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Legislative and Administrative Notes

New Jersey Legislative Update: 2006- 2007 Session; 212th Legislature (Update #4 February 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 January 1, 2006.

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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.

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S71/A948/A2252 Establishes "Matthew's Law Limiting the Use of Restraints."

Sponsor(s)	<i>Senate:</i> Kean (R-21); Sarlo (D-36) <i>Assembly:</i> Munoz (R-21); Gregg (R-24); Payne (D-29)
Action	<i>Senate:</i> 1/10/2006 Introduced in the Senate, Referred to Senate Health, Human Services and Senior Citizens Committee <i>Assembly:</i> 1/10/2006 Introduced, Referred to Assembly Health and Senior Services Committee

Restricts the use of physical and mechanical restraints on persons with developmental disabilities by providing that, except in limited circumstances, physical and mechanical restraints may be used in emergency situations only.

Excludes aversive techniques as planned interventions.

The limited circumstances would not apply when physical restraint is applied to: assist a person in completing a task if the person does not resist the application of physical restraint or if the restraint is minimal in intensity and duration; escort or carry a person to safety if the person is in danger in his present location; or enable a health care professional to treat the medical needs of the person.

For both physical and mechanical restraints, the bill provides that within one working day of the use of the restraint, the use would be reported as an unusual incident, in accordance with the Division of Developmental Disabilities' policy for reporting unusual incidents, which would include reporting these incidents to the person's parent or legal guardian, an unusual incident report coordinator in the division and the Office of Operations Support, or its successor, in the Department of Human Services.

Includes a provision requiring staff training in positive approaches to behavior and completion of a course in understanding the legal and ethical responsibilities of staff. Requires the Department to develop and maintain a web site for statistical information about the number of unusual incidents occurring at public or private facilities or agencies, as well as any reports or findings from any State monitoring agencies.

S987/A1530 Provides penalties for leaving individual with disability unattended in a motor vehicle

Sponsor(s)	<i>Senate:</i> Buono (D-18); Vitale (D-19) <i>Assembly:</i> Oliver (D-34); Manzo (D-31)
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Action	<i>Senate:</i> 1/17/2006 Introduced in the Senate, Referred to Senate Health, Human Services and Senior Citizens Committee 1/10/2006 Introduced, Referred to Assembly Judiciary Committee <i>Assembly:</i> 1/10/2006 Introduced, Referred to Assembly Judiciary Committee
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A parent, guardian or other person (responsible party) who leaves an individual with a disability unattended in a motor vehicle would be a petty disorderly person, subject to a fine of up to \$500, a term of imprisonment of up to 30 days, or both. If the individual suffers bodily injury as the result of being left unattended, the responsible party would be guilty of a crime of the third degree, punishable by imprisonment for three to five years, a fine of up to \$15,000, or both. If the individual suffers significant or serious bodily injury as the result of being left unattended, the responsible party would be guilty of a crime of the second degree, punishable by imprisonment of five to ten years, a penalty of up to \$150,000, or both.

S1090 Directs Division of Developmental Disabilities (DDD) to prepare plan to ensure community-based living for certain individuals with developmental disabilities

Sponsor(s)	Rice (D-28); Vitale (D-19)
Action	1/10/2006 Introduced, Referred to Assembly State Government Committee

Directs DDD to prepare a plan, write community input to ensure that people with developmental disabilities are living in the most integrated setting appropriate for their needs.

A133/A1794 Creates the crime of victimization of a senior citizen or a person with a disability.

Sponsor(s)	<i>A133:</i> Merkt (R-25); Diegnan (D-18) <i>A1794:</i> Pou (D-35)
Action	<i>A133:</i> 1/10/2006 Introduced, Referred to Assembly Health and Senior Services Committee <i>A1794:</i> 1/10/2006 Introduced, Referred to Assembly Health and Senior Services Committee

Establishes a separate crime of victimization against a senior citizen or a person with a disability, which must be charged and proved as any other crime. Victimization would be graded one degree higher than the offense that was committed. A person would be guilty of victimization if the person commits any crime listed in the bill against a senior citizen or a

person with a disability. Upon a conviction, the sentence imposed by the court would not merge with the sentence imposed for the underlying offense.

