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CIVIL SERVICE COMMISSION**Violations and Penalties****Proposed Readoption with Amendments: N.J.A.C. 4A:10**

Authorized By: Civil Service Commission, Robert M. Czech, Chair/CEO.

Authority: N.J.S.A. 11A:2-6, 11A:2-11.e, 11A:2-23, 11A:4-5, 11A:10-1 through 10-5, and 11A:11-2; P.L. 2008, c. 29; and 5 U.S.C. §§ 1501 et seq.

Calendar Reference: See Summary below for explanation of exception to calendar requirement.

Proposal Number: PRN 2015-079.

A **public hearing** concerning the notice of rules proposed for readoption with amendments will be held on:

Wednesday, August 19, 2015, at 3:00 P.M.
Civil Service Commission Room
44 South Clinton Avenue
Trenton, New Jersey

Please call Walker Ristau at (609) 777-0910 if you wish to be included on the list of speakers.

Submit written comments by September 4, 2015, to:

Henry Maurer, Director
Division of Appeals and Regulatory Affairs
Civil Service Commission
P.O. Box 312
Trenton, New Jersey 08625-0312

Or electronically at: <http://info.csc.state.nj.us/cscmailer>

Summary

Pursuant to N.J.S.A. 52:14B-5.1.c(2), N.J.A.C. 4A:10 expires on December 28, 2015. The Civil Service Commission has reviewed the rules and has determined them to be necessary, reasonable, and proper for the purpose for which they were originally promulgated, as required by law. Since N.J.A.C. 4A:10 was last readopted in 2008, amendments have been adopted to implement a revised method for advancements, and pursuant to Civil Service Commission review of the chapter.

Subchapter 1 explicitly prohibits violations of Civil Service law and rules and certain types of political activity. More specifically, N.J.A.C. 4A:10-1.1 places individuals and appointing authorities on notice that they cannot fail to comply with an order of the Civil Service Commission or the Chairperson of the Commission or designee. Obstructing any part of the selection and appointment process sanctioned by the Civil Service system or committing any type of fraudulent act involving any personnel transaction is also prohibited by that section. See N.J.A.C. 4A:10-1.1(a) through (d).

N.J.A.C. 4A:10-1.1(e) prohibits the offer, payment, acceptance, or solicitation of a retirement or resignation incentive between an employee and his or her superior in order for the employee to gain a promotion or the opportunity for a promotion. As noted above, a new rule and amendments effective June 2, 2014, allow for merit-based advancement appointments to a higher title level. Therefore, when the Civil Service Commission adopted the new rule and amendments, it also adopted an amendment to N.J.A.C. 4A:10-1.1(e) to factor in the impact on advancement appointments of prohibited incentives. See 46 N.J.R. 1331(c). Specifically, paragraphs (e)1 and 2 were amended to include advancement appointments and the opportunity for advancement appointments among those personnel transactions for which extra-legal agreements to induce a retirement or resignation may not be made.

N.J.A.C. 4A:10-1.1(f) requires appointing authorities to timely supply all information, documents, and other materials that the Civil Service Commission requests.

N.J.A.C. 4A:10-1.2, Political activity, prohibits certain employees from engaging in political activity during work hours. See N.J.A.C. 4A:10-1.2(a). Additionally, in accordance with the Hatch Act, a Federal law, the rule prohibits certain political actions, such as running for public office, while employed in a program funded at least in part by Federal

funds. See N.J.A.C. 4A:10-1.2(b) and 5 U.S.C. §§ 1501 et seq. Subsection (c) indicates that the office of the Special Counsel of the United States Merit System Protection Board is responsible for investigating Hatch Act matters.

On December 28, 2012, amendments to the Hatch Act went into effect. See Pub. L. 112-230, 126 Stat. 1616. Among the amendments was a provision limiting the prohibition against State and local employees running for elective office to those employees whose salary is paid entirely by Federal grants or loans. Previously, the Hatch Act prohibited State and local employees whose salaries were paid at least in part by Federal grants or loans from being a candidate for elective office.

