
20 bill, who does not hold an equivalency degree or high school diploma,  
21 shall complete that degree or diploma as part of in-service, on-site  
22 training by January 1, 1999. Also as of January 1, 1999, a Human  
23 Services Assistant or Human Services Technician shall not be hired  
24 unless he has successfully completed one year of schooling in a four-  
25 year or two-year college or one year of nursing in an accredited  
26 nursing program. Additionally, as of January 1, 1999, any Human  
27 Services Assistant who has successfully completed one year of  
28 schooling in a college or one year of nursing in an accredited nursing  
29 program shall earn a minimum base salary of \$25,000, based on a 35-  
30 hour work week. In addition to increasing the salary level for newly  
31 hired Human Services Assistants who meet the new educational  
32 requirements, the bill further provides an incentive for current Human  
33 Services Assistants to seek a higher level of education, and as a  
34 result, earn a higher salary.

35 Subject to the provisions of Title 11A of the New Jersey Statutes,  
36 the "Civil Service Act," if an employee does not successfully complete  
37 the training program within the allotted time periods, he shall be  
38 subject to salary and promotion limitations or demotions and in the  
39 case of deliberate noncompliance with the training program, removal  
40 from employment.

41 Lastly, this bill would not preclude the Commissioner of Human  
42 Services from providing training to a person employed by a private  
43 entity under contract with the State to provide contracted services at  
44 a State psychiatric hospital.

45 This legislation is part of a package of bills which was  
46 recommended in the Final Report of the Senate Task Force on

1 Greystone Park Psychiatric Hospital, June 1996, and is designed to  
2 improve the care provided in the State's psychiatric facilities. The task  
3 force believes that the training program, as provided for in this  
4 legislation, will provide staff with the training necessary to provide  
5 enhanced patient care and will reduce the frequency of patient abuse  
6 and neglect.

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11 Requires Department of Human Services to provide in-service, on-site  
12 training at State psychiatric facilities.