

ASSEMBLY, No. 5565

STATE OF NEW JERSEY

219th LEGISLATURE

INTRODUCED MAY 5, 2021

Sponsored by:

Assemblywoman JOANN DOWNEY

District 11 (Monmouth)

Assemblyman RAJ MUKHERJI

District 33 (Hudson)

Co-Sponsored by:

Assemblyman Verrelli

SYNOPSIS

“Behavioral Health Crisis Mobile Response Act”; appropriates \$2.5 million.

CURRENT VERSION OF TEXT

As introduced.



(Sponsorship Updated As Of: 5/5/2021)

1 AN ACT concerning crisis response for adults with disabilities who
2 are undergoing a behavioral health crisis, supplementing Title 30
3 of the Revised Statutes, and making an appropriation.
4

5 **BE IT ENACTED** *by the Senate and General Assembly of the State*
6 *of New Jersey:*
7

8 1. This act shall be known, and may be cited, as the
9 “Behavioral Health Crisis Mobile Response Act.”
10

11 2. As used in this act:

12 “Adult in crisis” means an adult with disabilities who is
13 experiencing a behavioral health crisis.

14 “Behavioral health crisis” means an emergency or crisis situation
15 in which an adult with a disability experiences mental, emotional,
16 or behavioral health challenges that endanger the health, safety, or
17 wellbeing of the disabled adult, or of other persons interacting with
18 the disabled adult, and which cannot be controlled, or otherwise
19 properly addressed or stabilized by the adult, or by the adult’s
20 family members, attendant caregivers, or direct care staff members,
21 without professional assistance.

22 “Crisis bed” means an available bed in a temporary stabilization
23 unit that is used, when needed, for the temporary placement, not
24 exceeding seven days, and stabilization of an adult in crisis.

25 “Crisis response” means face-to-face emergency response, which
26 is provided by a mobile crisis response team under this act, with the
27 assistance of a temporary stabilization unit, where needed, and
28 which is available 24 hours a day, 365 days a year, to de-escalate
29 and stabilize any behavioral health crisis being experienced by an
30 adult with disabilities.

31 “Crisis response services” means services that are provided
32 during the initial crisis response period, either by a mobile crisis
33 response team, or by a temporary stabilization unit, to stabilize the
34 adult in crisis.

35 “Department” means the Department of Human Services.

36 “Direct care staff member” means a person 18 years of age or
37 older who is employed by a group home, and who may come into
38 direct contact with group home residents.

39 “Disability” means an intellectual or developmental disability, or
40 a mental illness.

41 “Group home” means the same as that term is defined by section
42 1 of P.L.2017, c.238 (C.30:6D-9.1).

43 “Home” means a private residence or a community-based
44 residential facility, such as a group home or halfway house, where
45 an adult in crisis is a resident.

46 “Individualized crisis stabilization plan (ICSP)” means an
47 individualized service plan, developed by a mobile crisis response
48 team for an adult in crisis, which identifies target behaviors to be

1 addressed in, desired outcomes to be attained by, and necessary
2 mental or behavioral health services to be provided to, the adult in
3 crisis, both during the initial crisis response period and, if indicated,
4 during a subsequent stabilization management period lasting up to
5 eight weeks thereafter, as necessary to ensure the stabilization of
6 the adult in crisis and minimize or eliminate the dangers stemming
7 from the crisis.

8 “Initial 72-hour mobile response period” means the initial period
9 of time, lasting 72 hours, over a four-day span of time, during
10 which a mobile crisis response team is required to provide mobile
11 crisis response services to an adult in crisis, while at the adult’s
12 home or at another place where the adult is located, as provided by
13 section 5 of this act. “Initial 72-hour mobile response period” does
14 not include any time during which the adult in crisis is housed in a
15 temporary stabilization unit.

16 “Initial crisis response period” means the initial 72-hour mobile
17 response period, and any additional period of time, lasting up to
18 seven days, during which the adult in crisis is housed in a
19 temporary stabilization unit. “Initial crisis response period” shall
20 include the period of time during which an adult in crisis is being
21 transported by a mobile crisis response unit from the person’s
22 home, or other place where the person is located, to a temporary
23 stabilization unit.