In light of the change to the Hatch Act, it is necessary to propose an amendment to N.J.A.C. 4A:10-1.2. To conform the language in subsection (b) to Federal law, a reference to the prohibition against an employee in the career, senior executive, or unclassified services engaging in certain types of political activity where the employee's principal employment is in connection with a program completely or partly financed by "Federal funds or loans" would be changed to hinge the prohibition on whether the employee's principal employment is in connection with a program completely or partly financed by "Federal grants or loans."

Paragraphs (b)1 through 3, which specify the prohibited political conduct, would be deleted, and replaced with proposed new paragraphs (b)1 through 3, to update the prohibited conduct and set forth exceptions. Proposed new paragraph (b)1 would prohibit State or local employees referred to in subsection (b) from using official authority or influence to interfere with or affect an election result or nomination for office. Proposed new paragraph (b)2 would prohibit State or local employees referred to in subsection (b) from directly or indirectly coercing, attempting to coerce, commanding, or advising a State, county, or municipal officer or employee to pay, lend, or contribute anything of value for political purposes. Proposed new paragraph (b)3 would prohibit State or local employees referred to in subsection (b) from being a candidate for elective office if his or her salary is paid completely, whether directly or indirectly, by Federal grants or loans. However, proposed new subparagraphs (b)3i through iv set forth exceptions to this prohibition. The State or local officials exempted from the prohibition against being a candidate for elective office where the State or local employee's salary is completely funded by Federal grants or loans would include: an individual who is a Governor or Lieutenant Governor or otherwise legally authorized to act as Governor; the mayor of a city; a duly elected head of a State or municipal executive department whose office does not fall under the New Jersey Civil Service system; or an individual holding elective office.

Finally, a technical amendment is proposed to N.J.A.C. 4A:10-1.2(c). Subsection (c) concerns the Federal office with responsibility for investigating Hatch Act matters. The technical amendment would change the reference to the office of the Special Counsel of the United States Merit System Board to the office of the Special Counsel of the United States Merit Systems Board, the latter of which is the correct name of the Federal office.

It is noted that Subchapters 2 and 3 still refer to the Department of Personnel, the Commissioner of Personnel, and the Merit System Board. Subchapter 2 concerns enforcement of merit system law and rules. N.J.A.C. 4A:10-2.1, General provisions, provides for measures that the Department of Personnel, Commissioner of Personnel, or Merit System Board may take in response to violations of merit system law and rules. N.J.A.C. 4A:10-2.2, Failure to appoint from complete certification, establishes procedures to follow when an appointing authority does not or cannot make an appointment from a complete certification of an eligible list. N.J.A.C. 4A:10-2.3, Enforcement action, authorizes the Commissioner, the Board, or any party in interest to bring an action for enforcement of merit system law and rules in New Jersey Superior Court. N.J.A.C. 4A:10-2.4, Criminal violation, establishes as a crime of the fourth degree certain willful violations or conspiracies to violate merit system law and rules.

Subchapter 3 concerns salary disapprovals. N.J.A.C. 4A:10-3.1, General provisions, enumerates procedures for the Commissioner, Board, or Department to follow in disapproving the salary of an individual employed in violation of merit system law and rules or of an order of the

Board or the Commissioner. N.J.A.C. 4A:10-3.2, Penalties and remedies, establishes remedial action that the Commissioner or the Board may employ in salary disapproval matters.