A737 Provides for establishment of county offices for the disabled; making an appropriation

Sponsor(s)	Blee (R-2)
Action	1/10/2006 Introduced, Referred to Assembly Health and Senior Services Committee

Provides statutory authority for any county in the State to establish a county office for the disabled.

Provides that each county office for the disabled would have the power and duty to:

- maintain a central source of information on programs and services for people with disabilities;
- circulate current knowledge relating to disabilities as well as the rights and needs of people with disabilities to the public at large and to individuals and groups to which such knowledge would be of benefit; and
- stimulate the expansion and coordination of existing services to more adequately meet the needs of people with disabilities, and where desirable, encourage new programs to meet these needs.

Provides that the county governing body: is to appoint an executive director, who is to be a person qualified by training and experience to direct and to administer the work of the county office for the disabled; and may receive and expend moneys from the State or federal governments or private individuals, corporations or associations to meet the expenses of the county office for the disabled.

A753 Allows corporation business tax and gross income tax credits to businesses providing employment to qualified handicapped persons at sheltered workshops

Sponsor(s)	Gordon (D-38); Voss (D-38); Van Drew (D-1)
Action	1/10/2006 Introduced, Referred to Assembly Health and Senior Services Committee 1/26/2006 Withdrawn from Consideration

Provides corporation business tax (CBT) and gross income tax (GIT) credits to businesses providing employment to qualified handicapped persons at sheltered workshops.

Provides CBT and GIT credits to businesses that provide employment at an occupational training center/sheltered workshop under a contract with the workshop for the performance of services (usually product assembly and packaging services) by the workshop's handicapped clients, with the amount of the credit to equal 20% of the wages and salaries paid to these individuals pursuant to the contract, up to \$1,000 per person per tax period.

A1397 Provides in-network benefits to patient with disability for services provided by out-of-network provider under certain circumstances.

Sponsor(s)	Quigley (D-32); Manzo (D-31)
Action	1/10/2006 Introduced, Referred to Assembly Health and Senior Services Committee

Permits a patient with a physical disability who is covered by a managed care plan to receive benefits at the in-network level for health care services provided by an out-of-network health care provider under certain circumstances.

Applies to a health insurance carrier which offers a managed care plan that provides for both in-network and out-of-network benefits, and a scenario, as determined by regulation of the Commissioner of Health and Senior Services, in which a covered person with a physical disability receives covered, medically necessary health care services from an out-of-network health care provider because there is no in-network provider who is reasonably proximate to the covered person's place of residence, is qualified by area of professional specialty or practice to provide those health care services and has significant experience in treating the particular physical disability, or whose physical accommodations afford reasonably convenient access to a person with the same degree of physical disability as that which the covered person has.

A228 Requires DHS to provide functional services to certain persons with developmental disabilities

Sponsor(s)	Cruz-Perez (D-5)
Action	1/10/2006 Introduced, Referred to Assembly Human Services Committee

Requires the commissioner to provide the appropriate functional services and ensure that they are available.

A489 Enables authorized persons to obtain criminal background checks on juveniles to determine suitability for work with children, the elderly and the developmentally disabled.

Sponsor(s)	Bateman (R-16); Biondi (R-16)
Action	1/10/2006 Introduced, Referred to Assembly Human Services Committee

Enable authorized persons, agencies and entities to obtain criminal history record background checks on juveniles in order to determine their suitability for employment, volunteer work or other performance of services involving contact with children, the elderly or the developmentally disabled.

The information available would be related to adjudications of delinquency involving: crimes of the first, second or third degree; aggravated assault; criminal sexual contact pursuant to subsection b. of N.J.S.A.2C:14-3 if the victim is a minor; or an attempt to commit any such offense.

A1996 Requires State budget to include funds for annual cost-of-living adjustment to certain contracted providers of services

Sponsor(s)	Cryan (D-20); Blee (R-2); Vas (D-19)
Action	1/10/2006 Introduced, Referred to Assembly Budget Committee

This legislation would require the Governor's annual budget recommendation to provide funds for a cost-of-living adjustment to private agencies under contract to various State departments for the provision of services to clients under these departments' responsibility. This requirement, however, does not apply to the State Medicaid program, as administered by the Departments of Health and Senior Services and Human Services, as many services such as nursing homes, inpatient and outpatient hospital services, prescription drugs and managed care are reimbursed on the basis of cost reports or other factors that are adjusted periodically on a different basis.

