

Marine Fisheries Service or determined by the Atlantic States Marine Fisheries Commission.

i.-ii. (No change.)

iii. The balance of the New Jersey annual quota for the black sea bass fishery remaining after deducting the by-catch allowance specified at (h)8ii above shall be divided into seasons, percentage of the annual quota apportioned into each season, daily trip limits, and number of allowable landing days in each period. The first period of each season shall start on the first calendar day of that season and shall end on the first Saturday of that season. Each subsequent one- or two-week period will begin on Sunday and end on the first or second following Saturday. The final period of each season shall end on the last day of the month of that season. The seasons, percentage of quota, daily trip limits, and allowable landing days are as follows:

(1)-(7) (No change.)

(8) Any daily landing of black sea bass not exceeding 100 pounds during the period of January 1 through [March 31 or 50 pounds during the period of April 1 through] December 31 shall not be applied to maximum weekly landing days during any season as specified [in] at (h)8iii(1) through (4) above, provided the amount of black sea bass landed from any vessel shall not exceed 10 percent, by weight, of the total weight of all species landed and sold.

iv.-x. (No change.)

9.-13. (No change.)

(i)-(y) (No change.)

## HUMAN SERVICES

### (a)

#### DIVISION OF MENTAL HEALTH AND ADDICTION SERVICES

##### Notice of Redoption

##### Licensed Community Residences for Adults with Mental Illnesses

##### Redoption with Technical Changes: N.J.A.C. 10:37A

Authority: N.J.S.A. 30:1-12 and 30:11B-1 et seq., specifically 30:11B-4; and Reorganization Plan 001-2018.

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

Effective Dates: April 23, 2024, Redoption;  
May 20, 2024, Technical Changes.

New Expiration Date: April 23, 2031.

**Take notice** that pursuant to N.J.S.A. 52:14B-5.1, the rules at N.J.A.C. 10:37A, Licensed Community Residences for Adults with Mental Illnesses, were scheduled to expire on May 25, 2024.

This chapter sets forth the program standards required of providers of community residences for adults with mental illnesses in New Jersey. N.J.A.C. 10:37A is comprised of 12 subchapters. Subchapter 1, General Provisions, describes the scope and purpose of the rules and defines words and terms used throughout the chapter. Subchapter 2, Policies and Procedures, describes the standards related to the contents, development, implementation, maintenance, and revision of a written policies and procedures manual. Subchapter 3, Consumer Admission Criteria, sets forth requirements for written policies regarding consumer admission criteria, medical clearance, priority admission, and the provider agency’s admission coordinator. Subchapter 4, Consumer Services, sets forth standards for intake policies and procedures, consumer service agreements, comprehensive rehabilitation needs assessments, nursing assessments, and individualized rehabilitation plans. Subchapter 5, Clinical Record Documentation, delineates requirements for a consumer’s records, progress notes, termination summary, and financial records. Subchapter 6, Services, sets forth the purpose and goals of services and supports for consumers, and delineates standards related to the minimum services to be provided by the provider agency, medication, and

documentation of services and medication. Subchapter 7, Staff Qualifications, Responsibilities, and Training, sets forth staffing requirements, including credentials, responsibilities, and training. Subchapter 8, Facility, provides facility standards, including requirements for the physical plant, residences, garbage and rubbish disposal, lighting, ventilation, heating and cooling, structural safety and maintenance, kitchen facilities, occupancy and use of space, fire drills, and variances. Subchapter 9, Hearing, Appeals, Complaints, delineates requirements related to complaint, hearing, and appeal procedures, as well as consumer protection. Subchapter 10, Quality Assurance, sets forth the standards for a continuous quality assurance program, including areas that must be monitored and evaluated. Subchapter 11, Exclusion and Discharge from Supervised Residences, sets forth standards regarding the exclusion and discharge of consumers, including permissible reasons for termination from services, and discharge procedures. Subchapter 12, Licensing, Site Review, and Waivers, describes the licensure and waiver process for provider agencies.

