

2. Inclusive within the Program application, an applicant must also have his or her employer, or potential employer, certify the applicant's start date for faculty employment at an eligible institution before submitting the application to the Authority.

3. (No change.)

(b) The Authority will consider applications for approval of Program participation from among those applicants who meet the eligibility criteria established pursuant to N.J.A.C. 9A:10-4.3, subject to available funding.

(c) In the event there are insufficient funds to select all of the applicants who meet the eligibility criteria, the Authority will rank all of the applications received during the application submission period using predetermined scoring evaluation criteria. The scoring evaluation criteria will be posted on the Authority's website no later than one month prior to the date on which applications will be available online each year.

9A:10-4.5 Terms for loan redemption

(a) (No change.)

(b) For each year of full-time faculty employment at an eligible institution, loan redemption shall not exceed \$10,000 of principal and interest of eligible student loan expenses. The total loan redemption amount for a Program participant shall not exceed \$50,000. No amount of loan redemption shall be provided for service performed for less than a full year. Loan redemption will be applied first to outstanding State loans and then to outstanding Federal loans.

(c) For each year of part-time faculty employment at an eligible institution, loan redemption shall not exceed \$5,000 of principal and interest of eligible student loan expenses for teaching three to 17 credits per year and shall not exceed \$8,000 of principal and interest of eligible student loan expenses for teaching 18 to 23 credits per year.

(d) (No change in text.)

(e) In order to continue eligibility for loan redemption under the Program, a participant must submit certification, prior to the annual redemption of loan indebtedness, of his or her continuous employment as a full-time or part-time faculty member at an eligible institution to the Authority. A participant may change employment to another eligible institution, as long as he or she remains continuously employed as a full-time or part-time faculty member at an eligible institution.

9A:10-4.8 (Reserved)

## HUMAN SERVICES

### (a)

#### DIVISION OF MENTAL HEALTH AND ADDICTION SERVICES

##### Notice of Readoption

##### Screening and Screening Outreach Program

##### Readoption with Technical Changes: N.J.A.C. 10:31

Authority: N.J.S.A. 30:1-12 and 30:4-27.1 et seq., specifically 30:4-27.5; and Reorganization Plan No. 001-2018.

Authorized By: Sarah Adelman, Commissioner, Department of Human Services.

Effective Dates: November 4, 2024, Readoption;  
December 2, 2024, Technical Changes.

New Expiration Date: November 4, 2031.

**Take notice** that pursuant to N.J.S.A. 52:14B-5.1, the rules at N.J.A.C. 10:31, Screening and Screening Outreach Program, were scheduled to expire on December 20, 2024.

N.J.A.C. 10:31 sets forth standards for the operation of the Screening and Screening Outreach Program (the Program). The Program is designed to provide screening and crisis stabilization services in every geographic area in the State of New Jersey. The Program is provided through screening services designated by the Division of Mental Health and Addiction Services (the Division) in the Department of Human Services (the Department).

N.J.A.C. 10:31 is comprised of the following subchapters.

Subchapter 1, General Provisions, describes the scope and purpose of the rules, and defines words and terms used throughout the chapter.

Subchapter 2, Program Requirements, delineates the functions of screening services and affiliated emergency services; explains screening and rehospitalization procedures; provides staff availability requirements; and sets forth the standards related to policies and procedures, including development, content, and revision.

Subchapter 3, Screening and Screening Outreach Personnel Requirements, sets forth staff qualification requirements and responsibilities for screening and screening outreach staff.

Subchapter 4, Affiliated Emergency Service (AES) Personnel Requirements, describes staff qualification requirements and responsibilities for AES staff.

Subchapter 5, Systems Review in the Acute Care System, prescribes the development, composition, and role of the systems review committee.

Subchapter 6, Termination, delineates standards for the termination of screening services.

Subchapter 7, Police Involvement, covers transportation of consumers to a screening center, police requests for evaluation of consumers, and the provision of security.

Subchapter 8, Consumers' Rights, describes consumers' rights relating to screening services.

