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Legislative and Administrative Notes

New Jersey Legislative Update: 2006- 2007 Session; 212th Legislature (Update #6 April 2006)

This edition of Legislative and Administrative Notes is devoted to legislation, affecting people with disabilities, passed in the 2006-2007 New Jersey Legislative session. The bills listed herein are not inclusive of all legislation impacting people with developmental disabilities, but a compilation of legislation that is moving through the legislative review process and/or have been introduced since April 3, 2006. The Legislature is currently in recess for budget hearings until early May.

Log onto www.njleg.state.nj.us for the most up-to-date Legislative information.

Legislative and Administrative Notes is an educational/informational publication and is not intended to be a compilation of bills supported by the Alliance for the Betterment of Citizens with Disabilities (ABCD). If you have questions regarding this document, please contact Neely at Neely@abcdnj.org (609) 581-8375.

Table of Contents

Access/Rights/Protection.....page 3

1. S1090/A2947 Directs Division of Developmental Disabilities to prepare plan to ensure community-based living for certain individuals with developmental disabilities.
2. S1786 Directs half of excess federal reimbursement for Community Care Waiver and intermediate care facility for the mentally retarded programs be used to expand services to persons with developmental disabilities.
3. SJR14 Designates third week of May "New Jersey Early Intervention Week."

Education.....page 4

4. S1220 Directs DOE to include information about State adult disability services in booklet for parents of special education students and to require schools to designate staff member as parent liaison.

Housing.....page 5

5. A2826 "Group Home Fire Safety Act"

State Government.....page 5

6. S698 Makes changes concerning Governor's Council for Medical Research and Treatment of Autism
7. SCR70 Memorializes Congress to pass legislation to reimburse states for Medicare Part D emergency expenditures on behalf of certain low-income seniors and persons with disabilities.

S1090/A2947 Directs Division of Developmental Disabilities to prepare plan to ensure community-based living for certain individuals with developmental disabilities.

Sponsor(s)	<i>Senate:</i> Rice (D-28); Vitale (D-19) <i>Assembly:</i> Cryan (D-20)
Action	<i>Senate:</i> 1/26/2006 Introduced in the Senate, Referred to Senate Health, Human Services and Senior Citizens Committee <i>Assembly:</i> 3/9/2006 Introduced, Referred to Assembly Human Services Committee

This bill requires that the Director of the Division of Developmental Disabilities in the Department of Human Services develop a plan with established benchmarks to ensure that, within eight years of implementation, each resident in a State developmental center who expresses a desire to live in the community, and whose individual habilitation plan recommends a community-based setting, can do so. It is the sponsors' intent that the plan assist these individuals to live in community-based settings appropriate to their needs consistent with the principles of the decision of the United States Supreme Court in *Olmstead v. L.C.* by Zimring (1999) 527 U.S. 581.

The bill specifically provides that the director shall review and establish objective criteria to identify individuals with developmental disabilities who are candidates for living in community-based settings, identify the resources needed to ensure that they can reside in the community and receive needed community-based services and supports in a manner that enables them to live as independently as possible, and set forth how the necessary funding, services and housing will be provided. The director is to solicit public input in developing the plan and conduct four public hearings, one each in the northern, upper central, lower central, and southern regions of the State, at or in close proximity to the State's developmental centers. The director is to provide a plan and report his findings and recommendations to the Governor and the Senate Health, Human Services and Senior Citizens and Assembly Health and Human Services committees no later than nine months after the effective date of this bill.

S1786 Directs half of excess federal reimbursement for Community Care Waiver and intermediate care facility for the mentally retarded programs be used to expand services to persons with developmental disabilities.

Sponsor(s)	Vitale (D-19)
Action	

At this time, no literature has been developed.

SJR14 Designates third week of May "New Jersey Early Intervention Week."