In addition to readopting the existing rules, the Department of Human Services (Department) is making technical changes throughout N.J.A.C. 10:37A, including changes to update mailing addresses and terminology. Also, the changes include updates consistent with Reorganization Plan No. 001-2018, pursuant to which, the Division of Mental Health and Addiction Services retained responsibility for program services on transfer to the Department, while licensing of mental health programs remained with the New Jersey Department of Health (DOH), including the recodification and reoption of N.J.A.C. 10:190, Licensure of Mental Health Programs, as N.J.A.C. 8:121, Licensure Standards for Mental Health Programs, by the DOH.

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, and changes in response to Reorganization Plan 001-2018. 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 pursuant to Executive Order No. 66 (1978). Therefore, pursuant to N.J.S.A. 30:1-12, and in accordance with N.J.S.A. 52:14B-5.1.c(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

##### 10:37A-1.2 Definitions

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

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

“Accrediting body recognized by [the Department] **DOH**” means an organization that accredits mental health programs that is recognized by the Department for deemed status purposes. These organizations include, but are not limited to, the Joint Commission, the Council on Accreditation of Family Services Agencies (COA), the Council on Accreditation of Rehabilitation Facilities (CARF), and the National Commission on Quality Assurance (NCQA).

...

“**DCN&L**” means the **Division of Certificate of Need and Licensing within the Health Services Branch of the Department of Health**.

“Deemed status” means that status granted to a supervised housing program that has received accreditation by an accrediting body recognized by [the Department] **DOH**. In effect, [the Department] **DOH**, through the granting of deemed status, substitutes the standards of the accrediting body for certain selected Department program standards.

“Department” means the **New Jersey Department of Human Services**.

“**DOH**” means the **New Jersey Department of Health**.

...

“Provider agency” (PA) means a public or private organization [which] **that** has a mental health service contract with the Division and has been

licensed by [the Department] **DOH** to provide shared supportive housing residences, supervised residences, and services required by this chapter to individuals 18 years of age and older.

...  
 “Supervised residence” means any community residential facility that provides food, shelter, rehabilitation, and support under such level of care as required, to not more than 15 persons, 18 years of age or older, with mental illnesses who require assistance, temporarily or permanently, in order to live independently in the community. Consumers in supervised residences shall sign a consumer service agreement. Agencies operating supervised residences shall be licensed by [the Department] **DOH** and shall have an approved purchase of service contract (or an affiliation agreement if the requirement for a contract is waived by the Division) pursuant to the Department’s contract rules, N.J.A.C. 10:3-3, and this chapter. Supervised residences may take the form of a single detached home, an apartment, or a family care home. These residences are not considered health care facilities within the meaning of the Home Care Facilities Planning Act, P.L. 1971, c. 136 (N.J.S.A. 26:2H-1 et seq.) and are limited to Level A+, A, and B housing and family care homes (“Level D”).  
 ...

SUBCHAPTER 4. CONSUMER SERVICES

10:37A-4.1 Intake policies and procedures

- (a)-(e) (No change.)
- (f) When a consumer has been referred from a State psychiatric hospital, the following procedures shall apply:
  1. [Hospital] **State psychiatric hospital** staff shall coordinate and make appropriate referrals of consumers to the PA based on the vacancy report generated pursuant to N.J.A.C. 10:37A-3.1(d) and shall not make a referral to a PA that does not have an appropriate existing or anticipated vacancy.
  2. The **State psychiatric** hospital placement entity shall forward to the PA a referral form and response package for each consumer under consideration for residential placement.
  3. (No change.)
  4. Upon request, PAs shall have access to the referred consumer’s **State psychiatric** hospital charts for further information, as necessary and appropriate. PAs may request and receive copies of pertinent information from the **State psychiatric** hospital chart within 24 hours of request.
  5. (No change.)
  6. PAs shall inform **State psychiatric** hospital staff, in writing, of the outcome of the referral within five working days of its receipt of the complete referral form and response package.
  7. (No change.)
- (g)-(h) (No change.)

10:37A-4.2 Consumer service agreement

- (a) The PA shall develop and submit for approval to the Department prior to use, a consumer service agreement that meets the specifications of this subchapter. In addition, the PA shall obtain written approval from the Department before deleting, adding, or revising in any way, the requirements of the consumer service agreement. The initial consumer service agreement and any subsequent revisions shall be submitted for approval to:

New Jersey Department of Human Services  
 [Office of Licensing] **Division of Mental Health and  
 Addiction Services**  
 PO Box [707] **362**  
 Trenton, NJ [08625-0707] **08625-0362**

- (b)-(g) (No change.)