Subchapter 9, Continued Quality Improvement, sets forth requirements for the monitoring and evaluation of screening services and AES.

Subchapter 10, Planning, delineates standards for the designation of screening services, withdrawal of screening service designation status, and emergency termination or suspension of screening service designation status.

Subchapter 11, Waiver, addresses waiver standards, procedures, renewal requests, and extensions.

Also, N.J.A.C. 10:31 includes the following appendices: Appendix A, Screening Document for Adults; Appendix B, Certification for Return Following Conditional Release; Appendix C, Order for Temporary Rehospitalization Following Conditional Release; and Appendix D, Screening Outreach, Authorization for Police Transport Pursuant to N.J.S.A. 30:4-27.5.

In addition to readopting the existing rules, the Department is making technical changes throughout N.J.A.C. 10:31, including to update references to the Division, ensure consistent use of terminology, and reflect Reorganization Plan No. 001-2018 pursuant to which the Division retained responsibility for screening services upon transfer to the Department from the Department of Health.

While the Department is readopting these rules with technical changes, it recognizes that further rulemaking may be necessary to update these rules to reflect current practices. Thus, the Department will continue to review the rules and may consider making substantive amendments prior to the next scheduled expiration.

The Department 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 Executive Order No. 66 (1978). Therefore, pursuant to N.J.S.A. 30:1-12 and 30:4-27.5, and in accordance with N.J.S.A. 52:14B-5.1c(1), these rules are readopted and shall continue in effect for a seven-year period.

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

#### SUBCHAPTER 1. GENERAL PROVISIONS

##### 10:31-1.3 Definitions

The following words and terms, when used in this chapter, shall have the following meanings, unless the context clearly indicates otherwise.

...  
"Commissioner" means the Commissioner of the Department of [Health] **Human Services**.

...  
"Division" means the Division of Mental Health and Addiction Services, Department of [Health] **Human Services**.

...  
"Screening [center] **service** coordinator" means an individual who is employed by a designated screening center, who meets the educational

and experiential requirements set forth [in] at N.J.A.C. 10:31-3.2(a), and fulfills the duties set forth [in] at N.J.A.C. 10:31-3.2(b).

SUBCHAPTER 5. SYSTEMS REVIEW IN THE ACUTE CARE SYSTEM

10:31-5.3 Role of the systems review committee

(a) The systems review committee shall perform the following functions:

1.-5. (No change.)

6. Investigate and make recommendations to [DMH & H] the Division and county mental health boards regarding impediments and obstacles in the acute care system;

7. Discuss additional systems issues within the geographic area, and make recommendations to [DMH & H] the Division and county mental health boards;

8.-10. (No change.)

SUBCHAPTER 11. WAIVER

10:31-11.2 Procedures for all but personnel-related waivers

(a)-(b) (No change.)

(c) The screening service’s waiver request will be reviewed according to the following procedure:

1.-3. (No change.)

4. The screening service may appeal denial by the regional assistant director of its waiver request by submitting an appeal to the Division’s Assistant Commissioner [for Mental Health Services]. The screening service that originally requested the waiver, and other interested parties, may communicate their opinions about the appeal of the waiver denial to the Division’s Assistant Commissioner [for Mental Health Services] prior to [his or her] their final decision. The Division’s Assistant Commissioner [for Mental Health Services] shall uphold or reverse the original waiver denial by the regional assistant director and communicate the decision to the screening service in a written final agency decision; and

5. (No change.)

(a)

DIVISION OF DISABILITY SERVICES
DIVISION OF MEDICAL ASSISTANCE AND HEALTH SERVICES

Notice of Readoption
Personal Preference Program

Readoption and Recodification with Technical Changes: N.J.A.C. 10:142 as 10:60C

Authority: N.J.S.A. 30:4D-1 et seq., 30:6E-1 et seq., and 30:4J-8 et seq.

Authorized By: Sarah Adelman, Commissioner, Department of Human Services.

Effective Dates: November 1, 2024, Readoption; December 2, 2024, Technical Changes and Recodification.

New Expiration Date: November 1, 2031.

