

42 N.J.R. 1198(b)

NEW JERSEY REGISTER  
Copyright © 2010 by the New Jersey Office of Administrative Law

VOLUME 42, ISSUE 12

ISSUE DATE: JUNE 21, 2010

**RULE ADOPTIONS**

**HUMAN SERVICES  
DIVISION OF DEVELOPMENTAL DISABILITIES  
DIVISION OF MENTAL HEALTH SERVICES**

42 N.J.R. 1198(b)

**Readoption: N.J.A.C. 10:10**

**Community Mental Health and Developmental Disability Services  
Investment**

Proposed: October 19, 2009 at 41 N.J.R. 3885(a).

Adopted: February 3, 2010 by Jennifer Velez, Commissioner, Department of Human Services.

Filed: May 24, 2010 as R.2010 d.113, **without change**.

Authority: N.J.S.A. 30:4-177.53 et seq., specifically 30:4-177.58.

Effective Date: May 24, 2010.

Expiration Date: May 24, 2015.

**Summary** of Public Comment and Agency Response:

COMMENT: The New Jersey Association of Mental Health Agencies (NJAMHA) "strongly support[ed] the readoption with amendments as proposed," including the rules' stated intent of ensuring that additional funding created by the reduction of State inpatient resources be invested in community-based mental health services. NJAMHA also expressed the "expectation that community providers will be meaningfully involved in the decisions regarding the allocation of these funds in terms of the specific community mental health services to be developed or enhanced."

RESPONSE: The Department acknowledges and appreciates the commenter's interest in and support of the goals of these rules. However, the Department must clarify that the proposal notice for these rules, published in the New Jersey Register of October 19, 2009 (41 N.J.R. 3885(a)), did not include any proposed amendments; rather the

notice proposed to readopt the rules as it is. Because the commenter's letter did not refer to any specific amendments, the Department will assume that this reference was an error. The Department also recognizes the commenter's expectation that community providers be involved in decision-making regarding fund allocation. While involvement in fund allocation itself could be a potential conflict of interest where providers themselves could receive land sale proceeds, the Department can reassure the commenters of its usual practice to seek the input of provider and [page=1199] consumer communities in the development of policies and regulations affecting community mental health programs throughout the State.

#### **Federal Standards Statement**

A Federal standards analysis is not required because the readopted rules are not subject to any Federal requirement or standard.

**Full text** of the readopted rules can be found in the New Jersey Administrative Code at N.J.A.C. **10:10**.