

P.L. 2025, CHAPTER 282, *approved January 18, 2026*
Senate, No. 3754 (*First Reprint*)

1 **AN ACT** concerning individuals with intellectual and developmental
2 disabilities, supplementing Title 30 of the Revised Statutes, and
3 making an appropriation.
4
5 **BE IT ENACTED** *by the Senate and General Assembly of the State*
6 *of New Jersey:*
7
8 1. a. There is established in the Department of Human Services
9 the “Disability Mortality and Abuse Prevention Advisory Committee.”
10 The purpose of the advisory committee shall be to:
11 (1) critically review select cases of adults over the age of 18 with
12 intellectual and developmental disabilities, who were survivors of
13 abuse, neglect, or exploitation, and adults with intellectual and
14 developmental disabilities who have passed away;
15 (2) evaluate government systems’ responses to cases of abuse,
16 neglect, or exploitation involving individuals with intellectual and
17 developmental disabilities who resided in a variety of settings
18 including private homes, congregate settings, and State-funded
19 placement;
20 (3) identify areas for improvement in preventing abuse, neglect,
21 and exploitation against adults with intellectual and developmental
22 disabilities;
23 (4) explore methods to enhance accountability concerning cases of
24 abuse, neglect, or exploitation among State-funded disability services
25 providers; and
26 (5) suggest measures to fortify the reporting and investigatory
27 process concerning cases of abuse, neglect, or exploitation involving
28 adults with intellectual and developmental disabilities and to improve
29 the experience for disability services clients and their families.
30 b. The advisory committee shall be composed of ¹**[12]** ¹³**13**
31 members to be appointed by the Commissioner of Human Services, as
32 follows:
33 (1) a licensed physician with experience providing services to
34 individuals with intellectual and developmental disabilities;
35 (2) a representative from the Bureau of Guardianship Services in
36 the Department of Human Services;

EXPLANATION – Matter enclosed in bold-faced brackets **[thus]** in the above bill is
not enacted and is intended to be omitted in the law.

Matter underlined thus is new matter.
Matter enclosed in superscript numerals has been adopted as follows:
¹Senate SHH committee amendments adopted December 19, 2024.

1 (3) a representative from Adult Protective Services in the Division
2 of Aging Services in the Department of Human Services;

3 (4) an individual with an intellectual or developmental disability;

4 (5) two family members of an individual with an intellectual or
5 developmental disability;

6 (6) a representative from the Division of Developmental
7 Disabilities in the Department of Human Services;

8 (7) a representative from the Department of Children and Families;

9 (8) a professional with experience in child abuse investigations in
10 New Jersey;

11 (9) a representative from the Office of Program Integrity and
12 Accountability in the Department of Human Services;

13 (10) a representative from a Department of Children and Families-
14 contracted or funded residential provider agency serving individuals
15 with intellectual and developmental disabilities who are 18 years of
16 age or older; ¹**and**¹

17 (11) a representative from a Division of Developmental
18 Disabilities-licensed residential provider agency serving individuals
19 with intellectual and developmental disabilities who are 21 years of
20 age or older ¹; and

21 (12) a representative from Disability Rights New Jersey¹ .

22 c. The Commissioner of Human Services shall designate a
23 chairperson from among the members of the advisory committee.

24 d. The advisory committee shall have the duty and responsibility
25 to:

26 (1) develop and implement protocols and procedures that allow the
27 advisory committee to operate in accordance with applicable State and
28 federal laws, including developing and implementing processes for
29 identifying cases of abuse, neglect, exploitation, and death involving
30 individuals with intellectual and developmental disabilities for review,
31 and establishing meeting structure;

32 (2) within two years of the effective date of this act, identify, and
33 conduct a review of, select cases of deceased adults with intellectual
34 and developmental disabilities and adults with intellectual and
35 developmental disabilities who are survivors of abuse, neglect, or
36 exploitation. The review shall include, but not be limited to:

37 (a) consideration of each individual's points of contact with health
38 care systems, social services, State-funded services to support
39 individuals with intellectual and developmental disabilities,
40 educational institutions, child and family services, the criminal justice
41 system, and any other systems with which the individual had contact
42 prior to death or any incident of abuse, neglect, or exploitation;

43 (b) identification of the specific factors and social determinants of
44 health that put the individual at risk; and

45 (c) identification of policies and practices at the provider or State
46 level that may have contributed to the death, abuse, neglect, or
47 exploitation;

1 (3) collect, analyze, and interpret data and information obtained
2 from the selected cases reviewed pursuant to paragraph (2) of this
3 subsection, which data and information shall be maintained by the
4 advisory committee in accordance with all appropriate and industry-
5 standard controls necessary to protect the privacy and security of the
6 data and information;

7 (4) assess the effectiveness of government systems in responding
8 to, and identifying, instances of abuse, neglect, and exploitation of
9 adults with intellectual and developmental disabilities while receiving
10 services from State-funded or State-licensed agencies, and identify
11 practices that help maintain the health and safety of individuals with
12 disabilities. Such assessments shall:

