

**SENATE, No. 2701**

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**STATE OF NEW JERSEY**

**219th LEGISLATURE**

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INTRODUCED JULY 22, 2020

**Sponsored by:**

**Senator VIN GOPAL**

**District 11 (Monmouth)**

**Senator RICHARD J. CODEY**

**District 27 (Essex and Morris)**

**Co-Sponsored by:**

**Senators Pou and Diegnan**

**SYNOPSIS**

Requires Department of Human Services to develop public emergency response plan for licensed providers of services to individuals with developmental disabilities.

**CURRENT VERSION OF TEXT**

As introduced.



**(Sponsorship Updated As Of: 6/3/2021)**

1 AN ACT concerning the development of a public emergency  
2 response plan for providers of services to individuals with  
3 developmental disabilities and supplementing Title 30 of the  
4 Revised Statutes.

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

8  
9 1. a. As used in this section:

10 “Client” means an individual with a developmental disability  
11 who receives services from the department or any licensed service  
12 provider.

13 “Department” means the Department of Human Services.

14 “Licensed service provider” means a person or entity that is  
15 licensed, certified, or otherwise authorized by the department to  
16 provide services to individuals with developmental disabilities in  
17 the State.

18 “Public emergency” means an environmental, public health, or  
19 public safety emergency that is occurring in New Jersey or in one or  
20 more counties, regions, or other parts of the State, and which is  
21 officially recognized and declared as an emergency by the Governor  
22 of New Jersey or by the President of the United States.

23 b. The Department of Human Services, in consultation with the  
24 Department of Health, the Ombudsman for Individuals with  
25 Intellectual or Developmental Disabilities and Their Families,  
26 licensed service providers, and the State Office of Emergency  
27 Management in the Department of Law and Public Safety, shall  
28 develop and oversee the implementation of a public emergency  
29 response plan for licensed service providers in the State. At a  
30 minimum, the public emergency response plan shall:

31 (1) establish guidelines and best practices for the general and  
32 specific operations, activities, and procedures that are to be  
33 undertaken or implemented by licensed service providers during a  
34 public emergency;

35 (2) to the extent feasible, identify the means, methods, and  
36 channels through which licensed service providers may obtain  
37 personal protective equipment (PPE) and other equipment or  
38 services that are critical to the maintenance of ongoing operations  
39 during the course of a public emergency;

40 (3) address various possible public emergency scenarios and  
41 provide for the application of differing standards and best practices  
42 under paragraph (1) of this subsection and the use of differing  
43 sourcing methods pursuant to paragraph (2) of this subsection for  
44 different types of public emergency, as appropriate, while  
45 highlighting the standards, best practices, and resource sourcing  
46 methods that are applicable for the purposes of any currently  
47 declared public emergency; and

1 (4) be consistent with, and incorporate, any relevant guidance  
2 that is published by the U.S. Department of Health and Human  
3 Services, the federal Centers for Disease Control and Prevention,  
4 and any other federal agencies that are involved in the remediation  
5 of public emergencies.

6 c. The department shall:

7 (1) prepare a public emergency response plan, as required by  
8 this section, within 60 days after the enactment of this act;

9 (2) review and revise the plan: (a) on at least a biennial basis  
10 after the plan's initial preparation under paragraph (1) of this  
11 subsection; and (b) as soon as is possible following the declaration  
12 of any new public emergency in the State; and

13 (3) post, at a publicly accessible location on the department's  
14 Internet website, the initial response plan developed under  
15 paragraph (1) of this subsection and any revised response plan  
16 developed under paragraph (2) of this subsection.

17  
18 2. This act shall take effect immediately.  
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21 STATEMENT  
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23 This bill would require the Department of Human Services  
24 (DHS) to develop and oversee the implementation of a public  
25 emergency response plan for persons and entities that are licensed  
26 to provide services to individuals with developmental disabilities  
27 ("licensed service providers"). The department will be required to  
28 develop the plan in consultation with the Department of Health  
29 (DOH), the Ombudsman for Individuals with Intellectual or  
30 Developmental Disabilities and Their Families, licensed service  
31 providers, and the State Office of Emergency Management in the  
32 Department of Law and Public Safety.

33 At a minimum, the public emergency response plan is to:

34 1) establish guidelines and best practices for the general and  
35 specific operations, activities, and procedures that are to be  
36 undertaken or implemented by licensed service providers during a  
37 public emergency;

38 2) to the extent feasible, identify the means, methods, and  
39 channels through which relevant service providers and facilities will  
40 be able to obtain personal protective equipment (PPE) and other  
41 equipment or services that are critical to the maintenance of  
42 ongoing operations during the course of a public emergency;

43 3) address various possible public emergency scenarios and  
44 provide for the application of differing standards and best practices  
45 and the use of differing resource sourcing methods, as appropriate,  
46 for different types of public emergency, while highlighting the  
47 standards, best practices, and sourcing methods that are applicable  
48 for the purposes of any currently declared public emergency; and

1       4) be consistent with, and incorporate, any relevant guidance  
2 published by the U.S. Department of Health and Human Services,  
3 the federal Centers for Disease Control and Prevention, and any  
4 other federal agencies that are involved in the remediation of public  
5 emergencies.

6       The department will be required to: 1) prepare a public  
7 emergency response plan, as required by the bill, within 60 days  
8 after the date of the bill's enactment; 2) review and revise the plan  
9 on at least a biennial basis after the plan's initial preparation and as  
10 soon as is possible following the declaration of any new public  
11 emergency in the State; and 3) post the initial response plan and any  
12 revised response plan on the DHS Internet website.