



News Release

PO Box 360, Trenton, N.J. 08625-0360

Heather Howard,
Commissioner

For Release:
August 3, 2009

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DHSS Proposes the Readoption of N.J.A.C. 8:82, Governing the Statewide Respite Care Program, with Amendments

The Statewide Respite Care Program of the Division of Aging and Community Services of the Senior Services Branch of the Department of Health and Senior Services (Department) is proposing the readoption of N.J.A.C. 8:82, the rules governing the Statewide Respite Care Program (SRCP), with amendments. The notice of proposal appears in the August 3, 2009 issue of the *New Jersey Register*. LexisNexis® provides free on-line public access to the *New Jersey Administrative Code* and the *New Jersey Register* at <http://lexisnexis.com/njoal>.

N.J.S.A. 30:4F-12 and Reorganization Plan No. 001-1996 (Whitman, May 2, 1996) (28 N.J.R. 2655(a)) direct the Department to develop standards and promulgate rules to implement the SRCP. The rules at N.J.A.C. 8:82 fulfill this mandate by establishing the minimum standards necessary to operate the SRCP and protect the health and safety of the functionally impaired adults, including the frail elderly that are served by this program. The rules at N.J.A.C. 8:82 set forth the responsibilities of the sponsor agencies and the applicants in the application process, standards for eligibility, provisions for confidentiality, qualifications and requirements of sponsor agencies and provider agencies, standards for cost limitations and determining co-payment, standards for reimbursement by the Department, the appeal process and required reporting to the Department.

In this rulemaking the Department proposes technical and substantive amendments. The substantive amendments include the following:

- Proposed amendments at N.J.A.C. 8:82-1.4 to add new definitions of words and terms used throughout the chapter and to include the licensure requirement citations for the defined health care facilities and professionals that must comply with licensure requirements.
- A proposed amendment at N.J.A.C. 8:82-5.1(a)2 to specify that a sponsor agency must provide evidence of its capability to deliver the full range of respite care services that are “available in its county” rather than “required by the program.”
- Proposed amendments at N.J.A.C. 8:82-5.1(d) through (f) to establish in the rules the monthly, quarterly and annual data that must be reported to the Department, most of which sponsor agencies already submit.
- Proposed amendments at N.J.A.C. 8:82-5.2 to correct citations and add citations for requirements applicable to private duty nurses utilized by the SRCP and to set forth when accreditation is required.

The public has until October 2, 2009 to comment on the notice of proposal. Persons wishing to comment on the proposal must submit their comments in writing by mail to Ruth

Charbonneau, Director, Office of Legal and Regulatory Affairs, Office of the Commissioner, Department of Health and Senior Services, PO Box 360, Trenton, NJ 08625-0360. Written comments on the proposal must be postmarked on or before October 2, 2009, which is the close of the 60-day public comment period.

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