Subchapters 2 and 3 are proposed for amendment to reflect the provisions of P.L. 2008, c. 29. Pursuant to that law, the Department of Personnel was abolished and replaced with the Civil Service Commission, a State agency in, but not of, the Department of Labor and Workforce Development. The law also provided that the Department of Personnel, Commissioner of Personnel, and Merit System Board be replaced by the Civil Service Commission and Chairperson of the Civil Service Commission. Therefore, amendments to reflect these changes, which would include references to "Civil Service Commission" or "Commission," "Chairperson or designee," or "Chairperson of the Civil Service Commission or designee" as necessary, are proposed to N.J.A.C. 4A:10-2.1(a); 2.2(a)1 and 2 and (b); 2.3; 2.4 and 2.4(a); 3.1(a), (b)2, and (c)4 and 5; and 3.2(a).

As the Commission has provided a 60-day comment period for this notice of proposal, this notice is excepted from the rulemaking calendar requirements, pursuant to N.J.A.C. 1:30-3.3(a)5.

Social Impact

The proposed technical amendments to several rules in N.J.A.C. 4A:10 that would change terminology to reflect enactment of P.L. 2008, c. 29, are anticipated to have a positive social impact, by ensuring that all users of the rules are aware of the current name of this agency and its statutory powers and the current title and statutory powers of the Chairperson of the Civil Service Commission.

The proposed readoption of N.J.A.C. 4A:10 would have an overall positive social impact on all users of Civil Service rules, the Civil Service selection and appointment process, Civil Service Commission operations, and the integrity of the Civil Service system in general. This chapter provides clear direction regarding prohibited activities and establishes practical methods of remedying violations of Civil Service law and rules.

More specifically, the Commission anticipates a positive social impact to result from the readoption of N.J.A.C. 4A:10-1.1(e). Public employees would continue to be informed that a retirement or resignation incentive of the type described in the subsection is impermissible and will not be tolerated. The more aware that employees are that this is prohibited conduct, the more that instances of this conduct will likely be reduced. Public employees hold positions of trust and are expected to maintain the highest standards of professionalism and integrity. Additionally, the amendment to paragraphs (e)1 and 2, which was effective in June 2004, and prohibits the offering or acceptance of certain inducements to retirement or resignation, would have a positive social impact by letting public employees know that this prohibited conduct also applies to advancements to a higher title level.

The Commission further anticipates a positive social impact from the proposed amendment to N.J.A.C. 4A:10-1.2. The amendment would ensure that New Jersey Civil Service rules are in compliance with Federal law. Additionally, the proposed amendment would clarify that the prohibition against running for office now only applies where the employee's salary is completely paid for by Federal grants or loans. Nevertheless, the restrictions on political activity set forth in subsection (a) remain in place for all employees in the career or senior executive service, regardless of the source of funding for the position.

Economic Impact

The proposed technical amendments to several rules in N.J.A.C. 4A:10 that would change terminology to reflect enactment of P.L. 2008, c. 29, are not anticipated to have any economic impact, as they ensure that all users of the rules are aware of the current name of this agency and its statutory powers and the current title and statutory powers of the Chairperson of the Civil Service Commission.

The proposed readoption of N.J.A.C. 4A:10 would have a positive economic impact on the Civil Service Commission. For example, if an appointing authority fails to make an appointment from a complete certification of an eligible list after the appointing authority had requested a test, one solution could be the reimbursement to the Commission of expenses related to the development and administration of the test. Such a remedy would ensure that the Commission has restored to it the valuable resources it expended in the testing process.

A salary disapproval of an improperly appointed employee could benefit the taxpayers of the jurisdiction, since it would preclude payment of public funds in violation of the law and rules. There would also be a negative economic impact on an employee whose salary is disapproved, but a salary disapproval would only be ordered under the limited circumstances clearly set forth in N.J.A.C. 4A:10-3.1.

It is noted that the reimbursement of funds to the Commission by the appointing authority could have a short-term, negative economic impact on the appointing authority. However, such a payment would help to promote future compliance with Civil Service system procedures and provide future savings for both the appointing authority and the Commission.

