

# ASSEMBLY, No. 5316

## STATE OF NEW JERSEY 220th LEGISLATURE

INTRODUCED MARCH 20, 2023

**Sponsored by:**

**Assemblyman SEAN T. KEAN**

**District 30 (Monmouth and Ocean)**

**SYNOPSIS**

Permits certain adult day care centers and group homes to restrict access to certain persons who violate food restriction policies.

**CURRENT VERSION OF TEXT**

As introduced.



1 AN ACT concerning adult day care centers and group homes and  
2 supplementing Title 26 of the Revised Statutes.

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

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7 1. a. As used in this section:

8 "Adult day care center" means an adult day health care services  
9 facility licensed pursuant to P.L.1971, c.136 (C.26:2H-1 et seq.),  
10 which provides preventive, diagnostic, therapeutic, and  
11 rehabilitative services under medical and nursing supervision to  
12 meet the needs of functionally impaired adult participants for a  
13 period of time that does not exceed 12 hours during any calendar  
14 day. "Adult day care center" shall include any center that provides  
15 a community-based group program designed to meet the needs of  
16 functionally or cognitively impaired adults through an individual  
17 plan of care structured to provide a variety of health, social, and  
18 related support services in a protective setting during any part of a  
19 day but less than 24 hours.

20 "Group home" means a living arrangement that is operated in a  
21 residence or residences leased or owned by a licensee; which  
22 provides the opportunity for individuals with developmental  
23 disabilities to live together in a home, sharing in chores and the  
24 overall management of the residence; and in which staff provide  
25 supervision, training, or assistance in a variety of forms and  
26 intensity as required to assist the individuals as they move toward  
27 independence.

28 b. An adult day care center or a group home that provides  
29 services to individuals with disabilities shall be permitted to  
30 suspend or temporarily or permanently restrict physical access to  
31 the facility with respect to an individual, who is a caretaker, a  
32 guardian, or an employee of the facility, if the individual violates  
33 the facility's food restriction policy.

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35 2. This act shall take effect immediately.

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#### STATEMENT

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40 This bill permits certain adult day care centers and group homes  
41 to restrict access to certain persons who violate food restriction  
42 policies.

43 Under the bill, an adult day care center or a group home that  
44 provides services to individuals with disabilities is to be permitted  
45 to suspend or temporarily or permanently restrict physical access to  
46 the facility with respect to an individual, who is a caretaker, a  
47 guardian, or an employee of the facility, if the individual violates  
48 the facility's food restriction policy.

1       The bill defines "adult day care center" to mean an adult day  
2 health care services facility licensed pursuant to P.L.1971, c.136  
3 (C.26:2H-1 et seq.), which provides preventive, diagnostic,  
4 therapeutic, and rehabilitative services under medical and nursing  
5 supervision to meet the needs of functionally impaired adult  
6 participants for a period of time that does not exceed 12 hours  
7 during any calendar day. "Adult day care center" is to include any  
8 center that provides a community-based group program designed to  
9 meet the needs of functionally or cognitively impaired adults  
10 through an individual plan of care structured to provide a variety of  
11 health, social, and related support services in a protective setting  
12 during any part of a day but less than 24 hours. "Group home"  
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16 together in a home, sharing in chores and the overall management  
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18 assistance in a variety of forms and intensity as required to assist  
19 the individuals as they move toward independence.