24 “Mental health care professional” means a psychiatrist,
25 professional counselor, practicing psychologist, psychoanalyst,
26 clinical social worker, or psychiatric nurse practitioner licensed
27 pursuant to Title 45 of the Revised Statutes.

28 “Mobile crisis response agency” means an entity that is approved
29 and authorized, pursuant to subsection a. of section 4 of this act, to
30 provide mobile crisis response services and stabilization
31 management services to adults in crisis.

32 “Mobile crisis response services” means services, as described in
33 subsection b. of section 5 of this act, which are provided by a
34 mobile crisis response team during the initial 72-hour mobile
35 response period.

36 “Mobile crisis response team” means a mobile team of mental
37 health care professionals who are qualified to assess and stabilize a
38 behavioral health crisis situation, and address the immediate needs
39 of an adult with disabilities who is in crisis.

40 “Stabilization,” “initial stabilization,” or “stabilize” means the
41 initial stabilization of an adult in crisis, which is effectuated by a
42 mobile crisis response team or staff at a temporary stabilization unit
43 during the initial crisis response period, and prior to any
44 stabilization management period, and which effectively calms and
45 stabilizes the behavior of the adult in crisis, and removes the
46 immediate potential for danger arising out of the crisis situation.

47 “Stabilization management period” means a period of time,
48 lasting no more than eight weeks, and commencing at the end of the

1 initial 72-hour mobile response period, or at the time that the adult
2 is discharged from a temporary stabilization unit, whichever is later,
3 during which the mobile crisis response team provides ongoing
4 stabilization management services to the adult with disabilities in
5 the adult's home.

6 "Stabilization management services" means the ongoing
7 provision, monitoring, and coordination of, and referral to, services
8 and supports identified in the ICSP, in accordance with section 6 of
9 this act, for up to eight weeks immediately following the
10 completion of the initial crisis response period, as necessary for the
11 mobile crisis response team to ensure the long-term stabilization of
12 the crisis situation.

13 "Temporary stabilization unit" means a facility, or a part of a
14 facility, which is licensed pursuant to section 9 of this act, and
15 which is authorized to provide a safe, non-clinical, and non-punitive
16 inpatient space to be used to stabilize an adult in crisis, for a period
17 of no more than seven days, in cases where the responding mobile
18 crisis response team has determined that the adult is in need of a
19 crisis bed.

20
21 3. a. The Commissioner of Human Services, in consultation
22 with the Commissioner of Health, and the Directors of the Division
23 of Mental Health and Addiction Services, and the Division of
24 Developmental Disabilities in the Department of Human Services,
25 shall establish a Statewide mobile crisis response system, in
26 accordance with the provisions of this section, which shall be
27 designed to provide immediate crisis response services, and
28 ongoing stabilization management services, upon request, to adults
29 with disabilities who are experiencing a behavioral health crisis,
30 and their families and attendant caregivers or other staff.

31 b. The mobile crisis response system established pursuant to
32 this section shall:

33 (1) be designed to prevent the hospitalization of adults in crisis,
34 and to provide for the stabilization of adults in crisis in the least
35 restrictive environment; and

36 (2) be implemented on a Statewide basis, with at least one
37 mobile crisis response agency available to provide crisis response
38 services and stabilization management services, and at least one
39 temporary stabilization unit available to provide temporary crisis
40 beds, in each of the Northern, Central, and Southern regions of the
41 State.

42 c. An adult with a disability shall be eligible to receive crisis
43 response services and stabilization management services, as
44 provided in this act, if:

45 (1) the adult is covered under the Medicaid or NJ FamilyCare
46 programs, or the adult is ineligible for coverage under the Medicaid
47 or NJ FamilyCare programs, but is receiving services for a
48 disability from the Division of Developmental Disabilities, or from

1 the Division of Mental Health and Addiction Services, in the
2 department;

3 (2) in the case of crisis response services, the services are
4 deemed to be necessary, either by the department, or by the mobile
5 crisis response team that is authorized to assess the need for those
6 services; and

7 (3) in the case of stabilization management services, the services
8 are deemed to be necessary by both the mobile crisis response team
9 and the department, and are approved by the department pursuant to
10 subsection b. of section 6 of this act.