SUBCHAPTER 6. SERVICES

10:37A-6.3 Other services

- (a) At a minimum, and in addition to the services required to be provided [by] **pursuant to** N.J.A.C. 10:37A-6.2, the PA shall offer or arrange for the following services to be made available, where they are

appropriate to the needs of the consumer as identified in the comprehensive rehabilitation needs assessment:

- 1.-3. (No change.)
- 4. Co-occurring mental health and substance [abuse] **use disorder** services linkages. Inquire about substance [use/abuse] **use history**[,] and, when a problem is identified, help consumers identify triggers for relapse and focus on a lifestyle centered on recovery. Refer to co-occurring mental health and substance [abuse] **use disorder** treatment, if necessary. Educate the consumer on the interactive effects of substance use on psychiatric symptoms, psychiatric and other medications, and social behavior. Share Twelve-Step recovery and local co-occurring group meeting lists with consumers and accompany to local groups and/or meetings in order to encourage attendance. Encourage an alcohol and substance free-living environment in shared living arrangements. If necessary, assist consumers in accessing in-patient rehabilitation facilities;
- 5.-9. (No change.)

10:37A-6.4 Medication

- (a) (No change.)
- (b) If the consumer is not capable of taking [his or her] **their** own medication independently, the PA staff shall verbally assist and/or supervise the self-administration of the medication as prescribed. If the consumer is not physically capable of self-administration of medication with verbal assistance, appropriately licensed or certified staff must administer medication by removing the individual dose of medication from the original container and either giving it to the consumer to consume, placing it in another container for the consumer to consume at a later time, applying the medication externally, or administering an injection of the medication.
- (c)-(e) (No change.)

SUBCHAPTER 8. FACILITY

10:37A-8.9 Structural safety and maintenance

- (a)-(f) (No change.)
- (g) Every residence shall be free from rodents, vermin, and insects. A PA of a residence located in an area found by [the Department] **DOH** to be infested by rats, insects, or other vermin shall carry out such rodent and insect control or other means of preventing infestations of said dwellings as may be required by [the Department] **DOH**.
- (h)-(l) (No change.)
- (m) [The Department] **DOH** may require that the PA clean, repair, paint, whitewash, or paper such walls or ceiling, when a wall or ceiling within a dwelling has deteriorated so as to provide a harborage for rodents or vermin, or when such a wall or ceiling has become stained or soiled, or the plaster, wallboard, or other covering has become loose or badly cracked or missing.
- (n)-(r) (No change.)

10:37A-8.14 Fire drills

- (a) (No change.)
- (b) [The Department] **DOH** shall review agency compliance with this procedure every two years during the onsite inspection.

SUBCHAPTER 9. HEARINGS, APPEALS, COMPLAINTS

10:37A-9.2 Development of residential complaint procedures

All PAs shall establish internal complaint procedures, which will be subject to [the Department’s] **DOH** review and approval at the time of the initial licensing and triennial licensing reviews. Complaint procedures shall allow for a consumer of the PA, or his or her designee, to make known a grievance regarding services provided or which failed to be provided; to seek appropriate redress related thereto; and to have corrective action taken as might be warranted. The policy and procedure for consumer complaints shall be posted in a public place at the PA office site and a copy given to each consumer upon beginning the program. Any implementation of the complaint procedure shall be documented in the consumer’s clinical record.

## SUBCHAPTER 12. LICENSING, SITE REVIEW, AND WAIVERS

## 10:37A-12.1 Initial licensing process

(a) All inquiries related to licensure of supervised residences and supportive housing residences shall be made to:

New Jersey Department of [Human Services] **Health**  
[Office of Licensing] **Division of Certificate of Need and Licensing**

PO Box [707] **358**

Trenton, NJ [08625-0707] **08625-0358**

(b)-(c) (No change.)

(d) The PA shall apply for licensure to [the Department] **DOH**. Applications shall indicate the type or types of supportive housing residences or supervised residences intended, the specific geographical location in which residences would be located, and the number of residents to be served. Such application shall be made to [the Department] **DOH** at the address [in] at (a) above.

## 10:37A-12.2 Licensure fees

(a) (No change.)