The cost-of-living adjustment will be based on the most current annualized Consumer Price Index for All Urban Consumers in the Northeast Region as published by the Bureau of Labor Statistics in the U.S. Department of Labor.

S117 Revises school district budget cap adjustment for special education and courtesy busing, makes permanent adjustment for insurance and domestic security, provides adjustment for utility costs and an appeal on administrative cost limits, and authorizes 3% surplus for 2006-2007 and subsequent school years.

Sponsor(s)	Coniglio (D-38); Sarlo (D-36)
Action	1/10/2006 Introduced in the Senate, Referred to Senate Education Committee

Revises the school budget cap adjustment available for special education costs. Provides that the budget cap adjustment available to school districts for special education programs and services will equal the amount of the increase over the prior year in the total cost of providing special education programs and services as required under State and federal law for classified students.

Revises the budget cap adjustment currently available for courtesy busing services. Provides a new budget cap adjustment for utility costs. Restricts the use of any unused spending available under these adjustments and the revised adjustment for special education from being "banked" for use in future budgets.

S199 Provides for full State funding of the special education costs of students who reside in foster homes

Sponsor(s)	Allen (R-7)
Action	1/10/2006 Introduced in the Senate, Referred to Senate Education Committee

In the case of a special education student who resides in a foster home, in addition to the special education categorical aid for which a school district or county vocational school district is eligible pursuant to the "Comprehensive Educational Improvement and Financing Act of 1996," (CEIFA), P.L.1996, c.138, a district will receive additional State aid in the amount required to reimburse the district for any costs associated with providing programs and services to the special education student which exceed the district's average cost of providing programs and services to a student in the district's regular education program, after offset by special education categorical funding.

SCR21 Proposes an amendment to the Constitution requiring the State to pay the costs of special education.

Sponsor(s)	Kyrillos (R-13); Bucco (R-25)
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Action	1/10/2006 Introduced in the Senate, Referred to Senate Education Committee

In order to provide property tax relief, the State would pay all costs of special education for children who are eligible for programs and services which are mandated by State or federal statutes or regulations and further provides that the eligibility of a child for a special education program or service would be determined by the State.

The increasing number of students and the increasing costs of special education for those students have created a serious shortfall in many school district budgets, which in turn leads to a necessary increase in local property taxes.

If this proposed constitutional amendment is approved, the State would be responsible for all special education costs, continuing to ensure that the needs of special education students are fully met, while school districts would be responsible only for the local share of regular education costs.

A167 Requires DOE to establish working group to develop a plan for the regional provision of special education services

Sponsor(s)	Vandervalk (R-39)
Action	1/10/2006 Introduced, Referred to Assembly Education Committee

Requires the Commissioner of Education to establish a working group to develop a plan for establishing regional centers throughout the State for the provision of special education services. The working group will be required to ensure that the plan provides school districts with regional settings in which the districts' special education students will be able to receive a broad-range of programs and services according to the students' individualized education plan.

A216 Provides categorical State aid for public school district special education expenditures

Sponsor(s)	Gregg (R-24); Baroni (R-14)
Action	1/10/2006 Introduced, Referred to Assembly Education Committee

Each district will receive special education aid determined as follows: calculate a district's average regular education cost per pupil, multiply that amount by 1.33, subtract the result from the cost for providing education for each individual classified pupil and sum the results for all individual classified students in the district.

Special education costs have increased consistently and at a faster pace than has State aid for special education. This has placed an extra burden on local taxpayers to pick up the difference between State aid and the actual cost of providing services to individual classified students. The total audited costs of providing special education services in the 2002-03 school year was \$2.68 billion. Of this amount, the State paid approximately \$1 billion and the school districts the balance of \$1.68 billion.

A237 Provides that certain special education treatment options or teaching methods shall be discontinued

Sponsor(s)	Cruz-Perez (D-5)
Action	1/10/2006 Introduced, Referred to Assembly Education Committee

Any special education treatment option or teaching method which exhibits some or all of certain factors shall be discontinued. Those factors include obvious signs of physical or emotional pain; potential or actual side effects which would properly require the involvement of medical personnel; ambivalence and discomfort by the pupil, family, staff, or care givers regarding the necessity of extreme strategies; and obvious stress felt by the peers of the pupil exhibiting the behavior.