Although there may be a negative economic impact for those individuals who might have received a retirement or resignation incentive absent the re-adoption of N.J.A.C. 4A:10-1.1(e), the offer, payment, solicitation, or acceptance of such an incentive is contrary to the intent of a Civil Service system of appointment and promotion.

The prohibition in the prior adopted amendments to N.J.A.C. 4A:10-1.1(e)1 and 2 against the illegal payment, inducement, or coercion of a Civil Service employee to retire or resign so that an advancement appointment of another employee may be made, could potentially have a positive economic impact on some employees who might have been pressured with such an inducement.

Finally, the Commission anticipates a positive economic impact from the proposed amendment to N.J.A.C. 4A:10-1.2. Public funds allocated to State or local public services, whether the monies emanate from Federal, State, or local sources, would not be utilized for prohibited political purposes. Therefore, funding for State and local government services would be utilized for their legally designated purposes and provide the efficient public services that New Jersey taxpayers expect.

Federal Standards Statement

With the exception of N.J.A.C. 4A:10-1.2(b), which concerns the Hatch Act (5 U.S.C. 1501 §§ et seq.), N.J.A.C. 4A:10 is not subject to any Federal requirements or standards.

The proposed amendment to N.J.A.C. 4A:10-1.2(b) would meet, but not exceed, Federal standards established by the Hatch Act with respect to the political activity of public officers and employees in the State of New Jersey where Federal monies are implicated. The Hatch Act, as amended by Pub. L. 112-230, prohibits certain types of political activity where the officer or employee's employment has been financed at least in part by Federal grants or loans. Also, where the individual's employment is completely funded by Federal monies, that individual may not run for public office, unless he or she is a Governor, Lieutenant Governor, mayor of a city, a duly elected head of a State or municipal executive department not falling under the New Jersey Civil Service system, or other person holding elective office. The proposed amendment to N.J.A.C. 4A:10-1.2 would comply with these Federal standards but not go beyond them.

Additionally, the proposed change to N.J.A.C. 4A:10-1.2(c), which would simply correct a reference to the name of a Federal agency, is not subject to Federal standards.

Finally, the other proposed technical amendments to N.J.A.C. 4A:10 would ensure that all users of the rules are aware of the current name of this agency and its statutory powers and the current title and statutory powers of the Chairperson of the Civil Service Commission, and are not subject to any Federal standards or requirements.

Accordingly, a Federal standards analysis is not necessary.

Jobs Impact

It is not anticipated that the rules proposed for re-adoption with amendments would have any jobs impact. No jobs would be created or lost due to the rules proposed for re-adoption with amendments. The rules proposed for re-adoption with amendments concern violations of the Civil Service Act and penalties that may be exacted when such violations occur.

Agriculture Industry Impact

It is not anticipated that the rules proposed for re-adoption with amendments would have any agriculture industry impact. The rules proposed for re-adoption with amendments concerns violations of the

Civil Service Act and penalties that may be exacted when such violations occur.

Regulatory Flexibility Statement

A regulatory flexibility analysis is not required since the rules proposed for readoption with amendments at N.J.A.C. 4A:10 would have no effect on small businesses as defined under the Regulatory Flexibility Act, N.J.S.A. 52:14B-16 et seq. The rules proposed for readoption with amendments concerns violations of the Civil Service Act and penalties that may be exacted when such violations occur.

Housing Affordability Impact Analysis

It is not anticipated that the rules proposed for readoption with amendments would have any impact on the number of housing units or the average cost of housing in New Jersey. The rules proposed for readoption with amendments concern violations of the Civil Service Act and penalties that may be exacted when such violations occur.

Smart Growth Development Impact Analysis

The rules proposed for readoption with amendments would have no impact on new construction within Planning Areas 1 and 2, or within designated centers, under the State Development and Redevelopment Plan. The rules proposed for readoption with amendments concern violations of the Civil Service Act and penalties that may be exacted when such violations occur.

Full text of the rules proposed for readoption may be found in the New Jersey Administrative Code at N.J.A.C. 4A:10.

