

[First Reprint]

SENATE COMMITTEE SUBSTITUTE FOR
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STATE OF NEW JERSEY
219th LEGISLATURE

ADOPTED DECEMBER 9, 2021

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**Senators O'Scanlon, Singleton, Turner, Assemblywomen Vainieri Huttie,
Lampitt and Assemblyman Calabrese**

SYNOPSIS

Establishes Direct Support Professional Career Development Program;
appropriates \$1,000,000.

CURRENT VERSION OF TEXT

As reported by the Assembly Appropriations Committee on January 6, 2022,
with amendments.

(Sponsorship Updated As Of: 1/10/2022)

1 AN ACT concerning the establishment of a ¹**center** program¹ for
2 direct support professionals by the New Jersey Community
3 College Consortium for Workforce and Economic Development,
4 supplementing chapter 64A of Title 18A of the New Jersey
5 Statutes, and making an appropriation.

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

9
10 1. The Legislature finds and declares that:

11 a. People with intellectual and developmental disabilities strive
12 to live active, engaged lives within the community.

13 b. Community inclusion is shown to promote the best outcomes
14 and quality of life for people with intellectual and developmental
15 disabilities.

16 c. Direct support professionals (DSPs) provide critical services
17 and supports for people with intellectual and developmental
18 disabilities and without these services community inclusion for
19 many people with intellectual and developmental disabilities would
20 not be possible.

21 d. DSPs support individuals with intellectual and
22 developmental disabilities in their own homes, family homes,
23 provider-managed residences and programs, in the community, and
24 workplaces. They support individuals with the activities related to
25 daily living, including personal care, health and well-being,
26 behavioral and mental health, relationship building, home and
27 community participation, achievement of goals, and a variety of
28 other individual needs. They require the ethics, skills, and
29 competency to effectively provide these supports.

30 e.¹ However, the system of services and supports that people
31 with intellectual and developmental disabilities rely on for
32 becoming contributing citizens in their communities is facing an
33 ongoing workforce crisis; harming the ability of people with
34 intellectual and developmental disabilities to access services. This
35 strain is further exacerbated by the COVID-19 pandemic.

36 ¹**[e.] f.**¹ The DSP workforce crisis, that is evident across the
37 nation, is characterized in several ways, including high turnover,
38 difficulty recruiting, and no discernable career path, all of which
39 threatens the number and quality of available services and supports
40 for people with intellectual and developmental disabilities.

41 ¹**[f.** This crisis calls for the establishment of a career path
42 aligned with ongoing professional development **]** g. The Centers for
43 Medicare and Medicaid Services has awarded Money Follows the
44 Person funds (MFP) to the Department of Human Services,

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.

Matter enclosed in superscript numerals has been adopted as follows:

¹ Assembly AAP committee amendments adopted January 6, 2022.

1 Division of Developmental Disabilities (DDD) to address the DSP
 2 crisis through a process facilitated by DDD and the Boggs Center
 3 on Developmental Disabilities, Rutgers, Robert Wood Johnson
 4 Medical School to establish core competencies for New Jersey and
 5 related training. The federal MFP funding and this act represents a
 6 recognition of the need for a Direct Support Professional Career
 7 Development Program aligned with national and State core
 8 competencies¹ in order to instill competence, confidence, and
 9 investment in the workforce that contributes to the well-being and
 10 quality of life of people with intellectual and developmental
 11 disabilities by providing an opportunity for career development,
 12 advancement, and learning new skills.

13 ¹**[g.]** h. Efforts of the Direct Support Professional Career
 14 Development Program will be aligned with the competencies
 15 developed and adopted by New Jersey.