11

12 4. a. Any person, group, or entity wishing to provide mobile
13 crisis response services or stabilization management services,
14 pursuant to this act, shall:

15 (1) submit an application to the Department of Human Services,
16 and be approved and contracted by the department as a mobile
17 response agency; and

18 (2) submit an application to, and be approved by, the New
19 Jersey Medicaid and NJ FamilyCare fee-for-service program as a
20 mobile response agency.

21 b. Each mobile crisis response agency approved pursuant to
22 this section shall employ one or more mobile crisis response teams
23 to:

24 (1) provide mobile crisis response services in the home of a
25 person in crisis, or at another community location where a person in
26 crisis is located, as described in section 5 of this act;

27 (2) when deemed to be appropriate, transport the adult in crisis
28 to a temporary stabilization unit established and licensed pursuant
29 to section 9 of this act; and

30 (3) provide ongoing stabilization management services to the
31 adult in crisis, in the adult's home, when authorized to do so
32 pursuant to section 6 of this act.

33 c. Mobile crisis response services and stabilization
34 management services, which are provided by a mobile crisis
35 response team under this act, shall be delivered directly by, or under
36 the supervision of, a licensed psychiatrist who, at a minimum, has
37 three and a half years of applicable clinical and supervisory
38 experience, and has the authority to directly provide, or to supervise
39 the provision of, these services within the scope of the psychiatrist's
40 authorized practice, as defined by law. Any other staff member on
41 a mobile crisis response team shall have, at a minimum, a master's
42 degree in behavioral health or a related human services field, such
43 as social work, counseling, or psychology; or shall have a
44 bachelor's degree in a behavioral health or a related human services
45 field, and a minimum of one year of related field work experience.

46 d. Any person seeking to deliver crisis response services or
47 stabilization management services, pursuant to this act, as a member
48 of a mobile crisis response team, or as a staff member at a

1 temporary stabilization unit, shall be deemed to be a “community
2 agency employee,” as defined by section 1 of P.L.1999, c.358
3 (C.30:6D-63), and shall be required to comply with the criminal
4 history record background check requirements established by
5 P.L.1999, c.358 (C.30:6D-63 et seq.) as a condition of the person’s
6 employment with the mobile crisis response agency or temporary
7 stabilization unit.

8
9 5. a. Mobile crisis response services under this act shall be
10 provided by a mobile crisis response team to an eligible adult in
11 crisis for a period of up to 72 hours per episode, over the course of
12 up to a four-day period, immediately following the initial referral or
13 dispatch, and shall be designed to stabilize the presenting behaviors
14 and crisis situation, with the goal of preventing a disruption of the
15 current living arrangement, and avoiding inappropriate psychiatric
16 hospitalization or residential placement, of the adult in crisis. Each
17 referral to, or dispatch of, a mobile crisis response team shall be
18 registered with the department within 24 hours after the team
19 receives notice thereof.

20 b. Mobile crisis response services provided by a mobile crisis
21 response team shall include, but need not be limited to:

22 (1) mobile outreach and face-to-face contact with the adult in
23 crisis, which face-to-face contact shall occur within 24 hours
24 following the initial referral or dispatch, except in situations
25 requiring an immediate response, in which case, face-to-face
26 contact shall occur within one hour after the initial referral or
27 dispatch, unless a delay is requested by the family of the adult in
28 crisis, in order to meet the family’s needs;

29 (2) the immediate assessment and evaluation of the presenting
30 crisis, which shall include an assessment of the safety of, or danger
31 to, the adult in crisis, other residents of the home, and members of
32 the community, as well as an assessment of caregiver culpability
33 and clinical and environmental factors that contributed to the crisis;

34 (3) the immediate use of clinical and therapeutic interventions to
35 stabilize the presenting crisis;

36 (4) the development of an individualized crisis stabilization
37 plan, as provided by subsection d. of this section; and

38 (5) the provision of relevant information, crisis training, and
39 program and service referrals to the family members or caregivers
40 of the adult in crisis.

41 c. (1) If, at any time during the initial 72-hour mobile response
42 period, the mobile crisis response team determines that the
43 presenting crisis can only be stabilized through the temporary
44 placement of the adult in a temporary stabilization unit, the crisis
45 response team shall transport the adult in crisis to a temporary
46 stabilization unit, and the adult shall be admitted to the unit, for a
47 period not exceeding seven days, as necessary to facilitate the initial
48 stabilization of the crisis.

