

CHAPTER 421
(CORRECTED COPY)

AN ACT concerning the establishment of a program for direct support professionals by the New Jersey Community College Consortium for Workforce and Economic Development, supplementing chapter 64A of Title 18A of the New Jersey Statutes, and making an appropriation.

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

C.18A:64A-82 Findings, declarations.

1. The Legislature finds and declares that:
 - a. People with intellectual and developmental disabilities strive to live active, engaged lives within the community.
 - b. Community inclusion is shown to promote the best outcomes and quality of life for people with intellectual and developmental disabilities.
 - c. Direct support professionals (DSPs) provide critical services and supports for people with intellectual and developmental disabilities and without these services community inclusion for many people with intellectual and developmental disabilities would not be possible.
 - d. DSPs support individuals with intellectual and developmental disabilities in their own homes, family homes, provider-managed residences and programs, in the community, and workplaces. They support individuals with the activities related to daily living, including personal care, health and well-being, behavioral and mental health, relationship building, home and community participation, achievement of goals, and a variety of other individual needs. They require the ethics, skills, and competency to effectively provide these supports.
 - e. However, the system of services and supports that people with intellectual and developmental disabilities rely on for becoming contributing citizens in their communities is facing an ongoing workforce crisis, harming the ability of people with intellectual and developmental disabilities to access services. This strain is further exacerbated by the COVID-19 pandemic.
 - f. The DSP workforce crisis, that is evident across the nation, is characterized in several ways, including high turnover, difficulty recruiting, and no discernable career path, all of which threatens the number and quality of available services and supports for people with intellectual and developmental disabilities.
 - g. The Centers for Medicare and Medicaid Services has awarded Money Follows the Person funds (MFP) to the Department of Human Services, Division of Developmental Disabilities (DDD) to address the DSP crisis through a process facilitated by DDD and the Boggs Center on Developmental Disabilities, Rutgers, Robert Wood Johnson Medical School to establish core competencies for New Jersey and related training. The federal MFP funding and this act represents a recognition of the need for a Direct Support Professional Career Development Program aligned with national and State core competencies in order to instill competence, confidence, and investment in the workforce that contributes to the well-being and quality of life of people with intellectual and developmental disabilities by providing an opportunity for career development, advancement, and learning new skills.
 - h. Efforts of the Direct Support Professional Career Development Program will be aligned with the competencies developed and adopted by New Jersey.
 - i. The Direct Support Professional Career Development Program shall have two objectives. First, the program shall conduct a pilot that focuses on DSP recruitment of high school or county college students, but may also be open to individuals pursuing a change in career, and oversee implementation of one-year paid fellowship opportunities. The program

shall be responsible for determining and evaluating the criteria for fellowship recipients, and selecting new fellows on an annual basis.

j. The second objective of the Direct Support Professional Career Development Program shall be to provide support to existing and new DSPs with educational programming and experience that help them build skills and competency while working in the field and further their professional development.

C.18A:64A-83 Direct Support Professional Career Development Program established; purpose, duties.

2. The Direct Support Professional Career Development Program shall be established by the New Jersey Community College Consortium for Workforce and Economic Development at one of its Centers for Workforce Innovation as part of the New Jersey Pathways to Career Opportunities Initiative. The program shall also establish two additional program sites, one located at a county college in the northern region of the State, and one located at a county college in the southern region of the State. The Secretary of Higher Education, in consultation with the New Jersey Council of County Colleges, shall select the location for the program's additional sites.

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

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

It shall be the purpose of the program to provide a potential career path to individuals interested in human services and allied health career fields in addition to existing direct support professionals, thereby assisting with recruitment and retention of this critical workforce.

The program, through partnerships with local school districts, county colleges, and One-Stop Career Centers, shall identify and recruit individuals who are interested in learning about and serving people with intellectual and developmental disabilities. The program shall provide participating students with a one-year fellowship program that offers mentorship and training regarding the responsibilities of direct support professionals and a potential job opportunity upon graduation. The program shall provide online training in addition to on-site training and mentorship with experienced direct support professionals employed by collaborating agencies that serve individuals with intellectual and developmental disabilities.

In addition to students, the Direct Support Professional Career Development Program shall work with existing and potential direct support professionals to identify their educational goals including credentialing, an associate's degree, and a bachelor's degree.

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

C.18A:64A-84 Career counseling services.

3. The Direct Support Professional Career Development Program, and each additional program site, established pursuant to section 2 of this act shall provide career counseling.

The career counseling shall provide ongoing support to participating students as well as direct support professionals, including providing the student with assistance in finding appropriate postsecondary programs, support with completion of the Direct Support Professional Career Development Pathway established pursuant to section 4 of this act, or in connecting the student with a provider agency that serves people with intellectual and developmental disabilities.

C.18A:64A-85 Direct Support Professional Career Development Pathway created, special attention to people with disabilities.

4. In collaboration with the Division of Developmental Disabilities in the Department of Human Services and entities focused on promoting the self-determination and full participation of people with disabilities, the Center of Workforce Innovation, and each additional program site, shall implement a competency-based Direct Support Professional Career Development Pathway, in alignment with the Money Follows the Person Direct Support Professional Capacity Building effort, and develop curriculum specific to the field of intellectual and developmental disabilities, including a certificate, associate's degree, and bachelor's degree.

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

C.18A:64A-86 Appropriations; New Jersey Community College Consortium for Workforce and Economic Development grant distribution.

5. a. There is appropriated from the General Fund to the Office of the Secretary of Higher Education the sum of \$1,000,000 for the purposes of fulfilling the provisions of this act.

b. The Office of the Secretary of Higher Education shall distribute a grant to the New Jersey Community College Consortium for Workforce and Economic Development to establish the Direct Support Professional Career Development Program at a Center for Workforce Innovation, and at the program's additional sites, distribute fellowship funding to cover living expenses for participating individuals, and establish a fund for existing direct support professionals to cover costs associated with furthering their education. No more than 10 percent of the funds appropriated pursuant to this section shall be used for administrative expenses. The Secretary of Higher Education shall approve any budget pursuant to this act.

6. This act shall take effect on the first day of the sixth month next following the date of enactment.

Approved January 18, 2022.