(b) On an annual basis, the PA shall submit the fee(s) listed at (c) below to [the Department] **DOH** at the address listed at N.J.A.C. 10:37A-12.1(a). Checks shall be made payable to the "State of New Jersey." No license shall be issued where payment of this fee has not been received in full by [the Department] **DOH**. Failure to pay the fees applicable to an existing license shall result in revocation of that license.

(c) (No change.)

(d) The renewal fee shall be paid upon receipt of a bill from [the Division] **DCN&L**.

## 10:37A-12.3 Conditional licensure

(a) A conditional license may be issued whenever:

1. (No change.)

2. A corrective action plan required [by] pursuant to N.J.A.C. 10:37A-12.10, is not submitted to [the Department] **DOH** by the PA at the designated time, or it is determined by [the Department] **DOH** to be inadequate;

3.-4. (No change.)

(b) (No change.)

## 10:37A-12.4 Licensing of supervised residences in single detached homes

(a) [The Department] **DOH** shall inspect any proposed supervised residence in a single detached home, and shall review agency and program operations, policies, procedures, and supporting documentation for compliance with the provisions of this chapter, as well as the applicable provisions [of] at N.J.A.C. 10:37 and 10:37D. In addition, the PA shall submit a current certificate of occupancy or certificate of continued occupancy, indicating a residential or institutional use group designation if the city or municipality in which the home is located has a process for issuing such a document for newly purchased or newly rented homes.

(b) [The Department] **DOH** shall notify the PA, in writing, of any violations.

(c)-(d) (No change.)

(e) The license shall be issued by [the Department] **DOH**.

(f) (No change.)

(g) The original license (not a copy) shall be available on the agency's premises for review by [the Department] **DOH**, or any interested members of the public, during normal business hours.

## 10:37A-12.5 Licensed supervised residences in apartments

(a) [The Department] **DOH** may inspect any proposed apartment site(s), and review agency and program operations policies, procedures, and supporting documentation for compliance with the provisions of this subchapter and the applicable provisions [of] at N.J.A.C. 10:37 and 10:37D.

(b) [The Department] **DOH** shall notify the PA, in writing, of any and all violations.

(c) Once the PA has corrected all violations, the PA shall request a final site inspection and shall submit documents indicating habitability if requested by [the Department] **DOH**.

(d) (No change.)

(e) The license shall be issued by [the Department] **DOH**.

(f) The license shall be issued to the PA for a specific number of supervised residences in apartments and total capacity for consumers within a county for a period of two years. The PA shall notify [the Office of Licensing] **DCN&L**, of any new apartment (before it is occupied), any additional bed capacity, and any apartment that is closed. If adding a new apartment or bed capacity will exceed the licensed capacity of the apartment program, the PA shall not allow the consumer(s) to occupy the new apartment(s) or bed(s) until the licensed capacity is increased. The PA shall not occupy a new apartment in a county in which it is not licensed to operate apartments until such a license is issued. The new facilities shall comply with all requirements of this chapter. The PA shall notify [the Office of Licensing] **DCN&L** of all supervised residences apartments at the time of the housing inspection.

(g) The license shall be available on the agency's premises for review by [the Division] **DCN&L** and/or [Department] **DOH**, and any members of the public, during normal business hours.

## 10:37A-12.6 Licensing supervised residences in family care homes

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

(c) [The Department] **DOH** may inspect any proposed supervised residence in a family care home and review all agency and program operations, policies, procedures, and supporting documentation for compliance with the provisions of this chapter and all other applicable rules. The PA shall notify [the Office of Licensing] **DCN&L**, at the address [noted in] at N.J.A.C. 10:37A-12.1(a), of any proposed supervised residence in a family care home (before placing a consumer in it), of any additional bed capacity, and any new family care home that is closed. If adding a new supervised residence in a family care home or increasing bed capacity will exceed the licensed capacity of the family care program, the PA shall not place a consumer in the new supervised residence in a family care home or in the new bed until the licensed capacity is increased. The PA shall not place a consumer in a new supervised residence in a family care home in a county in which it is not licensed to operate supervised residences in family care homes until such a license is issued. The PA shall notify [the Office of Licensing] **DCN&L**, of all supervised residences in family care homes at the time of the housing inspection.

(d) [The Department] **DOH** shall notify the PA, in writing, of any violations.