16 i.¹ The Direct Support Professional Career Development
 17 ¹**[Center] Program¹** shall have two objectives. First, the ¹**[Center]**
 18 program¹ shall conduct a pilot that focuses on DSP recruitment
 19 ¹**[and retention for students “at-risk” of not completing a traditional**
 20 high school program and, as such, not only will benefit people with
 21 intellectual and developmental disabilities but also “at-risk”
 22 students who otherwise may not have access to a career
 23 opportunity] of high school or county college students, but may
 24 also be open to individuals pursuing a change in career, and oversee
 25 implementation of one-year paid fellowship opportunities. The
 26 program shall be responsible for determining and evaluating the
 27 criteria for fellowship recipients, and selecting new fellows on an
 28 annual basis¹.

29 ¹**[h.]** j.¹ The ¹second objective of the¹ Direct Support
 30 Professional Career Development ¹**[Center] Program¹** shall ¹be to¹
 31 provide support to existing and new DSPs with ¹**[incentives to**
 32 remain in the field and further] educational programming and
 33 experience that help them build skills and competency while
 34 working in the field and further¹ their ¹**[education] professional**
 35 development¹ .

36
 37 2. The Direct Support Professional Career Development
 38 ¹**[Center] Program¹** shall be established ¹**[at] by¹** the New Jersey
 39 Community College Consortium for Workforce and Economic
 40 Development ¹**[in partnership with a trade association serving**
 41 organizations that employ direct support professionals] at one of its
 42 Centers for Workforce Innovation as part of the New Jersey
 43 Pathways to Career Opportunities Initiative. The program shall also
 44 establish two additional program sites, one located at a county
 45 college in the northern region of the State, and one located at a
 46 county college in the southern region of the State. The Secretary of

1 Higher Education, in consultation with the New Jersey Council of
2 County Colleges, shall select the location for the program's
3 additional sites.

4 The program shall be guided by an advisory council that includes
5 representatives from target school districts, county colleges, and
6 One Stop Career Centers, and representatives from each of the
7 following stakeholder groups: people with disabilities, family
8 members of people with disabilities, direct support professionals,
9 frontline supervisors, and service provider leadership. The advisory
10 council shall work in partnership with the Division of
11 Developmental Disabilities in the Department of Human Services
12 and the Boggs Center on Developmental Disabilities, Rutgers,
13 Robert Wood Johnson Medical School.

14 The Secretary of Higher Education, in consultation with the
15 President of the New Jersey Council of County Colleges, shall
16 appoint the members of the advisory council. Members of the
17 advisory council shall serve without compensation, but shall be
18 reimbursed for their actual and necessary expenses¹.

19 It shall be the purpose of the ¹**["center"] program¹** to provide a
20 potential career path to ¹**["high school students at-risk of failing to**
21 **graduate"] individuals interested in human services and allied health**
22 **career fields¹** in addition to existing direct support professionals,
23 thereby assisting with recruitment and retention of this critical
24 workforce.

25 The ¹**["center"] program¹**, through partnerships with local school
26 districts, ¹**["county colleges, and One Stop Career Centers,¹** shall
27 identify and recruit ¹**["high school students "at risk" of not**
28 **graduating from high school who have not pursued vocational**
29 **education or any other alternative education program, and"]**
30 **individuals¹** who are interested in learning about and serving people
31 with intellectual and developmental disabilities. The ¹**["center"]**
32 **program¹** shall provide participating students with a ¹**["two-year"]**
33 **one-year fellowship¹** program that offers mentorship and training
34 regarding the responsibilities of direct support professionals and a
35 potential job opportunity upon graduation. The program shall
36 provide online training in addition to on-site training and
37 mentorship with experienced direct support professionals employed
38 by ¹**["participating"] collaborating¹** agencies that serve individuals
39 with intellectual and developmental disabilities.

40 ¹**["Upon completion of the program, a participating student shall**
41 **receive academic credits and the school district at which the student**
42 **is enrolled shall apply the credits towards the district requirements**
43 **for high school graduation. The student shall be offered an**
44 **opportunity to interview for employment as a direct support**
45 **professional at the agency where the student received on-site**
46 **training. The agency shall interview the student for a position with**

1 compensation that reflects the experience and training received
2 through the program.】¹

3 In addition to ¹【“at risk”】¹ students, the Direct Support
4 Professional Career Development ¹【Center】 Program¹ shall work
5 with existing and ¹【future】 potential¹ direct support professionals
6 to identify their educational goals including credentialing, an
7 associate’s degree, and a bachelor’s degree.