1 (2) Whenever an adult is placed in a crisis bed in a temporary
2 stabilization unit pursuant to this subsection, the need for such
3 placement shall be reviewed and documented by the mobile crisis
4 response team on a daily basis during such placement, and the adult
5 shall be immediately discharged from such placement upon a
6 determination by the team that continued placement is no longer
7 necessary.

8 d. The individualized crisis stabilization plan developed under
9 paragraph (4) of subsection b. of this section shall be prepared after
10 the mobile crisis response team has made initial face-to-face contact
11 with the adult in crisis and the family members or caregivers
12 thereof, and shall be registered with the department within 24 hours
13 after such contact. At a minimum, the ICSP shall:

14 (1) identify the mental health diagnoses of the adult in crisis;

15 (2) identify the environmental, situational, mental, physical, and
16 other factors that contributed to the presenting crisis;

17 (3) identify appropriate clinical and therapeutic interventions to
18 be used in addressing and stabilizing the presenting crisis;

19 (4) include a plan to ensure the stabilization of the adult in crisis
20 in the least restrictive environment, which plan shall: (a) provide
21 for the adult in crisis to remain in the home, if the initial
22 stabilization of the crisis can be effectuated in the home within the
23 initial 72-hour mobile response period; (b) provide for the adult in
24 crisis to be transported, and temporarily admitted to, a temporary
25 stabilization unit, at any time during the initial 72-hour mobile
26 response period, and for a period of not more than seven days, if the
27 team determines, at any time, that initial stabilization of the crisis
28 cannot be achieved while at the home; (c) provide for the immediate
29 discharge of the adult from a temporary stabilization unit to their
30 home following a determination by the team, under paragraph (2) of
31 subsection c. of this section, that such placement is no longer
32 necessary; and (d) provide for the at-home provision of ongoing
33 stabilization management services, as deemed by the mobile crisis
34 response team to be appropriate, and as approved by the department
35 pursuant to subsection b. of section 6 of this act, for a period of up
36 to eight weeks following initial stabilization;

37 (5) a description of services that will be provided to the adult in
38 crisis, and the adult's family and attendant caregivers and staff,
39 during the stabilization management period, in cases where the
40 ongoing provision of stabilization management services is deemed
41 by the team to be appropriate and is approved by the department
42 pursuant to subsection b. of section 6 of this act; and

43 (6) a transition plan that links the adult in crisis to clinical and
44 therapeutic mental and behavioral health services, formal and
45 informal community supports, and appropriate system partners that
46 can be used as resources following the completion of the
47 stabilization management period.

1 6. a. If a crisis is not sufficiently stabilized during the initial
2 72-hour mobile response period, or during a related stay at a
3 temporary stabilization unit, the mobile crisis response team shall
4 provide the adult in crisis with ongoing stabilization management
5 services, in the home, for a period of up to eight weeks following
6 the completion of the initial crisis response period, as provided in
7 this section.

8 b. Stabilization management services shall not be provided
9 under this section, unless the mobile crisis response team obtains
10 prior approval from the department authorizing the provision of
11 such services to the adult in crisis. The department may authorize
12 the mobile crisis response team to provide stabilization management
13 services for a period of up to eight weeks, as deemed by the
14 department to be appropriate.

15 c. During the stabilization management period, a designated
16 representative of the mobile crisis response team shall, on at least a
17 weekly basis, review the ICSP, in order to ensure that the services
18 included therein are effectively addressing the presenting crisis and
19 any factors that contributed to the crisis. Any necessary
20 amendments to the ICSP shall be registered with the department
21 within 24 hours after each review is concluded pursuant to this
22 subsection.

23 d. The following stabilization management services may be
24 provided during the stabilization management period:

25 (1) necessary mental or behavioral health intervention services
26 to maintain the stabilization of the crisis and minimize or eliminate
27 the factors that contributed to the crisis, including, but not limited
28 to, psychiatric or psychological services, medication management
29 services, community-based mental health rehabilitation services,
30 such as behavioral assistance services and intensive in-community
31 services, and any other formal or informal community-based mental
32 health or behavioral health rehabilitation services; and

33 (2) continued advocacy, networking, and support by the mobile
34 crisis response team, as may be necessary to provide linkages and
35 referrals to appropriate community-based services, and to assist the
36 adult in crisis, and the family members or caregivers thereof, in
37 accessing other benefits or assistance programs for which they may
38 be eligible.