A848 "Billy's Law;" directs Department of Education to establish a register of qualified educational facilities outside the State for special education students and establishes procedures for the placement of such facilities on the register

Sponsor(s)	Payne (D-29); Munoz (R-21); Stanley (D-28)
Action	1/10/2006 Introduced, Referred to Assembly Education Committee

Requires the Department of Education to maintain a register of educational facilities which are outside of the State and which it deems are qualified to offer programs of education that may be required for students who are classified as in need of special education. The register would be publicly accessible on the website of the department.

Prior to placing the educational facility on the register, the department must:

1. conduct an evaluation and inspection of the facility,
2. determine that the out-of-state facility is approved by the department of education in the state where the facility is located:
3. determine which specific conditions the facility shall be qualified to meet, and include the conditions on the website;
4. list any deficiency at the facility as may have been determined by the Division of Developmental Disabilities;
5. determine that appropriate laws and regulations exist within the state where the facility is located to ensure appropriate investigations and prosecution of complaints of abuse or neglect;
6. enter into appropriate agreements with state or local agencies and entities where the facility is located to ensure that the department will receive information of abuse or neglect occurring in the facility; and
7. enter into a written agreement with the facility to provide to the department a copy of all reports of unusual incidents involving any New Jersey student placed by the State or a school district at the facility.

A1047 Revises calculation of school district budget caps, increases allowable surplus for public school districts, and revises adjustment for special education costs

Sponsor(s)	Van Drew (D-1); Greenstein (D-14)
Action	1/10/2006 Introduced, Referred to Assembly Education Committee

A school district may increase its spending over the prior year by 3% or the CPI, whichever is greater, with additional adjustments for particular spending items. This bill reinstates the budget cap adjustments previously available to certain school districts for the receipt of early childhood program aid and demonstrably effective program aid; and revises the adjustment for courtesy busing services to its previous level of the entire cost of providing those services in the budget year as opposed to any increase between the prebudget and budget years in the cost of providing those services.

Reinstates the prior threshold of allowable surplus that a district may maintain to 6% or \$75,000, whichever is greater. Provides that the budget cap adjustment for special education programs and services will equal the amount of the increase over the prior year in the total cost of providing special education programs and services as required under State and federal law for classified students. Required special education programs and services will be determined by the commissioner.

A1320 Revises public school district budget cap adjustment for special education and establishes adjustments for utility costs, health benefits costs, legal fees, and membership

dues for New Jersey School Boards Association

Sponsor(s)	Biondi (R-16); Bateman (R-16)
Action	1/10/2006 Introduced, Referred to Assembly Education Committee

Provides that the budget adjustment available to school districts for special education programs and services will equal the amount of the increase over the prior year in the total cost of providing special education programs and services as required under State and federal law for classified students. Required special education programs and services will be determined by the commissioner.

Provides several new budget cap adjustments for public school districts: utility costs. (gas, electric, water, sewer, and such other utilities as determined by the commissioner), health benefits (costs budgeted by the board of education for the employer's share of health insurance and any other employee health benefits), school district legal fees and dues associated with membership in the New Jersey School Boards Association.

A1519 Allows a refundable gross income tax credit for education and training expenses for developmentally disabled children

Sponsor(s)	Oliver (D-34); Manzo (D-31)
Action	1/10/2006 Introduced, Referred to Assembly Education Committee

Provides a refundable New Jersey gross income tax credit for up to \$3,000 of the amount paid or incurred by a taxpayer during the taxable year for expenses for services and equipment related to the education and training of a child of the taxpayer with a developmental disability. The credit amount that is in excess of the tax liability of the taxpayer will be refunded and those individuals who do not have any gross income tax liability, but still incur such expenses, will be able to file for a payment of the full amount of the tax credit. Those covered under this credit are the children, grandchildren or step- or foster-children of the taxpayer who are under age 18 for whom the taxpayer is entitled to a claim a dependent exemption. Married taxpayers must file joint returns to claim this credit. The taxable income limit for those claiming the full credit is \$150,000 in the first year, which limit will be subject annually to a cost-of-living adjustment.

