SIGNED BY:
Senator ROBERT M. GORDON
District 38 (Bergen and Passaic)
Senator PETER J. BARNES, III
District 18 (Middlesex)
Assemblywoman VALERIE VAINIERI HUTTLE
District 37 (Bergen)
Assemblyman DANIEL R. BENSON
District 14 (Mercer and Middlesex)
Assemblyman WAYNE P. DEANGELO
District 14 (Mercer and Middlesex)
Assemblyman TIMOTHY J. EUSTACE
District 38 (Bergen and Passaic)

Co-Sponsored by:
Senators Weinberg, Codey and Greenstein

SYNOPSIS
Imposes moratorium on Returning Home New Jersey initiative and prohibits transfers from out-of-State placements under certain conditions.

CURRENT VERSION OF TEXT
As introduced.

(Sponsorship Updated As Of: 6/27/2014)
AN ACT concerning individuals with developmental disabilities and
supplementing Title 30 of the Revised Statutes.

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

1. a. The Department of Human Services shall impose a
moratorium on the transfer of an individual with a developmental
disability, whom the Division of Developmental Disabilities had
placed in an out-of-State facility, to a new residential placement in
this State under the Returning Home New Jersey initiative or any
similar initiative or program transferring individuals with
developmental disabilities from out-of-State placements to new
residential placements in this State, until the department prepares a
comprehensive written plan as provided for in this section and posts
the plan on the website of the department.

   b. The comprehensive written plan shall include, but not be
limited to, a requirement to provide an individual with a
developmental disability with:

   (1) care and services in the new residential placement in this
State that are substantially similar to the care and services which the
individual received in an out-of-State placement and which shall be
safe and appropriate for the individual; and

   (2) living conditions which are medically and behaviorally
appropriate for the individual.

2. The Division of Developmental Disabilities shall not transfer
an individual with a developmental disability to a new residential
placement in this State under the Returning Home New Jersey
initiative or any similar initiative or program transferring
individuals with developmental disabilities from out-of-State
placements to new residential placements in this State if:

   a. the transfer is opposed by the individual or the individual's
guardian;

   b. the individual has resided in an out-of-State placement for
10 or more years; or

   c. a medical evaluation of the individual indicates that the
transfer to a new residential placement in this State would be
harmful to the health or safety of the individual.

3. This act shall take effect immediately.

STATEMENT

This bill requires the Department of Human Services (DHS) to
impose a moratorium on the transfer of an individual with a
developmental disability to this State under the Returning Home
New Jersey initiative or any similar initiative or program transferring individuals with developmental disabilities from out-of-State placements to new residential placements in this State, until DHS prepares a comprehensive written plan and posts the plan on its website. The plan is to include a requirement to provide: care and services in the new residential placement that are substantially similar to the care and services received in an out-of-State placement and which are to be safe and appropriate for the individual; and living conditions which are medically and behaviorally appropriate for the individual.

The bill also provides that the Division of Developmental Disabilities in DHS is not to transfer an individual with a developmental disability under the Returning Home New Jersey initiative if: the transfer is opposed by the individual or the individual's guardian; the individual has resided in an out-of-State placement for 10 or more years; or a medical evaluation of the individual indicates that the transfer to a new residential placement in this State would be harmful to the health or safety of the individual.