

CHAPTER 292

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

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

C.30:6D-27.4 Definitions relative to public emergency response plans.

1. a. As used in this section:

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

“Department” means the Department of Human Services.

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

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

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

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

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

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

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

c. The department shall:

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

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

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

2. This act shall take effect immediately.

Approved November 8, 2021.