39

40 7. a. (1) Reimbursement for services provided during the
41 initial crisis response period shall be paid on a fee-for-service basis,
42 and shall cover the costs of all the services provided during this
43 time period, including the costs of services provided by the mobile
44 crisis response team during the initial 72-hour mobile response
45 period, and the costs of services provided by a temporary
46 stabilization unit during any temporary placement therein.
47 Reimbursement for services provided by a temporary stabilization
48 unit shall be paid directly to the temporary stabilization unit, and

1 reimbursement for other services provided during the initial 72-hour
2 mobile response period shall be paid to the mobile crisis response
3 team that provided the services.

4 (2) Reimbursement for stabilization management services,
5 which are provided for a period of up to eight weeks following the
6 initial crisis response period, shall be paid on a fee-for-service
7 basis, but shall cover only the mobile crisis response team's
8 monitoring and management of the ICSP. Each unit of service shall
9 be for 15 minutes of continuous services provided directly to, or on
10 behalf of, the adult in crisis, including collateral contacts and
11 activities that are necessary to develop, implement, coordinate,
12 monitor, and support the ICSP. A provider may bill for a maximum
13 of 64 units (16 hours) over the eight-week maximum stabilization
14 management period, as authorized by the department. Each
15 provider shall bill only for the amount of time actually provided for
16 stabilization management on each date of service.

17 (3) Reimbursement for services rendered by an individual
18 Medicaid or NJ FamilyCare provider, in accordance with an ICSP
19 developed under this act, shall be paid in accordance with the
20 provider-specific rules relative to the respective type of provider,
21 including, but not limited to, provider qualification, prior
22 authorization, and service delivery requirements.

23 b. (1) If an adult in crisis is not provided with ongoing
24 stabilization management services in response to a crisis episode,
25 and the mobile crisis response team, within three days after the
26 termination of the initial crisis response period, receives another
27 referral or dispatch request for another crisis episode involving the
28 same adult, the mobile crisis response team shall provide mobile
29 crisis response services to the adult in crisis without additional
30 reimbursement.

31 (2) If an adult in crisis is provided with stabilization
32 management services, and the mobile crisis response team,
33 following the completion of the stabilization management period,
34 receives a subsequent referral or dispatch request for another crisis
35 episode involving the same adult, the mobile crisis response team
36 shall initiate a new course of treatment, beginning with an initial
37 72-hour mobile crisis response period, and shall be reimbursed
38 accordingly.

39

40 8. a. Each mobile crisis response agency shall maintain an
41 individual service record for each adult served thereby.

42 b. Each individual service record shall contain, at a minimum,
43 the following information:

44 (1) the name and address of the adult in crisis who has received
45 services from the mobile crisis response agency;

46 (2) the mental health diagnosis of the adult in crisis;

1 (3) the ISCP developed by the mobile crisis response team for
2 each separate crisis episode involving the same adult, and all
3 approved amendments to each such ISCP;

4 (4) weekly quantifiable progress notes toward the defined goals
5 stipulated in each ISCP;

6 (5) documentation of any and all crisis or emergency situations
7 that have occurred during the provision of stabilization management
8 services to the adult, including a summary of the corrective action
9 that was taken to resolve each such situation;

10 (6) the total number of care hours, across episodes, that the adult
11 in crisis has received from the mobile crisis response agency; and

12 (7) for each distinct crisis episode: (a) the date on which the
13 initial 72-hour mobile response period was commenced, and the
14 date and time on which initial face-to-face contact actually
15 occurred; (b) the exact dates and times when, and locations where,
16 mobile crisis response services and stabilization management
17 services, if any, were provided to the adult in crisis; (c) the stated
18 reason for the team's involvement; (d) the total amount of face-to-
19 face contact engaged in, and the type of services provided, during
20 the initial 72-hour mobile response period; (e) whether the adult in
21 crisis was temporarily placed in a crisis stabilization unit, and the
22 length of the person's stay in such unit; (f) whether the adult in
23 crisis was approved for ongoing stabilization management services
24 following the initial crisis response period; and (g) the types of
25 stabilization management services, if any, that were provided to the
26 adult in crisis, and the manner in which such services were
27 consistent with, and supportive of, the goals specified in the ICSP.
28

29 9. a. Within 180 days after the effective date of this act, the
30 Commissioner of Health shall provide for the establishment and
31 licensure of a sufficient number of temporary stabilization units
32 throughout the State to handle the behavioral health crisis needs of
33 adults with disabilities, as provided by this act. At a minimum, at
34 least one temporary stabilization unit shall be licensed to operate in
35 each of the northern, central and southern regions of the State. No
36 person shall operate a temporary stabilization unit, unless the
37 person has applied for, and has obtained, a license pursuant to this
38 section.

