

**SENATE, No. 1243**

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**STATE OF NEW JERSEY**

**220th LEGISLATURE**

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INTRODUCED FEBRUARY 3, 2022

**Sponsored by:**

**Senator LINDA R. GREENSTEIN**

**District 14 (Mercer and Middlesex)**

**SYNOPSIS**

Establishes Division of Intellectual and Developmental Disabilities in DCF.

**CURRENT VERSION OF TEXT**

As introduced.



1 AN ACT concerning intellectual and developmental disabilities and  
2 supplementing Title 9 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. There is established in the Department of Children and  
8 Families a Division of Intellectual and Developmental Disabilities.

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10 2. As used in this act:

11 "Commissioner" means the Commissioner of Children and  
12 Families.

13 "Director" means the Director of the Division of Intellectual or  
14 Developmental Disabilities and their Families.

15 "Division" means the Division of Intellectual and Developmental  
16 Disabilities and their Families.

17 "Eligible person with an intellectual or a developmental  
18 disability" means a person who is intellectually or developmentally  
19 disabled and who has been declared eligible for services provided  
20 by the division.

21 "Intellectual or developmental disability" means a severe,  
22 chronic disability of a person which: (1) is attributable to a mental  
23 or physical impairment or combination of mental or physical  
24 impairments; (2) is manifest before age 22; (3) is likely to continue  
25 indefinitely; (4) results in substantial functional limitations in three  
26 or more of the following areas of major life activity, that is, self-  
27 care, receptive and expressive language, learning, mobility, self-  
28 direction and capacity for independent living or economic self-  
29 sufficiency; and (5) reflects the need for a combination and  
30 sequence of special interdisciplinary or generic care, treatment, or  
31 other services which are of lifelong or extended duration and are  
32 individually planned and coordinated.

33 "Services for persons with intellectual or developmental  
34 disabilities" means specialized services or specialized adaptations  
35 of generic services provided by a public or private agency,  
36 organization, or institution and directed toward the alleviation of an  
37 intellectual or a developmental disability or toward the social,  
38 personal, physical or economic habilitation, or rehabilitation of a  
39 person with an intellectual or a developmental disability and  
40 includes care management, diagnosis, evaluation, treatment,  
41 personal care, day care, domiciliary care, special living  
42 arrangements, training, education, vocational training, recreation,  
43 counseling of the person with the disability and his or her family,  
44 information, and referral services, and transportation services.

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46 3. The Director of the Division of Intellectual or  
47 Developmental Disabilities and their Families shall:

- 1 a. Provide services for eligible persons with intellectual or  
2 developmental disabilities by identifying appropriate programs to  
3 meet their needs and by facilitating the establishment of  
4 community-based services for these persons; except that if the most  
5 appropriate services are not immediately available, the director may  
6 provide an eligible person with an intellectual or a developmental  
7 disability with alternate services;
- 8 b. Establish procedures for the determination of eligibility for  
9 services pursuant to this act and ensure that statements of eligibility  
10 advise the applicant about the particular functional services deemed  
11 most appropriate for the training, habilitation, care, and protection  
12 of that person with an intellectual or a developmental disability as  
13 of the time of the determination;
- 14 c. Establish liaison and cooperative agreements with other  
15 governmental departments and agencies which provide programs  
16 and services to persons with intellectual or developmental  
17 disabilities to prevent duplication of services and encourage a  
18 continuum of care that is required by persons with intellectual or  
19 developmental disabilities;
- 20 d. Establish standards for services that are provided for persons  
21 with intellectual or developmental disabilities, which include the  
22 scope and quality of these services and which give full recognition  
23 to the unique problems and special needs associated with  
24 intellectual or developmental disabilities;
- 25 e. Advise, consult, and provide professional assistance to  
26 organized efforts by organizations, groups, associations, and  
27 committees which work toward improving services and  
28 opportunities for persons with intellectual or developmental  
29 disabilities; and
- 30 f. Select and retain the services of consultants whose advice is  
31 considered necessary to assist the division in obtaining information  
32 or developing plans and programs required for the performance of  
33 its duties and responsibilities pursuant to this act.

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35 4. The commissioner shall, pursuant to the provisions of the  
36 "Administrative Procedure Act," P.L. 1968, c. 410 (C. 52:14B-1 et  
37 seq.), adopt rules and regulations necessary to effectuate the  
38 purposes of this act.

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40 5. This act shall take effect immediately.

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STATEMENT

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45 This bill establishes the Division of Intellectual and  
46 Developmental Disabilities (division) in the Department of Children  
47 and Families.

**S1243 GREENSTEIN**

1 Under the bill, the director of the division is to: 1) provide  
2 services for persons with intellectual or developmental disabilities  
3 by identifying appropriate programs to meet their needs and by  
4 facilitating the establishment of community-based services for these  
5 persons; 2) establish procedures for the determination of eligibility  
6 for services pursuant to the bill's provisions; 3) establish liaison and  
7 cooperative agreements with other governmental departments and  
8 agencies which provide programs and services to persons with  
9 intellectual or developmental disabilities to prevent duplication of  
10 services and encourage a continuum of care that is required by  
11 persons with intellectual or developmental disabilities; 4) establish  
12 standards for services that are provided for persons with intellectual  
13 or developmental disabilities, which include the scope and quality  
14 of these services and which give full recognition to the unique  
15 problems and special needs associated with intellectual or  
16 developmental disabilities; 5) advise, consult, and provide  
17 professional assistance to organized efforts by organizations,  
18 groups, associations, and committees which work toward improving  
19 services and opportunities for persons with intellectual or  
20 developmental disabilities; and 6) select and retain the services of  
21 consultants whose advice is considered necessary to assist the  
22 division in obtaining information or developing plans and programs  
23 required for the performance of its duties and responsibilities.