

STATE OF NEW JERSEY
DEPARTMENT OF HUMAN SERVICES
NOTICE OF RULE WAIVER/MODIFICATION/SUSPENSION
PURSUANT TO EXECUTIVE ORDER NO. 103 (MURPHY)(MARCH 9, 2020)
COVID-19 STATE OF EMERGENCY

Temporary Rule Modification adopted by Commissioner Carole Johnson, Department of Human Services

Date: March 31, 2020

Authority: N.J.S.A. App.A:9-45 & App. A:9-47; Executive Order No. 103 (Murphy)(“EO 103”)

Effective Date: March 18, 2020

Expiration Date: Concurrent with end of EO 103

This is an emergency adoption of a temporary rule modifying certain child care services rules at N.J.A.C. 10:15 et. seq. Section 6 of EO 103, issued in response to the COVID-19 pandemic, authorizes agency heads to waive/suspend/modify any existing rule, where the enforcement of the rule would be detrimental to the public welfare during the emergency, notwithstanding the provisions of the Administrative Procedure Act or any law to the contrary. Pursuant to that authority, and with the approval of the Governor and in consultation with the State Director of Emergency Management and the Commissioner of the Department of Health, the Department of Human Services is modifying its rules as follows:

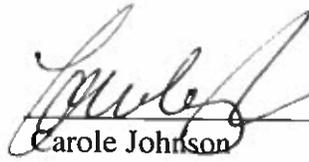
- a. N.J.A.C. 10:15-4.2(d) requires recertification after 12 months of eligibility.
- b. N.J.A.C. 10:15-6.6 (b) requires recertification a minimum of every 12 months

As modified, parents/applicants will no longer be required to recertify their eligibility for child care twelve (12) months after the initial application date and at twelve (12) month intervals. Instead, parents/applicants will be afforded a fifteen (15) month service period before they are required to recertify. The modification of these rules is necessary during the COVID-19 State of Emergency to continue child care services; to minimize additional barriers for families directly impacted by this crisis who may not be able to provide documents in a timely manner; to ensure that vulnerable children, especially children under the age of five, remain in safe and stable environments; and to ensure we meet the child care needs of those who must be at work during this emergency including but not limited to hospital staff, human services providers, first responders, corrections officers, long-term care providers, providers of services for older residents, and public health officials.

I find that the modification of the rules above is necessary because enforcement of the existing rules would be detrimental to the public welfare during this emergency.

3/31/20

Date



Carole Johnson

Commissioner, Department of Human Services