Full text of the proposed amendments follows (additions indicated in boldface **thus**; deletions indicated in brackets [thus]):

SUBCHAPTER 1. VIOLATIONS

4A:10-1.2 Political activity

(a) No employee in the career or senior executive service shall directly or indirectly use or seek to use his or her position to control or affect the political action of another person or engage in political activity during working hours. See N.J.S.A. 11A:2-23.

(b) No employee in the career, senior executive, or unclassified services whose principal employment is in connection with a program financed in whole or in part by Federal [funds] **grants** or loans, shall engage in any of the following prohibited activities under the Hatch Act (5 U.S.C. §§ 1501 et seq.):

1. Be a candidate for public office in a partisan election. This provision does not apply to the Governor, the mayor of a city, the elected head of an executive department or an individual holding elective office, where that office is the sole employment connection to federally funded programs;

2. Use official authority or influence that interferes with or affects the results of an election or a nomination for office; or

3. Directly or indirectly coerce contributions from subordinates in support of a political party or candidate.]

1. Use official authority or influence for the purpose of interfering with or affecting the result of an election or nomination for office;

2. Directly or indirectly coerce, attempt to coerce, command, or advise a State, county, or municipal officer or employee to pay, lend, or contribute anything of value to a party, committee, organization, agency, or person for political purposes; or

3. Be a candidate for elective office, if the salary of the employee is paid completely, directly or indirectly, by Federal grants or loans, except that this prohibition shall not apply to:

i. The Governor or Lieutenant Governor or an individual authorized by law to act as Governor;

ii. The mayor of a city;

iii. A duly elected head of an executive department of the State or a municipality, which office does not fall under the Civil Service Act at Title 11A, New Jersey Statutes; or

iv. An individual holding elective office.

(c) The office of the Special Counsel of the United States Merit Systems Protection Board has responsibility for the investigation of Hatch Act matters.

SUBCHAPTER 2. ENFORCEMENT

4A:10-2.1 General provisions

(a) Where there is evidence of a violation of or noncompliance with Title 11A, New Jersey Statutes, or Title 4A, N.J.A.C., the [Department of Personnel, Commissioner or Board] **Civil Service Commission** shall conduct an investigatory hearing or other review, as appropriate. If a violation or noncompliance is found, the [Commissioner or Board] **Commission** may:

1. Issue an order of compliance;
 2. Assess costs, charges, and fines not to exceed \$10,000;
 3. Order the appointment of an eligible from an outstanding list;
 4. In State service, consolidate personnel functions;
 5. Initiate a civil action in the Superior Court;
 6. Recommend criminal prosecution; or
 7. Take other appropriate action pursuant to law or rule.
- (b) See N.J.A.C. 4A:10-3.1 and 3.2 for salary disapproval procedures.

4A:10-2.2 Failure to appoint from complete certification

(a) When the examination process has been initiated due to the appointment of a provisional or at an appointing authority's request, the appointing authority shall make an appointment from a resulting complete certification.

1. When an appointing authority has notified the [Department of Personnel] **Chairperson or designee**, either by the date of the examination or within 30 days after the initial date of the examination announcement, whichever date is earlier, that it has vacated the position and terminated the provisional appointee, the [Commissioner] **Chairperson or designee** may cancel the examination, permit the appointing authority not to make a permanent appointment, or take other appropriate action.

2. Following the period set forth in (a)1 above, an appointing authority may, for valid reasons such as fiscal constraints, petition the [Commissioner] **Commission** for permission not to make a permanent appointment. The [Commissioner] **Commission** may grant such petition, but may order the appointing authority to reimburse the [Department] **Commission** for the costs of the selection process, provided, however, that when the jurisdiction in which the appointing authority is situated has agreed to the intergovernmental transfer pursuant to N.J.A.C. 4A:4-7.1A of an employee into a title for which an open competitive or promotional list exists, the appointing authority may petition the [Commissioner] **Commission** for a waiver of the costs of the selection process. The [Commissioner] **Commission** shall notify the appointing authority of the amount of the reimbursement and provide an opportunity to respond to the assessment within 20 days of such notice.