39 b. A temporary stabilization unit approved and licensed
40 pursuant to this section shall:

41 (1) provide a calming, non-clinical, and non-punitive
42 environment for the stabilization of adults in crisis;

43 (2) be staffed by properly credentialed mental health
44 professionals who are capable of, and have expertise in, calming
45 and stabilizing crisis situations in adults with disabilities;

46 (3) have a sufficient number of crisis beds to meet the
47 behavioral health crisis needs of citizens in the region in which the
48 unit is situated; and

1 (4) be situated separately and apart from any other clinical or
2 mental health care unit or facility. If the temporary stabilization
3 unit is a part of a separately licensed health care facility or hospital,
4 the temporary stabilization unit shall be unconnected to, and shall
5 be located separately from, any emergency department or other
6 department or unit of medicine, and shall utilize an entrance that is
7 separate from the entrance that is used by patients of, and visitors
8 to, such other departments or units.

9 c. On at least a biennial basis, the Commissioner of Health
10 shall perform an on-site inspection of each temporary stabilization
11 unit licensed pursuant to this section, in order to ensure that each
12 such unit is complying with the provisions of this section and all
13 other applicable laws or regulations.

14 d. If the commissioner finds, based on a facility inspection or
15 other information, that a temporary stabilization unit is violating the
16 provisions of this section or any other applicable laws or
17 regulations, the commissioner shall undertake appropriate
18 disciplinary action, including, but not limited to, ordering the
19 temporary stabilization unit to undertake corrective action,
20 imposing an appropriate administrative penalty, or suspending or
21 revoking the unit's license.

22
23 10. a. The Commissioner of Human Services shall require all
24 direct care staff members providing services at a group home for
25 individuals with intellectual or developmental disabilities to
26 successfully complete a course of training on:

27 (1) the de-escalation and stabilization of crisis episodes in adults
28 with disabilities;

29 (2) behavioral analysis and management; and

30 (3) behavioral health crisis recognition and identification.

31 b. The training provided under this section shall also inform
32 direct care staff members of the provisions of this act and the
33 procedures that may be used under this act to obtain assistance from
34 a mobile crisis response team whenever a group home resident is
35 experiencing a behavioral health crisis.

36
37 11. a. There shall be appropriated, from the General Fund, a
38 sum of \$2.5 million to effectuate the purposes of this act. The
39 Commissioner of Human Services shall apply for matching federal
40 funds, and shall take all other appropriate actions to obtain federal
41 financial participation in the mobile crisis response program
42 established under this act.

43 b. Funds appropriated under this section shall be used for the
44 following purposes:

45 (1) to facilitate the provision of crisis response services in the
46 home of an adult in crisis, or in a temporary stabilization unit, and
47 the provision of ongoing, home-based stabilization management

1 services to such adults, as provided by this act, in order to avoid
2 costly and traumatic hospitalizations; and

3 (2) to provide for the training of direct care staff members
4 employed by group homes, as provided by section 10 of this act.

5
6 12. The Commissioners of Health and Human Services shall
7 each adopt rules and regulations, in accordance with each agency's
8 respective jurisdiction, and pursuant to the "Administrative
9 Procedure Act," P.L.1968, c.410 (C.52:14B-1 et seq.), as may be
10 necessary to implement the provisions of this act.

11
12 13. This act shall take effect on the first day of the sixth month
13 next following the date of enactment, except that the Commissioner
14 of Human Services and the Commissioner of Health may each take
15 anticipatory administrative action, in advance of the effective date,
16 as may be necessary to implement the provisions of this act.