Sponsor(s)	Turner (D-15); Karcher (D-12)
Action	1/10/2006 Introduced in the Senate, Referred to Senate Health, Human Services and Senior Citizens Committee 1/26/2006 Reported from Senate Committee, 2nd Reading 3/20/2006 Passed by the Senate (40-0) 3/21/2006 Received in the Assembly, Referred to Assembly Human Services Committee

This resolution designates the third week of May as "New Jersey Early Intervention Week." The purpose is to focus public attention on the needs of young children, to recognize the early childhood programs and services that meet those needs, and to plan how we can better meet the needs of all young children. The Governor is requested to issue a proclamation calling upon public officials and citizens of this State to observe the week with appropriate activities and programs.

S1220 Directs DOE to include information about State adult disability services in booklet for parents of special education students and to require schools to designate staff member as parent liaison.

Sponsor(s)	Rice (D-28); Turner (D-15)
Action	2/28/2005 Introduced in the Senate, Referred to Senate Education Committee 6/9/2005 Reported from Senate Committee with Amendments, 2nd Reading 1/30/2006 Introduced in the Senate, Referred to Senate Education Committee

The purpose of this bill is to provide parents of children who receive special education services with information and assistance concerning the transition from the school system to adult-based services for persons with disabilities.

The bill requires the Department of Education to include in its "Parental Rights in Special Education" booklet that is available to parents of children who receive special education services, information describing services available through, and contact information for, State agencies serving persons with disabilities.

The bill also requires that, beginning with the 2006-2007 school year, the Department of Education must require all school districts with grades nine through 12 to designate at least one staff member to serve as a disability services resource for parents.

The bill also requires a district to conduct outreach services to ensure that parents of children who receive special education services in a district, and local community disability organizations and service providers, are made aware of the name and contact information of the designated staff member.

A2826 “Group Home Fire Safety Act”

Sponsor(s)	Diegnan(D-18); Scalera (D-36); Burzichelli (D-3)
Action	3/9/2006 Introduced, Referred to Assembly Human Services Committee

This bill, which is designated the "Group Home Fire Safety Act," requires the installation of automatic fire suppression systems in the common areas (meaning the living, dining and kitchen areas) and bedrooms of all group homes in this State.

The bill defines "group home" to mean a licensed community residence for the developmentally disabled or mentally ill, a community shelter for victims of domestic violence, or a community residence for the terminally ill or a community residence for persons with head injuries, which has an approved service contract or an affiliation agreement with a State agency or department and which is owned by a nonprofit organization whose property is tax-exempt.

ABCD Note: There is a fiscal impact to Provider organizations due to this bill. Enactment of this legislation without additional resources is an un-fundable mandate.

S698 Makes changes concerning Governor's Council for Medical Research and Treatment of Autism
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Sponsor(s)	Weinberg (D-37);Vitale (D-19); Karcher (D-12)
Action	1/10/2006 Introduced in the Senate, Referred to Senate Health, Human Services and Senior Citizens Committee

This bill renames the Governor's Council for Medical Research and Treatment of Infantile Autism, which was established pursuant to P.L.1999, c.105 (N.J.S.A.30:6D-56 et seq.), as the Governor's Council for Medical Research and Treatment of Autism, and retitles that statute accordingly as the "New Jersey Autism Biomedical Research Act."

The bill also expands the membership of the council from seven to nine members and changes its composition

SCR70 Memorializes Congress to pass legislation to reimburse states for Medicare Part D emergency expenditures on behalf of certain low-income seniors and persons with disabilities.

Sponsor(s)	Rice (D-28); Vitale (D-19)
Action	1/30/2006 Introduced in the Senate, Referred to Senate Health, Human Services and Senior Citizens Committee

This resolution expresses the New Jersey Legislature's support for federal legislation recently introduced by United States Senators from New Jersey, Frank R. Lautenberg and Robert Menendez, among others. The bill, entitled the "Medicare State Reimbursement Act of 2006," would authorize federal reimbursement to states that provided emergency relief to their citizens during the initial implementation period of Medicare Part D. New Jersey has taken action to ensure that its neediest citizens received essential medications without interruption and has spent an estimated \$1 million per day to provide emergency prescription drug relief for those beneficiaries who were unable to obtain prescriptions because of administrative problems implementing Medicare Part D.