(b) In addition to the actions which the [Commissioner] **Commission** may take in (a) above, the [Commissioner or Board] **Commission** may take any action set forth in N.J.A.C. 4A:10-2.1. Prior to any such action being taken, the appointing authority shall be given notice and an opportunity to respond.

4A:10-2.3 Enforcement action

The [Commissioner, the Board,] **Commission** or any resident or other party in interest may bring an action in the Superior Court for the enforcement of Title 11A, New Jersey Statutes, Title 4A, N.J.A.C., or an order of the [Commissioner or the Board] **Chairperson or the Commission**. The [Commissioner] **Commission** may join in any pending action.

4A:10-2.4 Criminal violation

It is a crime of the fourth degree for any person to purposefully or knowingly violate or conspire to violate any provision of Title 11A, New Jersey Statutes, Title 4A, N.J.A.C., or an order of the [Commissioner or Board] **Chairperson or Commission**.

SUBCHAPTER 3. SALARY DISAPPROVAL

4A:10-3.1 General provisions

(a) The [Commissioner, the Board or an authorized representative of the Department of Personnel] **Chairperson of the Civil Service Commission or designee, or the Commission**, may disapprove and order the payment stopped of the salaries of any person employed in

violation of Title 11A, New Jersey Statutes, Title 4A, N.J.A.C., or an order of the [Commissioner or Board] **Chairperson or Commission**, the individual with employment authority over such person, and the person who authorizes payment of a disapproved salary.

(b) A notice of salary disapproval shall be given to the appointing authority, the affected employee, and other persons whose salaries are to be disapproved.

1. The notice shall state the nature of the violation and provide the appointing authority, the affected employee, and other affected persons 10 days to respond to the notice of salary disapproval.

2. A review conference may also be held at a time and location specified by the [Department of Personnel] **Chairperson or designee**.

(c) If the issue which required the notice of salary disapproval has not been resolved, a salary disapproval order shall be issued.

1. The order shall state the nature of the violation and require payment stopped to the affected employee.

2. The order may also require payment stopped to the individual with employment authority over such employee and the person who authorized payment of the disapproved salary.

3. The order shall be mailed to the appointing authority, the affected employee, the persons whose salaries have been disapproved, and in State service, the Department of the Treasury.

4. The appointing authority, the affected employee, and other persons whose salaries have been disapproved may appeal the order to the [Merit System Board] **Civil Service Commission** within 20 days of receipt of the order. See N.J.A.C. 4A:2-1[.1 et seq.], for appeal procedures.

5. If the violation has not been corrected and no appeal has been timely filed, the matter shall be referred to the [Board] **Commission** for review and any appropriate action pursuant to law or rule.

4A:10-3.2 Penalties and remedies

(a) In salary disapproval matters, the [Commissioner or the Board] **Commission** may:

1. Disapprove the payment of salary to an employee hired in violation of Title 11A, New Jersey Statutes, and Title 4A, N.J.A.C.;

2. Disapprove the payment of salary to persons who have approved or continued the payment of a disapproved salary or persons who have employment authority over an employee whose salary has been disapproved;

3. Order the appointment of an eligible from an outstanding certification;

4. Revive an employment list;

5. Assess costs, charges, or fines pursuant to N.J.S.A. 11A:10-3;

6. Initiate a civil action in the Superior Court; and

7. Take other appropriate actions pursuant to law or rule.

HUMAN SERVICES

(a)

DIVISION OF MEDICAL ASSISTANCE AND HEALTH SERVICES

Rehabilitative Services for Children

Readoption with Amendments: N.J.A.C. 10:77

Authorized By: Elizabeth Connolly, Acting Commissioner,
Department of Human Services.

