

24 months for loans with a 20-year repayment term, 30 months for loans with a 25-year repayment term, and 36 months for loans with a 30-year repayment term for an unemployment deferment, and for each of the remaining deferments, as established by the Authority. Full-time and half-time study deferments are not available within 24 months of the loan maturity date. Deferments for NJCLASS Loan Program loans with a 10-year repayment term are limited to unemployment deferments.

(c) (No change.)

(d) The Authority may also, at its discretion, grant borrowers periods of forbearance in the repayment of the NJCLASS Loan Program loan(s). Forbearance will only be granted if the ability of both the borrower and co-borrower to make scheduled payments has been impaired based on the same or differing conditions. Forbearance may be granted for situations including, but not limited to, financial hardship, which means situations where the overall financial circumstances of the individual seeking relief are such that he or she is unable to maintain a basic standard of living and still make NJCLASS Loan Program debt payments. The maximum allowable time period for financial hardship forbearance shall not exceed six months for loans with a 10-year repayment term, 18 months for loans with a 15-year repayment term, 24 months for loans with a 20-year repayment term, 30 months for loans with a 25-year repayment term, and 36 months for loans with a 30-year repayment term. In granting a forbearance, the Authority permits a temporary cessation of principal payments and temporarily permits payments of interest only, or a temporary cessation of both principal and interest payments. Interest continues to accrue during all forbearance periods.

#### 9A:10-6.13 Consolidation Loan Program

(a)-(e) (No change.)

(f) An NJCLASS Consolidation loan borrower and/or co-borrower shall meet minimum income requirements and be determined creditworthy by the Authority in order to be eligible for an NJCLASS Consolidation loan. Cosigners shall be required to meet the minimum income or creditworthy determination by the Authority if the borrower or co-borrower are unable to do so.

1. To be approved for an NJCLASS Consolidation loan, a creditworthy borrower, co-borrower or cosigner shall have documentable annual income that exceeds Federal poverty guidelines, as adjusted annually by the United States Department of Health and Human Services. The amount by which income must exceed Federal poverty guidelines is determined by the indentures for the bonds or notes whose proceeds are funding the loan.

2. (No change.)

(g)-(n) (No change.)

#### 9A:10-6.16 Default and consequences of default

(a) (No change.)

(b) Upon default, the borrower and/or cosigner, if any, are liable for the entire balance of the loan. Upon default, the Authority shall notify credit bureaus of this negative information. Default may result in any or all of the following: expedited increase of interest rate, loss of State income tax refunds or State tax rebates, legal action, **\*assessment of collection charges, including attorney fees of up to 30 percent of the debt collected,\*** loss of eligibility for other student aid, negative credit reports, administrative wage garnishment, offset of lottery prize winnings, **\*and\*** suspension of New Jersey occupational and professional license **\*[and assessment of collection charges including attorney fees up to 30 percent of the debt owed. Collection costs, which encompass the cost of processing, handling, and collecting such debt, become due and owing at the time the account is placed with outside counsel and shall be added to the balance owed regardless of whether the total amount is actually collected]\*.**

#### SUBCHAPTER 7. POLICY GOVERNING NEW JERSEY BETTER EDUCATIONAL SAVINGS TRUST (NJBEST) PROGRAM

##### 9A:10-7.15 Eligibility for NJBEST scholarship

(a) An additional amount of \$500.00, subject to appropriations available therefor, shall be credited toward the qualified higher education

expenses of a designated beneficiary at the time of a qualified withdrawal provided:

1. The contributor demonstrates to the satisfaction of the Authority that the contributor participated in the program by making and not withdrawing a qualifying minimum initial deposit of \$1,200 or that qualifying minimum annual contributions of \$300.00 for a designated beneficiary were made by persons based on the time periods for crediting these contributions in (a) i through iii below. In all cases involving the eligibility of a designated beneficiary for an NJBEST scholarship, the Authority reserves the right to make the final determination as to whether contributions have met the time periods as stated in this paragraph for participation in the NJBEST Program.

i.-iii. (No change.)

iv. First time enrollment is defined as the first time a student enrolls on either a full- or half-time basis at any institution of post-secondary education. Students who have previously attended another institution of post-secondary education are not first time students. For semester schools, if a student's first term of enrollment is for the summer or winter term, the scholarship is awarded for the succeeding fall or spring semester.

2.-3. (No change.)

(b)-(e) (No change.)

## HUMAN SERVICES

### (a)

#### OFFICE OF ADMINISTRATION OFFICE OF CONTRACT AND POLICY MANAGEMENT

##### Contract Administration

##### Readoption: N.J.A.C. 10:3

Proposed: June 20, 2016, at 48 N.J.R. 1043(a).

Adopted: October 12, 2016, by Elizabeth Connolly, Acting

Commissioner, Department of Human Services.

Filed: October 25, 2016, as R.2016 d.162, **without change.**

Authority: N.J.S.A. 30:1-12 et seq.

Effective Date: October 25, 2016.

Expiration Date: October 25, 2023.

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

**No comments were received.**

##### Federal Standards Statement

The readoption does not require a Federal standards analysis because no Federal standards that apply to the subject of this rulemaking are exceeded in these rules. The Federal standards that apply to these rules include, but are not limited to, the following: Title VI of the Civil Rights Act of 1964; 4 CFR 100; Section 504 of the Rehabilitation Act of 1973; 29 U.S.C. § 794; 34 CFR Part 104; Americans with Disabilities Act; Age Discrimination Act of 1975; 42 U.S.C. §§ 6101 et seq.; 45 CFR 90; Equal Employment Opportunity Act; Davis-Bacon Act; 40 U.S.C. §§ 276a through 276a-5; 29 CFR 5.5; 31 U.S.C. § 1352; and Federal Executive Orders 12549 and 12689.

**Full text** of the readopted rules can be found in the New Jersey Administrative Code at N.J.A.C. 10:3.

### (b)

#### DIVISION OF MENTAL HEALTH AND ADDICTION SERVICES

##### Family Support Services

##### Readoption with Amendments: N.J.A.C. 10:371

Proposed: June 6, 2016, at 48 N.J.R. 911(a).