This refundable tax credit for parents of developmentally disabled children will provide a State-supported offset for some of the unique expenses that they incur in order to extend the family support that children with disabilities especially need to develop their fullest potential.

A1809 Includes transportation costs in the calculation of extraordinary special education costs incurred by public school districts.

Sponsor(s)	Greenstein (D-14); Manzo (D-31)
Action	1/10/2006 Introduced, Referred to Assembly Education Committee

Provides that in calculating the \$40,000 per pupil threshold, the school district may include any transportation costs which it has incurred on behalf of the student that exceed the State transportation aid the district has received for that student.

Provides that in those instances in which a school district is currently authorized to apply for emergency special education State aid for a classified pupil who moves into the district during the course of the school year, and who is in a placement with a cost in excess of \$40,000, the school district may also include transportation costs when calculating the \$40,000 threshold.

A1826 Reduces threshold amount for extraordinary cost special education State aid to \$38,000 and by an additional \$2000 for each subsequent school year

Sponsor(s)	Greenstein (D-14)
Action	1/10/2006 Introduced, Referred to Assembly Education Committee

Provides that beginning in the 2006-2007 school year and thereafter, a school district will receive extraordinary costs special education State aid equal to 100% of the amount of the costs incurred by the district during the school year in providing educational services to an individual classified pupil which exceed the threshold amount. In the 2006-2007 school year, the threshold amount will equal \$38,000, and in each subsequent school year, the threshold amount will be reduced by \$2,000.

A2020 Prohibits school district from charging the parent or guardian of certain nonresident students for the cost of testing for special education classification

Sponsor(s)	Kean (R-11)
Action	1/10/2006 Introduced, Referred to Assembly Education Committee

Provides that if a board of education has admitted a nonresident student in accordance with this provision of law, and the district subsequently determines that the student requires testing to determine eligibility for possible classification for special education programs and services, then the district may not charge the student's parent or guardian for the cost of that testing.

ACR65 Proposes an amendment to the Constitution requiring the State to pay certain costs of special education

Sponsor(s)	Kean (R-11)
Action	1/10/2006 Introduced, Referred to Assembly Education Committee

The State would pay all costs of special education for children who are eligible for programs and services which are mandated by State or federal statutes or regulations provided those costs are in excess of the costs paid for by federal aid received by the State for the same purposes.

Provides that the eligibility of a child for a special education program or service would be determined by the State.

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)
Action	1/30/2006 Introduced in the Senate, Referred to Senate Education Committee

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.

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.

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.

A999/S105 Requires Health benefits coverage for certain therapies and applied behavioral analysis for the treatment of certain autism disorders.

Sponsor(s)	<i>Senate:</i> Coniglio (D-38); Sweeney (D-3) <i>Assembly:</i> Prieto (D-32); Manzo (D-31)
Action	<i>Senate:</i> 1/10/2006 Introduced in the Senate, Referred to Senate Health, Human Services and Senior Citizens Committee <i>Assembly:</i> 1/10/2006 Introduced, Referred to Assembly Financial Institutions and Insurance Committee

Requires health insurers to provide health benefits coverage for expenses incurred for certain treatments when prescribed as medically necessary by the covered person's physician upon a diagnosis of autism.

S205 Requires DHS to compile list of State properties suitable for residential treatment facilities for children in need of mental health services and housing for persons with mental illness or developmental disabilities.

Sponsor(s)	Allen (R-7)
Action	1/10/2006 Introduced in the Senate, Referred to Senate Health, Human Services and Senior Citizens Committee

Requires the Commissioner of Human Services, in conjunction with the State Treasurer, to prepare and maintain a list of all available State-owned properties that would be suitable for use as:

1. a residential treatment facility for juveniles
2. housing for adults with mental illness or children or adults with developmental disabilities.

S224 Establishes registry of community agency employees providing services to persons with developmental disabilities.

Sponsor(s)	Karcher (D-12); Sweeney (D-3)
Action	1/10/2006 Introduced in the Senate, Referred to Senate Health, Human Services and Senior Citizens Committee

Requires the Department of Human Services to establish and maintain a central registry of:

1. the name and employer of every community agency employee in the State;
2. a disciplinary action taken by a community agency against a community agency employee that is directly related to the employee's provision or lack of provision of services or care to a person with developmental disabilities that must be reported to the registry in accordance with this bill; and
3. the written response to the disciplinary action, if any, by the employee who is the subject of the disciplinary action.