17 18 19 STATEMENT

20
21 This bill, to be known as the "Behavioral Health Crisis Mobile
22 Response Act," would require the Commissioner of Human
23 Services, in consultation with the Commissioner of Health, and the
24 Directors of the Division of Mental Health and Addiction Services,
25 and the Division of Developmental Disabilities in the Department
26 of Human Services (DHS), to establish a Statewide mobile crisis
27 response system to provide immediate crisis response services, and
28 ongoing stabilization management services, upon request, to adults
29 with disabilities (i.e., with intellectual or developmental disabilities,
30 or mental illness) who are experiencing a behavioral health crisis,
31 and their families and attendant caregivers or other staff.

32 The mobile crisis response system would be designed to prevent
33 the hospitalization of adults in crisis, and to provide for the
34 stabilization of adults in crisis in the least restrictive environment.
35 The system would be implemented on a Statewide basis, with at
36 least one mobile crisis response agency available to provide crisis
37 response services and stabilization management services, and at
38 least one temporary stabilization unit available to provide
39 temporary crisis beds, in each of the northern, central, and southern
40 regions of the State.

41 Any person, group, or entity wishing to provide initial crisis
42 response services or stabilization management services, pursuant to
43 this bill's provisions, would need to be approved by the New Jersey
44 Medicaid and FamilyCare programs, and by the DHS, as a mobile
45 response agency. Each mobile crisis response agency approved
46 under the bill would be required to employ one or more mobile
47 crisis response teams, composed of mental health professionals, to:

1 1) provide mobile crisis response services in the home of a
2 person in crisis, or at another community location where a person in
3 crisis is located;

4 2) when deemed to be appropriate, transport the adult in crisis
5 to a temporary stabilization unit established and licensed pursuant
6 to the bill; and

7 3) provide ongoing stabilization management services to the
8 adult in crisis, in the adult's home, when authorized to do so by the
9 DHS.

10 Mobile crisis response services and stabilization management
11 services, which are provided by a mobile crisis response team under
12 this bill's provisions, are to be delivered directly by, or under the
13 supervision of, a licensed and experienced psychiatrist.

14 Mobile crisis response services are to be provided to an eligible
15 adult in crisis for a period of up to 72 hours per crisis episode, over
16 the course of up to a four-day period, immediately following the
17 initial referral or dispatch, and are to be designed to stabilize the
18 presenting behaviors and crisis situation, with the goal of
19 preventing a disruption of the current living arrangement, and
20 avoiding inappropriate psychiatric hospitalization or residential
21 placement, of the adult in crisis. Each referral to, or dispatch of, a
22 mobile crisis response team will be registered with the DHS within
23 24 hours after the team receives notice thereof.

24 Mobile crisis response services provided by a mobile crisis
25 response team are to include, but need not be limited to:

26 1) mobile outreach and face-to-face contact with the adult in
27 crisis, which face-to-face contact is to occur within 24 hours
28 following the initial referral or dispatch, except in situations
29 requiring an immediate response, in which case, face-to-face
30 contact is to occur within one hour after the initial referral or
31 dispatch, unless a delay is requested by the family of the adult in
32 crisis, in order to meet the family's needs;

33 2) the immediate assessment and evaluation of the presenting
34 crisis, including an assessment of the safety of, or danger to, the
35 adult in crisis, other residents of the home, and members of the
36 community, as well as an assessment of caregiver culpability and
37 clinical and environmental factors that contributed to the crisis;

38 3) the immediate use of clinical and therapeutic interventions to
39 stabilize the presenting crisis;

40 4) the development of an individualized crisis stabilization plan
41 (ICSP), as provided by the bill, which plan is to include, among
42 other things, an indication of appropriate clinical and therapeutic
43 interventions to be used in addressing and stabilizing the presenting
44 crisis; and a plan to ensure the stabilization and treatment of the
45 adult in crisis in the least restrictive environment; and

46 5) the provision of relevant information, crisis training, and
47 program and service referrals to the family members or caregivers
48 of the adult in crisis.