Authority: N.J.S.A. 30:4D-1 et seq. and 30:4J-8 et seq.

Calendar Reference: See Summary below for explanation of
exception to rulemaking calendar requirements.

Agency Control Number: 15-P-03.

Proposal Number: PRN 2015-071.

Submit comments by September 8, 2015, to:

Margaret M. Rose ATTN: 15-P-03
Division of Medical Assistance and Health Services
Office of Legal and Regulatory Affairs
PO Box 712
Trenton, NJ 08625-0712

Fax: (609) 588-7343

E-mail: Margaret.Rose@dhs.state.nj.us

Delivery:

6 Quakerbridge Plaza
Mercerville, NJ 08619

The agency proposal follows:

Summary

Pursuant to N.J.S.A. 52:14B-5.1.c(2), N.J.A.C. 10:77, the Rehabilitative Services for Children chapter, will expire on January 21, 2016. An administrative review of the rules has been conducted, and a determination made that N.J.A.C. 10:77 should be continued because these rules are necessary, reasonable, adequate, efficient, and responsive for the purposes for which they were originally promulgated. The rules are necessary to regulate fee-for-service reimbursement to providers by the Division of Medical Assistance and Health Services for services rendered to eligible Medicaid and NJ FamilyCare beneficiaries.

The Rehabilitative Services for Children chapter contains the policy, procedure codes, and reimbursement amounts for rehabilitative services provided to eligible Medicaid/NJ FamilyCare fee-for-service beneficiaries. Rehabilitative services for children include environmental lead inspection services provided by local health departments and mental health rehabilitation services. The Department of Human Services (Department) is proposing to readopt the chapter with amendments. The chapter contains seven subchapters and one appendix as described below.

N.J.A.C. 10:77-1 contains general provisions relating to rehabilitative services, including introductory general provisions and general definitions.

N.J.A.C. 10:77-2 contains definitions, provisions for provider participation, basis for reimbursement, policies and procedures, and recordkeeping requirements pertaining to environmental lead intervention services.

N.J.A.C. 10:77-3 contains definitions, provisions for provider participation, basis for reimbursement, policies and procedures, and recordkeeping requirements pertaining to mental health rehabilitation services for children provided in psychiatric community residences and similar facilities.

N.J.A.C. 10:77-4 contains the definitions, provisions for provider participation, basis for reimbursement, policies and procedures, and recordkeeping requirements pertaining to behavioral assistance services.

N.J.A.C. 10:77-5 contains the definitions, provisions for provider participation, basis for reimbursement, policies and procedures, and recordkeeping requirements pertaining to intensive in-community mental health rehabilitation services.

N.J.A.C. 10:77-6 contains the definitions, provisions for provider participation, basis for reimbursement, policies and procedures, and recordkeeping requirements pertaining to mobile response and stabilization management services.

N.J.A.C. 10:77-7 contains information related to the Centers for Medicare and Medicaid Services' Healthcare Common Procedure Coding System (HCPCS).

The chapter Appendix contains information related to the Fiscal Agent Billing Supplement.

General Changes

Throughout the chapter proposed amendments change all references to the "Division of Child Behavioral Health Services (DCBHS)" to read "Children's System of Care (CSOC)" to reflect the correct name of the division within the Department of Children and Families.

Throughout the chapter proposed amendments change all references to the "Division of Youth and Family Services (DYFS)" to read "Division of Child Protection & Permanency (DCP&P)" to reflect the correct name of the division within the Department of Children and Families.

Throughout the chapter proposed amendments change all references to the "Division of Mental Health Services (DMHS)" to read "Division of Mental Health and Addiction Services (DMHAS)" to reflect the correct name of the division within the Department of Human Services.

Throughout the chapter proposed amendments change the name "Unisys" to read "Molina Medicaid Solutions" to reflect the name of the