13 (a) include an analysis of the three standards for investigative
14 conclusions for civil investigations: substantiated; unsubstantiated; or
15 no findings;

16 (b) consider whether those conclusions effectively describe and
17 summarize the findings of the selected cases; and

18 (c) consider whether new standards for carrying out and
19 concluding investigations should be implemented based on best
20 practices in the social services and health care fields;

21 (5) assess the effectiveness of government systems in responding
22 to and assessing instances of alleged abuse, neglect, or exploitation of
23 adults with intellectual and developmental disabilities. Such
24 assessments shall:

25 (a) identify strengths and weaknesses in current government
26 responses;

27 (b) recommend improvements to governmental responses,
28 including actions to improve accountability for State-funded or State-
29 licensed providers; and

30 (c) identify opportunities to improve the complaint and
31 investigatory experience for all parties involved in alleged incidents of
32 abuse, neglect and exploitation, including complainants, alleged
33 victims, staff, service providers, and families; and

34 (6) submit the advisory committee's findings and
35 recommendations to the Departments of Human Services and Children
36 and Families, which findings and recommendations shall be
37 considered confidential and not subject to release under P.L.1963, c.73
38 (C.47:1A-1 et seq.), known as the open public records act, or the
39 common law right of access.

40 e. The Department of Human Services may contract with a
41 consultant, who has demonstrable experience in providing technical
42 assistance relevant to the purpose of the committee, to support the
43 advisory committee through project management, research, and
44 technical expertise to assist the advisory committee in fulfilling its
45 duties and responsibilities pursuant to subsection d. of this section.

46
47 2. a. The Departments of Human Services and Children and
48 Families shall be authorized to provide confidential client

1 information and records to the Disability Mortality and Abuse
2 Prevention Advisory Committee pursuant to the protocols and
3 procedures established in subsection d. of section 1 of this act.

4 b. The advisory committee shall record the name, age, date of
5 birth, place of death or pronouncement of death, date and time of
6 death, as applicable, and circumstances surrounding the incident or
7 death in a confidential master file. The file shall serve as the
8 minimum record of the case, be the only file that contains the name
9 of the individual, and not be subject to discovery, but may be used
10 by the chairperson of the advisory committee to refer an individual
11 case, including the committee's deliberations and findings, to the
12 extent necessary for an appropriate agency to investigate or to
13 provide services.

14 c. The deliberations, findings, and recommendations of the
15 committee shall not supersede or replace the conclusions or
16 opinions of the agencies that contribute information from their own
17 records.

18 d. All proceedings and activities of the advisory committee, all
19 opinions of the members of the advisory committee, which are
20 formed as a result of the advisory committee's proceedings and
21 activities, and all records obtained, created, or maintained by the
22 committee shall be confidential, and shall not be subject to public
23 inspection, discovery, subpoena, or introduction into evidence in
24 any civil, criminal, legislative, or other proceeding.

25 e. In no case shall the advisory committee disclose any
26 personally identifiable information to the public. The department
27 may establish civil penalties for the negligent or knowing and
28 willful disclosure of confidential information by members of the
29 advisory committee.

30 f. Members of the advisory committee shall not be questioned in
31 any civil, criminal, legislative, or other proceeding regarding
32 information that has been presented in, or opinions that have been
33 formed as a result of, a meeting or communication of the advisory
34 committee.

35 g. A member of the advisory committee shall not be liable for
36 any civil damages as a result of providing in good faith any reports,
37 records, opinions, or recommendations pursuant to P.L.1997, c.175
38 (C.9:6-8.83 et al.).

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40 3. a. No later than 27 months after the effective date of this act,
41 the Commissioner of Human Services shall review the advisory
42 committee's findings and recommendations received pursuant to
43 paragraph **'[(9)] (6)'** of subsection d. of section 1 of this act and
44 prepare and submit a report to the Governor and, pursuant to section
45 2 of P.L.1991, c.164 (C.52:14-19.1), the Legislature, which report
46 shall:

47 (1) summarize the advisory committee's findings and
48 recommendations;

1 (2) detail the strengths of current procedures concerning the
2 provision of services to individuals with intellectual and
3 developmental disabilities in the State; and
4 (3) compare the State's current process for providing services to
5 individuals with intellectual and developmental disabilities with
6 other states in the country.
7 b. The report submitted pursuant to this section shall not
8 contain any identifying or confidential information with regard to
9 any individual or circumstances around specific instances of abuse,
10 neglect, exploitation, or death.
11
12 4. There is appropriated from the General Fund to the
13 Department of Human Services such sums as are necessary to
14 implement the provisions of this act.
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16 5. This act shall take effect 90 days after the date of enactment,
17 except that the Commissioners of Human Services and Children and
18 Families may take any anticipatory administrative action in advance
19 as shall be necessary for the implementation of this act. This act
20 shall expire upon submission of the report pursuant to section 3 of
21 this act.
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25
26 Establishes "Disability Mortality and Abuse Prevention Advisory
27 Committee" in DHS; makes appropriation.