1 If, at any time during the initial 72-hour mobile response period,
2 the mobile crisis response team determines that the presenting crisis
3 can only be stabilized through the temporary placement of the adult
4 in a temporary stabilization unit, the crisis response team will be
5 required to transport the adult in crisis to a temporary stabilization
6 unit, and the adult will be admitted to the unit, for a period not
7 exceeding seven days, as necessary to facilitate the initial
8 stabilization of the crisis. A temporary stabilization unit is to be
9 approved and licensed by the Department of Health, and is to: 1)
10 provide a calming, non-clinical, and non-punitive environment for
11 the stabilization of adults in crisis; 2) be staffed by properly
12 credentialed mental health professionals who are capable of, and
13 have expertise in, calming and stabilizing crisis situations in adults
14 with disabilities; 3) have a sufficient number of crisis beds to meet
15 the behavioral health crisis needs of citizens in the region in which
16 the unit is situated; and 4) be situated separately and apart from any
17 other clinical or mental health care unit or facility. If the temporary
18 stabilization unit is a part of a separately licensed health care
19 facility or hospital, the temporary stabilization unit is to be
20 unconnected to, and located separately from, any emergency
21 department or other department or unit of medicine, and is to utilize
22 an entrance that is separate from the entrance that is used by
23 patients of, and visitors to, such other departments or units.

24 Whenever an adult is placed in a crisis bed in a temporary
25 stabilization unit, the need for such placement is to be reviewed and
26 documented by the mobile crisis response team on a daily basis
27 during such placement, and the adult is to be immediately
28 discharged from such placement upon a determination by the team
29 that continued placement is no longer necessary.

30 If a crisis is not sufficiently stabilized during the initial 72-hour
31 mobile response period, or during a related stay at a temporary
32 stabilization unit, the mobile crisis response team will be required
33 to provide the adult in crisis with ongoing stabilization management
34 services, in the adult's home, following the completion of the initial
35 crisis response period. Stabilization management services may not
36 be provided, unless the DHS grants prior approval authorizing the
37 provision of such services to the adult in crisis. The DHS may
38 authorize the mobile crisis response team to provide stabilization
39 management services for a period of up to eight weeks, as deemed
40 by the department to be appropriate.

41 Stabilization management services may include: 1) necessary
42 mental or behavioral health intervention services to maintain the
43 stabilization of the crisis and minimize or eliminate the factors that
44 contributed to the crisis, including, but not limited to, psychiatric or
45 psychological services, medication management services,
46 community-based mental health rehabilitation services, such as
47 behavioral assistance services and intensive in-community services,
48 and any other formal or informal community-based mental health or

1 behavioral health rehabilitation services; and 2) continued
2 advocacy, networking, and support by the mobile crisis response
3 team, as may be necessary to provide linkages and referrals to
4 appropriate community-based services, and to assist the adult in
5 crisis, and the family members or caregivers thereof, in accessing
6 other benefits or assistance programs for which they may be
7 eligible.

8 During the stabilization management period, the mobile crisis
9 response team will be required to review the ICSP on a weekly
10 basis, in order to ensure that the services included therein are
11 effectively addressing the presenting crisis and any factors that
12 contributed to the crisis. Any necessary amendments to the ICSP
13 are to be registered with the division within 24 hours after each
14 review is concluded.

15 Each mobile crisis response agency will be required, under the
16 bill, to maintain an individual service record for each adult who is
17 served thereby.

18 Each mobile crisis response agency and temporary stabilization
19 unit will be eligible for reimbursement, as described in the bill, for
20 the services provided thereby under the bill's provisions.

21 Any person seeking to deliver crisis response services or
22 stabilization management services as a member of a mobile crisis
23 response team, or as a staff member at a temporary stabilization
24 unit, will be required to comply with the criminal history record
25 background check requirements established by P.L.1999, c.358
26 (C.30:6D-63 et seq.), which are applicable to "community agency
27 employees," as a condition of the person's employment.

28 The bill also requires all direct care staff members providing
29 services at group homes for individuals with intellectual or
30 developmental disabilities to successfully complete a course of
31 training on: 1) the de-escalation and stabilization of crisis episodes
32 in adults with disabilities; 2) behavioral analysis and management;
33 and 3) behavioral health crisis recognition and identification. The
34 training would also be required to inform direct care staff members
35 of the mobile crisis response system established under the bill, and
36 the procedures that may be used to obtain assistance from a mobile
37 crisis response team whenever a group home resident is
38 experiencing a behavioral health crisis.

39 The bill provides for a sum of \$2.5 million to be appropriated,
40 from the General Fund, to effectuate the bill's purposes. The
41 Commissioner of Human Services will also be required to apply for
42 matching federal funds and take other appropriate action to obtain
43 federal financial participation in the mobile crisis response system
44 established under the bill.