A community agency head would report to the commissioner, the name, address and birth date of each community agency employee. Requires the community agency head to provide the forms to the employee when the community agency reports the disciplinary action to the commissioner.

A disciplinary action and employee response in the registry shall be kept confidential and shall be released only to:

1. the community agency employee who is the subject of the reported disciplinary action;
2. the community agency head who reported the disciplinary action to the commissioner; and
3. a community agency head who contacts the commissioner for the sole purpose of determining whether to employ a prospective community agency employee.

The bill has a delayed effective date of 180 days after enactment.

S904 Requires training for school bus drivers and aides involved in transporting handicapped pupils; directs Legislature to appropriate necessary funding

Sponsor(s)	Bucco (R-25)
Action	1/17/2006 Introduced in the Senate, Referred to Senate Education Committee

The Commissioner of Transportation, in consultation with the Commissioner of Education and the Commissioner of Health and Senior Services, develop and approve training materials for school bus drivers and aides who transport mobility impaired handicapped pupils. School bus drivers and aides will receive training in areas relating to the proper securement of mobility devices and the safe operation and inspection of lifts and other adaptive equipment used in transporting mobility impaired handicapped pupils.

Enhances the annual school bus inspection program to include observation of these practices to ensure compliance with the requirements of this bill. Directs the Legislature to annually appropriate the funding necessary to carry out its provisions.

A899 Establishes Task Force on the Oversight of Group Homes for Persons with Developmental Disabilities
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Sponsor(s)	Gusciora (D-15); Greenwald (D-6); Manzo (D-31)
Action	1/10/2006 Introduced, Referred to Assembly Human Services Committee 1/26/2006 Reported out of Assembly Comm. with Amendments, 2nd Reading

Establishes a 15-member Task Force on the Oversight of Group Homes for Persons with Developmental Disabilities.

The task force is to include the following members:

1. the Director of the Division of Developmental Disabilities in the Department of Human Services
2. two members each from the Senate and the General Assembly,
3. eight public members appointed by the Governor
4. two public members appointed by the President of the Senate and the Speaker of the General Assembly.

Purpose of the task force is to study the conditions encountered by residents of group homes for persons with developmental disabilities operating under the sponsorship of the Division of Developmental Disabilities in the Department of Human Services, in order to develop recommendations regarding the most effective methods of ensuring that these residents are accorded the rights set forth in N.J.S.A.30:6D-17, including the provision of adequate medical and dental care, a nutritionally adequate diet, a full daily program of structured activities, and other services that are necessary to maximize the developmental potential of the residents in a manner least restrictive of personal liberty, in addition to adequate protection from abuse and a wholesome environment in which to live.

<i>A2253 Requires training for staff working with persons with developmental disabilities; appropriates \$2,104,740.</i>

Sponsor(s)	Payne (D-29)
Action	1/30/2006 Introduced, Referred to Assembly Human Services Committee

Requires a member of the staff at a facility for persons with developmental disabilities or at a public or private agency that provides services for persons with developmental disabilities, who works directly with persons with developmental disabilities, to receive training in the use of physical and mechanical restraints from: the Department of Human Services, the

Division of Developmental Disabilities, the facility or agency, as appropriate; or an agency under contract with, or authorized by, the division to provide training. The department or division would approve the training curriculum to be provided by any private facility or agency.

Contains an appropriation of \$2,104,740 for the purpose of providing the training required under the bill.

S1047/A956 Establishes procedures for placement of individuals in Division of Developmental Disabilities Moderate Security Unit

Sponsor(s)	<i>Senate:</i> Vitale (D-19); Kean (R-21) <i>Assembly:</i> Munoz (R-21); Chivukula (D-17); Cruz-Perez (D-5); Gregg (R-24); Vainieri Huttle (D-37)
Action	<i>Senate:</i> 1/17/2006 Introduced in the Senate, Referred to Senate Health, Human Services and Senior Citizens Committee 1/26/2006 Reported from Senate Committee, 2nd Reading <i>Assembly:</i> 1/10/2006 Introduced, Referred to Assembly Human Services Committee 1/26/2006 Reported out of Assembly Committee, 2nd Reading

An individual shall not be admitted to the Moderate Security Unit (MSU) operated by the Division of Developmental Disabilities in the Department of Human Services unless the admission is ordered by a court of competent jurisdiction. An individual shall not be permitted to voluntarily admit himself to the MSU.

