

SENATE, No. 1543

STATE OF NEW JERSEY

INTRODUCED OCTOBER 3, 1996

By Senators CODEY, MARTIN, Bassano and MacInnes

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.

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

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

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24 (1) sensitivity training to encourage nursing direct care staff to
25 interact with patients;

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

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36 (3) cultural training which addresses racial issues;

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

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

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44 d. Nursing direct care staff and support staff employed on the
45 effective date of this act shall successfully complete the training

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

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

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

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

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

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

26 c. Effective January 1, 1999, any Human Services Assistant who
27 has successfully completed one year of schooling in a four-year or
28 two-year 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.

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

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37 5. This act shall take effect 60 days after enactment.

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STATEMENT

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

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

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

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

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

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

44 This legislation is part of a package of bills which was
45 recommended in the Final Report of the Senate Task Force on
46 Greystone Park Psychiatric Hospital, June 1996, and is designed to

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

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