8 ¹The Direct Support Professional Career Development Program
9 shall collaborate with local One Stop Career Centers to provide
10 opportunities for unemployed and underemployed workers to
11 receive training to pursue employment in the field of Direct
12 Support.¹

13

14 3. The Direct Support Professional Career Development
15 ¹【Center】 Program, and each additional program site,¹ established
16 pursuant to section 2 of this act shall ¹【employ a career counselor】
17 provide career counseling¹.

18 ¹【a.】¹ The career ¹【counselor】 counseling¹ shall provide
19 ongoing support to participating ¹【high school】¹ students as well as
20 direct support professionals, including providing the student with
21 assistance in finding appropriate postsecondary programs ¹, support
22 with completion of the Direct Support Professional Career
23 Development Pathway established pursuant to section 4 of this act,¹
24 or in connecting the student with a provider agency that serves
25 people with intellectual and developmental disabilities.

26 ¹【b. The career counselor shall assist in the establishment of a
27 Career Development Program pursuant to section 4 of this act.】¹

28

29 4. ¹【In collaboration with the New Jersey Council of County
30 Colleges, a Career Development Program is established for new and
31 existing direct support professionals at the Direct Support
32 Professional Career Development Center established pursuant to
33 section 2 of this act. The Career Development Program shall assist
34 individuals employed as a direct support professional with the
35 pursuit of a college degree. It shall be the purpose of the Career
36 Development Program to create a career path for the recruitment
37 and retention of direct support professionals.

38 The New Jersey Council of County Colleges shall, as part of
39 New Jersey’s Workforce Development initiative,】 In collaboration
40 with the Division of Developmental Disabilities in the Department
41 of Human Services and entities focused on promoting the self-
42 determination and full participation of people with disabilities, the
43 Center of Workforce Innovation, and each additional program site,
44 shall implement a competency-based Direct Support Professional
45 Career Development Pathway, in alignment with the Money
46 Follows the Person Direct Support Professional Capacity Building

1 effort and¹ develop curriculum specific to the field of intellectual
2 and developmental disabilities including ¹**["an]** a certificate,¹
3 associates' degree¹,¹ and bachelors' degree.

4 ¹The Career Development Pathway shall assist individuals
5 employed as a direct support professional increase their skills,
6 achieve competency in the field, and as part of the certificate
7 program, earn fully transferable course credit applicable toward an
8 associate's degree in a human service or relevant healthcare field at
9 any county college. It shall be the purpose of the Career
10 Development Pathway to improve the recruitment, competence, and
11 retention of the direct support professionals workforce.¹

12
13 5. a. There is appropriated from the General Fund to the Office
14 of the Secretary of Higher Education the sum of ¹**["\$450,000]**
15 \$1,000,000¹ for the purposes of fulfilling the provisions of this
16 act.

17 b. The Office of the Secretary of Higher Education shall
18 distribute a grant to the New Jersey Community College
19 Consortium for Workforce and Economic Development ¹**["in**
20 **partnership with a trade association serving organizations that**
21 **employ direct support professionals"]**¹ to establish the Direct
22 Support Professional Career Development ¹**["Center by such criteria**
23 **as are determined by the Secretary of Higher Education]** Program at
24 a Center for Workforce Innovation, and at the program's additional
25 sites, distribute fellowship funding to cover living expenses for
26 participating individuals, and establish a fund for existing direct
27 support professionals to cover costs associated with furthering their
28 education. No more than 10 percent of the funds appropriated
29 pursuant to this section shall be used for administrative expenses.
30 The Secretary of Higher Education shall approve any budget
31 pursuant to this act¹.

32
33 6. This act shall take effect on the ¹**["180th day after]** first day
34 of the sixth month next following¹ the date of enactment.