(e) Once the PA has corrected all violations, the PA shall request a final site inspection and shall submit documents indicating habitability, if requested by [the Department] **DOH**.

(f) (No change.)

(g) The license shall be issued by [the Department] **DOH**.

(h) (No change.)

(i) The license shall be available on the PA's premises for review by [the Division] **DCN&L** and/or [Department] **DOH**, and any members of the public, during normal business hours.

## 10:37A-12.7 Licensing shared supportive housing residences

(a) [The Department] **DOH** may inspect any proposed supportive housing residence and review all program operations for compliance with the provisions of this chapter.

(b) [The Department] **DOH** shall notify the PA, in writing, of any violations.

(c)-(d) (No change.)

(e) All licensed shared supportive housing residences shall be evaluated on site every two years by [the Office of Licensing] **DCN&L**, and at the discretion of [the Department] **DOH**, as needed.

(f) The license shall be issued by [the Department] **DOH** to the PA for two years.

(g) (No change.)

(h) Should all consumers receiving services in a shared supportive housing residence refuse or not receive services for a period of 90 days, the PA shall notify [the Department's Office of Licensing] **DCN&L**, at which time the license will be terminated.

## 10:37A-12.9 License renewal

(a) (No change.)

(b) Determination of license renewal shall be based on the housing inspection and triennial program review conducted by [the Department's Office of Licensing] **DCN&L**. A housing inspection shall be conducted minimally every two years.

(c) Deemed status may be considered as part of the [Department's] **DOH** licensing process at the time of the triennial program review. For programs granted deemed status, in some cases a triennial program review will be conducted and it shall primarily focus on, but shall not be limited to, staffing and clinical records. Deemed status may be considered in those cases where:

1. The residential program is accredited within the past three years by an accrediting body recognized by [the Department] **DOH** and the accreditation remains in effect; and

2. The program submits the accrediting body report indicating the program is accredited, as well as other documentation requested by [the Department] **DOH**. As applicable, any remediation plan required by the accrediting body shall also be submitted.

(d)-(e) (No change.)

#### 10:37A-12.10 Inspection and monitoring of residences

(a) All PAs and residences shall be subject to site reviews in accordance with N.J.A.C. [10:190] **8:121, Licensure Standards for Mental Health Programs**.

(b) Supervised residences that are single family detached homes shall be inspected on site at least every two years by [the Department] **DOH** and, at the discretion of [the Department] **DOH** or [Division] **DCN&L**, as needed.

(c) Supervised residences located in PA apartments shall be inspected on site at least every two years by [the Department] **DOH** and, at the discretion of [the Department] **DOH** or [Division] **DCN&L**, as needed.

(d) All PA family care homes shall be evaluated at least every two years by [the Department] **DOH** and, at the discretion of [the Department] **DOH** or [Division] **DCN&L**, as needed.

(e) All licensed shared supportive housing residences shall be evaluated on-site every two years by [Department] **DOH** and, at the discretion of [the Department] **DOH** or [Division] **DCN&L**, as needed.

(f) A written report of[,] residence inspections, including all deficiencies and violations, shall be provided to the PA by [the Department] **DOH** within 60 days from the date of the site review.

(g) A review shall be conducted by [the Department] **DOH** at least every three years to assess the PA's compliance with the programmatic requirements [contained] in this chapter. A written report shall be provided to the PA within 90 days of the review.

(h) No later than 40 days after receipt of an inspection or review report, the PA shall provide a plan of correction (POC) to [the Department] **DOH**. The POC shall document which specific violations have been corrected and the actions taken or planned, as well as the anticipated date of full correction, for each specific outstanding violation.

(i) (No change.)

(j) For any violations cited by [the Department] **DOH** as presenting an imminent threat to the health or safety of a consumer, the PA shall correct them or remove the threat created by such violations immediately and shall provide written notice, within 48 hours, to [the Department] **DOH** that such action has been taken.

(k) If the [Department] **DOH** report identifies violations other than those presenting an imminent threat to the health and/or safety of a consumer, once the POC is approved by [the Department] **DOH**, the PA shall provide a report to [the Division] **DCN&L** on progress toward remediation of deficiencies every 60 days until compliance is achieved.

(l) (No change.)