The MSU is a specialized treatment facility at New Lisbon Developmental Center that is used as an alternative to detention in a correctional facility or as a residential requirement for probation. It is characterized primarily by physical security for the confinement of males, 18 years of age or older, who are adjudicated to be dangerous to self, others or property and in need of a highly structured, therapeutic treatment program. The bill sets forth the procedures that must be followed prior to and following the admission of an individual to the MSU.

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

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.

ACR128/ SCR 70 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)	<i>Senate:</i> Vitale (D-19); Rice (D-28) <i>Assembly:</i> Stender (D-22); Conaway (D-7)
Action	<i>Senate:</i> 1/30/2006 Introduced in the Senate, Referred to Senate Health, Human Services and Senior Citizens Committee <i>Assembly:</i> 1/30/2006 Introduced, Referred to Assembly Health and Senior Services Committee

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.

S223 Requires DHSS to apply for federal Home and Community-Based Services Medicaid waiver for certain early intervention services.

Sponsor(s)	Karcher (D-12); Kean (R-21)
Action	1/10/2006 Introduced in the Senate, Referred to Senate Health, Human Services and Senior Citizens Committee

Requires the Commissioner of Health and Senior Services, in conjunction with the directors of the Division of Developmental Disabilities and the Division of Medical Assistance and Health Services in the Department of Human Services, to apply to the federal Centers for Medicare and Medicaid Services for a 1915(c) Home and Community-Based Services Waiver for early intervention services for infants and toddlers.

S286 Changes reimbursement structure for various transportation services provided to Medicaid recipients.

Sponsor(s)	Kenny (D-33); Asselta (R-1)
Action	1/10/2006 Introduced in the Senate, Referred to Senate Health, Human Services and Senior Citizens Committee

Increases reimbursement rates for mobility assistance vehicle (MAV) services to: a minimum flat mileage fee of \$2.50 per each individual receiving MAV services; a minimum rate of \$40 per one-way trip for wheelchair-bound individuals; and a minimum rate of \$30 per one-way trip for individuals who are ambulatory with assistance.

Increases reimbursement rates for ambulance services for individuals who are dually eligible for both Medicare and Medicaid, to the applicable Medicare rate.

A296 Expands Medicaid to cover additional disabled children.

Sponsor(s)	Cohen (D-20)
Action	1/10/2006 Introduced, Referred to Assembly Human Services Committee

Expands the Medicaid program to cover disabled children with gross family incomes up to 500% of the federal poverty level.

Provides coverage for a child under 18 years of age who is uninsured. The Medicaid coverage provided under this bill is to be funded from premium contributions and other cost sharing as established by the commissioner, subject to the limits and conditions of federal law, and such State appropriations as may be provided for the purposes thereof, until such time as the commissioner may be able to secure federal financial participation for this medical assistance in accordance with criteria established by federal statute or regulation.

ABCD Note:

The new Budget Reconciliation Act includes an option for states to choose a Medicaid buy in for children under age 19 who income is too high for Medicaid. The new law allows a child's income to be up to 300% of the Federal Poverty level.

A840 Requires Medicaid program to pay recipients' Medicare prescription drug

copayments.

Sponsor(s)	Payne (D-29); Gusciora (D-15); Pou (D-35)
Action	1/10/2006 Introduced, Referred to Assembly Health and Senior Services Committee

Requires the State Medicaid program to pay any required copayments for the purchase of prescription drugs under the "Medicare Prescription Drug, Improvement, and Modernization Act of 2003" that may be imposed on persons who are eligible for both Medicaid and Medicare, known as "dual eligibles."

The "Medicare Prescription Drug, Improvement, and Modernization Act of 2003," which will provide for prescription drug benefits for Medicare beneficiaries beginning January 1, 2006, requires that "dual eligibles" (persons who are eligible for both Medicare and Medicaid) pay a copayment of \$1.00 for generic drugs and \$3.00 for brand name drugs under the program.