

standards of the Children's System of Care and the New Jersey Division of Developmental Disabilities. The commenter further encourages the inclusion of evidence-based staff training requirements designed to benefit youth, such as trauma-informed care, adverse childhood experiences, and positive behavior support.

RESPONSE: The Department declines to amend N.J.A.C. 3A:53-3.6 to include additional training requirements. Instructional and staff training requirements provide sufficient skill development opportunities for shelter staff members. Pursuant to N.J.A.C. 3A:53-3.6, shelter facilities must have continuing in-service training programs for all staff members. In addition, upon employment staff members must also receive instruction on emergency procedures, administrative procedures, and the shelter facility's service program. New employee orientation programs are also required to pair new staff members with an experienced staff member. Shelters are also required to comply with the training requirements related to restrictive behavior management practices in accordance with N.J.A.C. 3A:56-6.13.

8. COMMENT: DRNJ requests the removal any references to character, emotional health, or good health related to shelter staff requirements.

RESPONSE: The Department declines to amend N.J.A.C. 3A:53-3.1 and 3.2 to remove language related to character, emotional health, or good health. The commenter is concerned that certain language used to describe the background, skills, and attributes of shelter staff is outdated, not inclusive, and ambiguous. In particular, the commenter objects to the provisions at N.J.A.C. 3A:53-3.1(a) that require staff to be of "good character and reputation" and in "satisfactory physical, mental, and emotional health to perform his or her job duties satisfactorily." The Department does not agree that "good character and reputation" is impermissibly ambiguous. Employers commonly evaluate the character and reputation of employees and job candidates through the use of background checks, letters of recommendation, work history, and ongoing disclosure policies after employees are hired. The unique demands of children's shelter facilities require staff to respond to a wide range of needs and situations. The requirements related to physical and emotional health and character and reputation are closely linked the requirements placed on shelter staff. The terms further provide flexibility for shelter facility operators to assess staff in view of the particular needs of the shelter.

Federal Standards Statement

The licensing standards incorporate, and do not exceed the requirements required to maintain eligibility pursuant to Title IV of the Social Security Act. Title IV-E of the Social Security Act, 42 U.S.C. § 670, authorizes funds under the Social Security Act to be appropriated to allow states to provide foster and transitional care programs and services for children in-out-of-placements. Title IV-E of the Social Security Act, 42 U.S.C. §§ 671(a)(10) and (11), requires the state to establish and maintain standards for foster homes and childcare institutions. The readopted rules provide standards for shelter facilities and shelter homes and establish shelter inspection and reporting requirements, in accordance with §§ 670 and 671 of the Social Security Act. The process of rule readoption is part of the periodical review of these standards. As applicable Federal standards are met, but not exceeded, a Federal standards analysis is not required.

Full text of the readopted rules can be found in the New Jersey Administrative Code at N.J.A.C. 3A:53.

(a)

COMMISSIONER

Notice of Readoption

Organization of the Department of Children and Families

Readoption: N.J.A.C. 3A:1

Authority: N.J.S.A. 9:3A-7.f, 52:14B-3.a, and 52:14B-4.b.

Authorized By: Christine Norbut Beyer, M.S.W., Commissioner,
Department of Children and Families.

Effective Date: August 8, 2023.

New Expiration Date: August 8, 2030.

Take notice that, pursuant to N.J.S.A. 52:14B-5.1.c, the rules for the organization of the Department of Children and Families (Department) were scheduled to expire on September 16, 2023. The summary of the readopted subchapter follows.

Subchapter 1 sets forth the Department's mission to ensure the safety, well-being, and success of children and families in partnership with New Jersey's communities. Subchapter 1 further provides a list of the Department's divisions and offices, and sets forth contact information for the Department, including the telephone number, address, and email and website addresses to use for conveying, requesting, or obtaining information.

The Department of Children and Families has reviewed the rules at N.J.A.C. 3A:1 and found them to be necessary, reasonable, and proper for the purposes for which they were originally promulgated. Therefore, pursuant to N.J.S.A. 52:14B-5.1.c(1), these rules are readopted and shall continue in effect for a seven-year period.

COMMUNITY AFFAIRS

(b)

DIVISION OF CODES AND STANDARDS

Maintenance of Hotels and Multiple Dwellings

Adopted Amendment: N.J.A.C. 5:10-23.2

Adopted New Rule: N.J.A.C. 5:10-15.5

Proposed: October 3, 2022, at 54 N.J.R. 1897(a).

Adopted: July 20, 2023, by Lt. Governor Sheila Y. Oliver,
Commissioner, Department of Community Affairs.

Filed: August 9, 2023, as R.2023 d.103, **without change**.

Authority: N.J.S.A. 55:13A-1 et seq.; and P.L. 2020, c. 37.

Effective Date: September 5, 2023.

Expiration Date: January 30, 2030.

Summary of Public Comment and Agency Response:

There were no public comments submitted.

Federal Standards Statement

No Federal standards analysis is required for the adopted amendment and new rule because the adopted amendment and new rule are not being adopted in order to implement, comply with, or participate in any program established pursuant to Federal law or pursuant to a State law that incorporates or refers to Federal law, standards, or requirements.

Full text of the adoption follows:

SUBCHAPTER 15. WATER SUPPLY

5:10-15.5 Drinking water test reporting

(a) The owner of a multiple dwelling who is required to prepare a Consumer Confidence Report, pursuant to the Safe Drinking Water Act Amendments of 1996, 42 U.S.C. §§ 300f et seq., or who receives a Consumer Confidence Report from the owner or operator of a public community water system, as that term is defined at N.J.S.A. 58:12A-41, shall post each Consumer Confidence Report it prepares or receives in each common area routinely used by the tenants living in the multiple dwelling unit.

(b) The owner of a multiple dwelling who is a supplier of water but is not required to prepare a Consumer Confidence Report, pursuant to the Safe Drinking Water Act Amendments of 1996, 42 U.S.C. §§ 300f et seq., and who is required to conduct tests of its drinking water by the Department of Environmental Protection, shall post a chart setting forth the results of the water tests in each common area routinely used by the tenants living in the multiple dwelling unit.