#### 10:37A-12.11 Appeal of the Department's findings

(a) The PA may appeal findings of [the Department's Office of Licensing] **DCN&L**, pursuant to N.J.A.C. 10:37A-12.13, Review of administrative sanctions. In the case of life-threatening violations, such appeal shall be conducted pursuant to N.J.A.C. 10:37A-12.14, Emergency situation.

(b) The appeal of findings shall be directed to the **DOH** Commissioner, or designee, with a copy sent to [the Division] **DCN&L**, within 20 days of receipt of the written report of findings. Such appeals shall be submitted to [the Department of Human Services, Office of Licensing, PO Box 727,

Trenton, New Jersey 08625] **DOH, DCN&L, PO Box 358, Trenton, NJ 08625-0358**. Copies of these appeals shall be sent to Assistant Commissioner's Office, Division of Mental Health and Addiction Services, PO Box [707] **362**, Trenton, New Jersey, [08625-0707] **08625-0362**.

(c) A decision on the merits of the appeal shall be provided within 20 days of its receipt. This decision shall be made by [the Department] **DOH**, in consultation with the Division.

#### 10:37A-12.12 Administrative sanction for PA's failure to adequately address violations

(a) In the event that the PA does not submit the corrective action plan specified [in] at N.J.A.C. 10:37A-12.10(g), (h), and (k) by the required date, or if violations have not been abated within time frames specified in the report or other [Department] **DOH** correspondence, [the Department] **DOH** shall have the option of directing the Division to suspend payments to which the PA may be entitled under any agreements with the Division, and [the Department] **DOH** shall have the option of imposition of a moratorium on admissions to the residence, revocation of the current license to operate the residence or program, non-renewal of the license to operate the residence or program, or imposition of other administrative sanctions.

(b) In the event that [the Department] **DOH** requires the revocation or non-renewal of the license and the relocation of the consumers, a written order shall be directed to the PA's executive director and to the President of the Board of Directors of the PA.

(c) Under the supervision of the Division, the PA shall be responsible for placement of consumers when an order to vacate the premises and the revocation of a license has been issued by [the Department] **DOH**.

#### 10:37A-12.14 Emergency situation

[The Department] **DOH**, when it determines that the health, safety, or welfare of the consumers warrant it, may immediately suspend the license of a PA, and take the necessary action to ensure the well-being of consumers. The PA shall have the right to make a written request to the [DHS] **DOH** Commissioner for a review of an emergency license suspension. The **DOH** Commissioner, or designee, shall review this request on an expedited basis. The PA shall have the right to appeal the **DOH** Commissioner's decision by requesting an administrative hearing pursuant to the Administrative Procedure Act, N.J.S.A. 52:14B-1 et seq., and 52:14F-1 et seq., and the Uniform Administrative Procedure Rules, N.J.A.C. 1:1.

(**Agency Note:** The text of N.J.A.C. 10:37A Appendix A below includes text with permanent boldface; that text that is added as a technical change is indicated in italicized boldface *thus*.)

## APPENDIX A

Each consumer in a licensed supervised residence is to be provided with a copy of the following consumer rights regarding discharge and exclusion from the facility (with the appropriate names, addresses, and phone numbers of the individuals listed on page two of this appendix):

### STATEMENT OF CONSUMER RIGHTS REGARDING DISCHARGE AND EXCLUSION FROM A SUPERVISED RESIDENCE

As a consumer residing in a Supervised Residence licensed by the New Jersey Department of [Human Services] **Health**, you are protected from being discharged or excluded from the residence against your will and without sufficient cause as outlined in the service agreement. Also, specific procedures must be followed by the [**Provider**] **Provider** Agency before any discharge or exclusion can occur.

The reasons for discharge or exclusion and the procedures to be followed are as follows:

...

