

SENATE COMMITTEE SUBSTITUTE FOR
SENATE, No. 1692

STATE OF NEW JERSEY

ADOPTED MAY 8, 1997

Sponsored by Senators BASSANO, CODEY, Connors, Palaia,
Ciesla and Matheussen

1 AN ACT concerning funding for community mental health and
2 developmental disability services and supplementing Title 30 of the
3 Revised Statutes.

4

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

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8 1. This act shall be known and may be cited as the "Community
9 Mental Health and Developmental Disability Services Investment Act."

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11 2. The Legislature finds and declares that:

12 a. It is desirable for persons with serious mental illness, including
13 children and adolescents with serious emotional disturbances, as well
14 as persons with developmental disabilities, to receive treatment in their
15 home community;

16 b. The availability of a range of community-based services will
17 enable many persons who might otherwise require continued
18 institutionalization to return to the community and allow the State to
19 reduce its longstanding reliance on State inpatient care for adults with
20 serious mental illness, and children and adolescents with serious
21 emotional disturbances, as well as persons with developmental
22 disabilities. As more services are provided at the local level, there is
23 a compelling State interest in assuring that these services are
24 coordinated and that resources are provided throughout the State; and

25 c. As expenditures for State inpatient resources are reduced,
26 additional funding should be invested in community-based mental
27 health services for persons with serious mental illness, including
28 children and adolescents with serious emotional disturbances, as well
29 as community-based services for persons with developmental
30 disabilities.

EXPLANATION - Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted in the law.

Matter underlined thus is new matter.

1 3. As used in this act:

2 "Children and adolescents with serious emotional disturbances"
3 means individuals under 18 years of age who meet criteria established
4 by the commissioner, which shall include children and adolescents who
5 are in psychiatric crisis, or children and adolescents who have a
6 designated diagnosis of mental illness under the most recent edition of
7 the Diagnostic and Statistical Manual of Mental Disorders and whose
8 severity and duration of mental illness result in substantial functional
9 disability.

10 "Commissioner" means the Commissioner of Human Services.

11 "Community mental health and developmental disability services"
12 means the following services for persons with serious mental illness,
13 or for persons with developmental disabilities, as appropriate:

14 a. emergency and crisis services provided in programs licensed or
15 approved by the commissioner;

16 b. case management services;

17 c. outpatient services which provide an adequate level of treatment
18 and rehabilitation to persons with serious mental illness;

19 d. residential services, other than inpatient services, provided in
20 programs licensed or approved by the commissioner and in long-term
21 health care facilities licensed by the Department of Health and Senior
22 Services, including, but not limited to, assisted living residences,
23 comprehensive personal care homes and residential health care
24 facilities;

25 e. psychiatric rehabilitation services, including, but not limited to,
26 supported employment, supported living, psychosocial clubhouse and
27 other partial care modalities;

28 f. other community support services, including, but not limited to,
29 consumer advocacy, consumer operated self-help activities, drop-in
30 centers, and family education and support services;

31 g. services which are directed toward the alleviation of a
32 developmental disability or mental illness, or toward the social,
33 personal, physical or economic habilitation or rehabilitation of a
34 person with a developmental disability or mental illness, and provided
35 by an agency or program approved by the commissioner; and

36 h. other services as approved by the commissioner.

37 "Department" means the Department of Human Services.

38 "Developmental disability" means a developmental disability as
39 defined in the "Developmentally Disabled Rights Act," P.L.1977, c.82
40 (C.30:6D-1 et seq.).

41 "Facility" means a State psychiatric hospital or developmental
42 center operated by the department.

43 "Persons with serious mental illness" means individuals who meet
44 criteria established by the commissioner, which shall include persons
45 who are in psychiatric crisis, or persons who have a designated

1 diagnosis of mental illness under the most recent edition of the
2 Diagnostic and Statistical Manual of Mental Disorders and whose
3 severity and duration of mental illness result in substantial functional
4 disability. Persons with serious mental illness shall include children
5 and adolescents with serious emotional disturbances.

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7 4. a. The commissioner shall take such actions as are necessary
8 to ensure that as a mental health facility closes that all funds be
9 redirected to services in the community thereby increasing the State's
10 financial support to community mental health services for its citizens,
11 except for money already earmarked for institutional use through the
12 Marlboro Redirection Plan.

13 b. The commissioner shall ensure that when individuals with a
14 developmental disability move into the community from a
15 developmental center affected by a significant service reduction,
16 funding utilized for the individual in the developmental center shall be
17 used to fund the individual's community placement.

18 c. Any funding from the developmental center placement not
19 needed to fully fund the community placement for that individual shall
20 be directed toward the reduction of the waiting list for services in the
21 Division of Developmental Disabilities in the department.

22
23 5. All monies received by the State from the sale of facility
24 property shall be earmarked exclusively for capital and equipment
25 costs associated with the development of community placement for
26 persons with serious mental illness or developmental disabilities,
27 according to criteria to be established by the commissioner.

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29 6. The commissioner, pursuant to the "Administrative Procedure
30 Act," P.L.1968, c.410 (C.52:14B-1 et seq.), shall adopt rules and
31 regulations to effectuate the purposes of this act.

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33 7. This act shall take effect immediately.

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38 "Community Mental Health and Developmental Disability Services
39 Investment Act."