Take notice that pursuant to N.J.S.A. 52:14B-5.1, the rules at N.J.A.C. 10:142 were scheduled to expire December 18, 2024. This chapter sets forth the rules of the Department of Human Services (Department) regarding the Personal Preference Program (PPP). The Department is transferring the chapter interdepartmentally from the Division of Disability Services (DDS) to the Division of Medical Assistance and Health Services (“DMAHS” or “Division”) and recodifying the chapter as N.J.A.C. 10:60C.

Individuals participating in the PPP receive a monthly budget to arrange for personal care assistant (PCA) services instead of receiving

traditional PCA services. Traditional PCA services provided by an agency often have specific, sometimes restrictive, scheduling and staffing availability that adversely influence the individual’s quality of life. The PPP allows the participant to manage their own PCA services and decide the best way to meet their individual needs. The PPP gives the participant the opportunity to customize their PCA services by deciding by whom, when, and how the services are provided, including the opportunity to hire people they know, such as family members and/or friends.

The chapter is comprised of 10 subchapters as summarized below.

Subchapter 1, General Provisions, provides the purpose, scope, and nature of the chapter; details the participant’s rights; defines terms used throughout the chapter; and describes the administration of the program.

Subchapter 2, Eligibility and Participant Responsibilities, provides the eligibility requirements of the program, the responsibilities of the program participants, and the requirements of the employees providing the services.

Subchapter 3, Screening and Application, provides the screening and application process for Medicaid/NJ FamilyCare beneficiaries who are interested in participant-directed services whether they are enrolled in managed care or receive services on a fee-for-service basis; describes the participant’s opportunity to designate an authorized representative to assist them and explains the requirements related to the standards, roles, and responsibilities of the authorized representative; defines the role and responsibilities of the consultant who assists the participant in developing a budget for services; and sets forth the requirements related to confidentiality and disclosure of information.

Subchapter 4, Cash Grant and Cash Management Plan, provides the requirements related to budget determination, how the budget allocation impacts other government benefits the participant may be receiving, the standards for the use of the budget, items not permissible as part of the budget, the cash management plan standards, penalties for overspending the budget, and how the cash management plan is monitored and modified.

Subchapter 5, Application Disposition, Enrollment, and Services, provides the requirements related to processing an individual’s application for participation in the PPP, the enrollment of the participant, and the standards required for the types of services paid for using the PPP funds.

Subchapter 6, Participant Self-Direction and Reassessment, provides the requirements related to participant self-direction; reassessment by managed care organization (MCO) or DMAHS staff of the needs of the participant; and any change in the scope, duration, and/or amount of services based on the results of the reassessment.

Subchapter 7, Vendor Fiscal Employer Agent (VF/EA), specifies the financial administrative functions required to be performed by the VF/EA. The VF/EA shall be an agency under contract with DMAHS that shall serve as a business agent for the participants.

Subchapter 8, Disenrollment and Reinstatement, provides the procedure for voluntary disenrollment from PPP, the factors that will result in involuntary disenrollment from PPP, and the procedures for being reinstated into PPP following either type of disenrollment.

Subchapter 9, Administrative Reviews, Adverse Agency Actions, and Fair Hearings, provides the procedures that enable a PPP applicant or participant to submit complaints related to any aspect of the PPP by requesting an administrative review of their complaint, to appeal adverse agency actions resulting in elimination or reduction of services, to file a request for a fair hearing to be heard by an administrative law judge, and the procedures related to the outcome of the fair hearing.

Subchapter 10, Medicaid Fraud and Abuse, requires that any suspected fraud or abuse shall be reported to the Division immediately and provides the procedures and contact information needed to submit such information.

While the Department is readopting these rules with technical changes, including the recodification, it recognizes that further rulemaking may be necessary to update these rules to reflect current practices. Thus, the Department will continue to review the rules and may consider making substantive amendments prior to the next scheduled expiration.

The Department has reviewed the rules and has determined them to be necessary, reasonable, and proper for the purpose for which they were originally promulgated. Therefore, pursuant to N.J.S.A. 52:14B-5.1.c(1),