ASSEMBLY RESOLUTION No. 118

STATE OF NEW JERSEY

220th LEGISLATURE

INTRODUCED MARCH 8, 2022

Sponsored by:
Assemblywoman ANGELA V. MCKNIGHT
District 31 (Hudson)

SYNOPSIS
Establishes special committee of General Assembly entitled “New Jersey Nursing Home Pandemic Response Investigation Committee.

CURRENT VERSION OF TEXT
As introduced.

WITHDRAWN
AN ASSEMBLY RESOLUTION establishing a special committee of the General Assembly entitled the “New Jersey Nursing Home Pandemic Response Investigation Committee.”

BE IT RESOLVED by the General Assembly of the State of New Jersey:

1. There is established a special committee of the General Assembly entitled the “New Jersey Nursing Home Pandemic Response Investigation Committee,” comprising seven members to be appointed by the Speaker of the General Assembly, not more than four of whom shall be of the same political party. The Minority Leader of the General Assembly shall submit to the Speaker of the General Assembly a list of the Minority Leader’s recommendations of members to the special committee. The Speaker of the General Assembly shall appoint a chair and vice-chair of the special committee from the members appointed to the committee.

2. a. The New Jersey Nursing Home Pandemic Response Investigation Committee shall investigate all aspects of the effects of State actions, executive orders and actions, legislation, regulations, and State policies on nursing homes, nursing home residents and their families, and nursing home employees during the COVID-19 pandemic.

b. For the purposes of carrying out its charge under this resolution, the special committee shall have all the powers conferred under the laws and the Constitutions of the State of New Jersey and of the United States, including, but not limited to, the following powers:

   (1) to issue subpoenas to compel attendance and testimony of persons and the production of books, papers, correspondence, other documents and materials, and electronic records and data, as well as any other power conferred pursuant to chapter 13 of Title 52 of the Revised Statutes;

   (2) to hold hearings, take testimony under oath, and receive documentary or physical evidence relating to the matters and questions it is authorized to investigate or study;

   (3) to use any and all reasonable means of interviewing or fact gathering, including, but not limited to, preliminary conferences or interviews;

   (4) to convene a meeting or hearing to determine the adequacy of the return and rule on the objection if a return on a subpoena or order for the production of documentary evidence is incomplete or accompanied by an objection;

   (5) to utilize the powers provided under R.S.52:13-3 or hold individuals or entities in contempt of the committee;
(6) to make findings and reports to the public and to the Legislature of any recommendations, including recommendations for enforcement, that the special committee may consider appropriate with respect to the willful failure or refusal of any person to appear before it, to answer questions or give testimony during an appearance of that person as a witness, or to produce before the committee any books, papers, correspondence, other documents and materials, and electronic records and data that the committee may request;

(7) to respond to any judicial or other process, or to make application to the courts of this State, or any other state, or the United States;

(8) to report possible violations of any law, rule, regulation, or code to appropriate federal, State, or local authorities; and

(9) to adopt additional rules or procedures not inconsistent with this resolution.

3. The New Jersey Nursing Home Pandemic Response Investigation Committee shall be entitled to call to its assistance and avail itself of the services of the employees of the State of New Jersey, any political subdivision of the State, and any agency thereof, as may be required and as may be available for that purpose, and to employ any other services as may be deemed necessary, in order to perform the duties provided herein, and within the limits of funds appropriated or otherwise made available for that purpose.

4. This resolution shall take effect immediately and shall expire upon the conclusion of the special committee’s investigation.

STATEMENT

This bill establishes a special committee of the General Assembly entitled the “New Jersey Nursing Home Pandemic Response Investigation Committee” (committee). The committee is to investigate all aspects of the effects of State actions, executive orders and actions, legislation, regulation, and State policies on nursing homes, nursing home residents and their families, and nursing home employees during the COVID-19 pandemic.

Under the bill, the committee is to comprise seven members to be appointed by the Speaker of the General Assembly, not more than four of whom are to be of the same political party. The Minority Leader of the General Assembly is to submit to the Speaker of the General Assembly a list of the Minority Leader’s recommendations of members to the special committee.

Under the bill, the committee is to have all the powers conferred under the laws and the Constitutions of the State of New Jersey and
of the United States, including, but not limited to, the following powers: (1) to issue subpoenas to compel attendance and testimony of persons and the production of books, papers, correspondence, other documents and materials, and electronic records and data, as well as any other power conferred pursuant to chapter 13 of Title 52 of the Revised Statutes; (2) to hold hearings, take testimony under oath, and receive documentary or physical evidence relating to the matters and questions it is authorized to investigate or study; (3) to use any and all reasonable means of interviewing or fact gathering, including, but not limited to, preliminary conferences or interviews; (4) to convene a meeting or hearing to determine the adequacy of the return and rule on the objection if a return on a subpoena or order for the production of documentary evidence is incomplete or accompanied by an objection; (5) to utilize the powers provided under R.S.52:13-3 or hold individuals or entities in contempt of the committee; (6) to make findings and reports to the public and to the Legislature of any recommendations, including recommendations for enforcement, that the committee may consider appropriate with respect to the willful failure or refusal of any person to appear before it, to answer questions or give testimony during an appearance of that person as a witness, or to produce before the committee any books, papers, correspondence, other documents and materials, and electronic records and data that the committee may request; (7) to respond to any judicial or other process, or to make application to the courts of this State, or any other state, or the United States; (8) to report possible violations of any law, rule, regulation, or code to appropriate federal, State, or local authorities; and (9) to adopt additional rules or procedures not inconsistent with this resolution.