

**SENATE, No. 3261**

---

**STATE OF NEW JERSEY**

**220th LEGISLATURE**

---

INTRODUCED OCTOBER 31, 2022

**Sponsored by:**

**Senator RENEE C. BURGESS**

**District 28 (Essex)**

**Senator NICHOLAS P. SCUTARI**

**District 22 (Middlesex, Somerset and Union)**

**Co-Sponsored by:**

**Senators Codey and Durr**

**SYNOPSIS**

Permits behavioral and mental health care providers to operate within homeless shelters.

**CURRENT VERSION OF TEXT**

As introduced.



**(Sponsorship Updated As Of: 1/19/2023)**

1   **AN ACT** concerning homeless shelters and behavioral and mental  
2       health and supplementing Title 26 of the Revised Statutes.

3  
4       **BE IT ENACTED** *by the Senate and General Assembly of the State*  
5       *of New Jersey:*

6  
7       1. a. As used in this section:

8       "Behavioral health care" means procedures or services, other  
9       than primary health care services, which are provided by a health  
10      care practitioner to a patient for the treatment of a mental illness,  
11      emotional disorder, or drug or alcohol use disorder that is of mild to  
12      moderate severity. "Behavioral health care" shall not include  
13      procedures or services that are provided for the treatment of severe  
14      mental illness, severe emotional disorder, or severe drug or alcohol  
15      use disorder.

16      "Behavioral health care provider" means a provider licensed or  
17      approved by the Department of Human Services to render  
18      behavioral health care services.

19      "Emergency shelter for the homeless" means a building or  
20      structure in which a public entity or a private, nonprofit  
21      organization provides shelter, or food and shelter, to individuals and  
22      families having neither a home nor the means to obtain a home or  
23      other temporary lodging.

24      "Mental health care professional" means a psychiatrist,  
25      psychologist, or clinical social worker licensed pursuant to Title 45  
26      of the Revised Statutes.

27      b. A behavioral health care provider and a mental health care  
28      professional shall be authorized to jointly or separately provide  
29      behavioral or mental health care services to homeless persons  
30      within an emergency shelter for the homeless, in a manner to be  
31      determined by the Commissioners of Community Affairs and  
32      Human Services, the State Board of Medical Examiners, the State  
33      Board of Psychological Examiners, and the State Board of Social  
34      Work Examiners. A behavioral health care provider or mental  
35      health care professional may provide the services authorized  
36      pursuant to this section in response to emergencies, on a part-time  
37      or full-time basis, and within a temporary or permanent location  
38      within the emergency shelter for the homeless that is exclusively  
39      used by the behavioral health care provider or mental health care  
40      professional to provide such services within the shelter.

41  
42      2. The Commissioners of Community Affairs and Human  
43      Services, the State Board of Medical Examiners, the State Board of  
44      Psychological Examiners, and the State Board of Social Work  
45      Examiners shall jointly or separately adopt rules and regulations, in  
46      accordance with the "Administrative Procedure Act," P.L.1968,  
47      c.410 (C.52:14B-1 et seq.), as are necessary to effectuate the  
48      provisions of this act.

1       3. This act shall take effect immediately.

2

3

4

STATEMENT

5

6       This bill permits behavioral and mental health care providers to  
7 operate within homeless shelters.

8       Under the bill, a behavioral health care provider and a mental  
9 health care professional are to be authorized to jointly or separately  
10 provide behavioral or mental health care services to homeless  
11 persons within an emergency shelter for the homeless. A  
12 behavioral health care provider or mental health care professional  
13 may provide such services in response to emergencies, on a part-  
14 time or full-time basis, and within a temporary or permanent  
15 location within the emergency shelter for the homeless that is  
16 exclusively used by the behavioral health care provider or mental  
17 health care professional.

18       The bill defines "behavioral health care provider" to mean a  
19 provider licensed or approved by the Department of Human  
20 Services to render behavioral health care services. "Behavioral  
21 health care" means procedures or services, other than primary  
22 health care services, which are provided by a health care  
23 practitioner to a patient for the treatment of a mental illness,  
24 emotional disorder, or drug or alcohol use disorder that is of mild to  
25 moderate severity. "Behavioral health care" does not include  
26 procedures or services that are provided for the treatment of severe  
27 mental illness, severe emotional disorder, or severe drug or alcohol  
28 use disorder. "Mental health care professional" means a  
29 psychiatrist, psychologist, or clinical social worker licensed  
30 pursuant to Title 45 of the Revised Statutes.