WHERE TO CALL FOR HELP:

If you need assistance regarding your rights in a licensed Community Residence, you may call any of the following:

- Agency Ombudsperson
- Provider to insert name, and contact information
- County Mental Health Administrator
- Provider to insert name and contact information
- Department of Human Services

Division of Mental Health and Addiction Services  
 [Capital Place One, 3rd floor  
 222 S. Warren Street]  
 PO Box [700] 362  
 Trenton, New Jersey [08625-0700] 08625-0362  
 1-800-382-6717 (staff to circle where geographically appropriate):

(a)

**DIVISION OF FAMILY DEVELOPMENT**  
**New Jersey Supplemental Nutrition Assistance Program (NJ SNAP)**  
**Standard Mileage Reimbursement Rate for Transportation Expenses**

**Adopted Amendment: N.J.A.C. 10:87-5.10**

Proposed: January 16, 2024, at 56 N.J.R. 105(a).  
 Adopted: April 3, 2024, by Sarah Adelman, Commissioner, Department of Human Services.  
 Filed: April 15, 2024, as R.2024 d.045, **without change**.  
 Authority: N.J.S.A. 30:1-12.  
 Effective Date: May 20, 2024.  
 Expiration Date: November 16, 2029.

**Summary of Public Comment and Agency Response:**  
 The official comment period ended March 16, 2024. **The Division of Family Development (DFD) received no comments.**

**Federal Standards Statement**

The Department of Human Services has reviewed the applicable Federal laws and regulations and that review indicates that the adopted amendments do not exceed Federal standards, specifically 7 CFR 273.9, Supplemental Nutrition Assistance and Food Distribution Service, and has determined that the adopted amendment does not exceed Federal standards. Therefore, a Federal standards analysis is not required.

Full text of the adoption follows:

SUBCHAPTER 5. FINANCIAL ELIGIBILITY; INCOME

10:87-5.10 Income deductions

(a) Deductions from income will be allowed only for the following expenses of the household:

- 1.-2. (No change.)
- 3. That portion of medical expenses in excess of \$35.00 per month, excluding the cost of special diets, incurred by any household member who is elderly or disabled as defined at N.J.A.C. 10:87-2.34. Spouses or other persons (that is, essential persons) receiving benefits as dependents of the SSI or disability and/or blindness recipient are not eligible to receive this deduction. Persons receiving "emergency" SSI benefits based on presumptive eligibility are eligible for this deduction.
  - i. The following items are allowable medical costs:
    - (1)-(8) (No change.)

(9) Reasonable cost of transportation and lodging to obtain medical treatment or services.

(A) When a privately owned vehicle is used for transportation to obtain medical treatment or services, the reasonable cost of transportation shall be calculated by using the State of New Jersey mileage reimbursement rate for use of a personal vehicle, as determined by the applicable circular published by the New Jersey Department of the Treasury, Office of Management and Budget. The State mileage reimbursement rate must be used in lieu of the actual expenses of transportation; and

- (10) (No change.)
- 4.-6. (No change.)
- (b) (No change.)

**LABOR AND WORKFORCE DEVELOPMENT**

(b)

**BOARD OF REVIEW**

**Notice of Readoption Board of Review Rules**

**Readoption: N.J.A.C. 12:20**

Authority: N.J.S.A. 34:1-20; 34:1A-3.e; 43:21-6.d, e, and f; 43:21-10; and 43:21-17.

Authorized By: Robert Asaro-Angelo, Commissioner, Department of Labor and Workforce Development.

Effective Date: April 23, 2024.  
 New Expiration Date: April 23, 2031.

Take notice that pursuant to N.J.S.A. 52:14B-5.1, the rules at N.J.A.C. 12:20, which address the organization of the Appeal Tribunal and Board of Review and the appeal process for cases of benefit disputes, were scheduled to expire on May 25, 2024.

A summary of the chapter follows:

Subchapter 1 designates the Board of Review (Board) as the final appeals board, and outlines the membership and duties of the Board, including the supervision of appeal tribunals and the issuance of rules and regulations governing the conduct of hearings and the presentation of appeals to the appeal tribunals and to the Board of Review.

Subchapter 2 describes the membership and duties of the Appeal Tribunal to hear and decide disputed benefit claims.

Subchapter 3 refers to the appeal process at N.J.A.C. 1:12 and sets forth procedures for the presentation of appeals to the Appeal Tribunal.

Subchapter 4 refers to the appeal process at N.J.A.C. 1:12 and sets forth procedures for the presentation of appeals to the Board of Review.

Subchapter 5 sets forth general rules for both appeals to the Appeal Tribunal and Board of Review; specifically, the subchapter addresses the inspection of Appeal Tribunal and Board of Review decisions.

The Department of Labor and Workforce Development has reviewed these rules and has determined that the rules should be readopted without change. The rules are necessary, reasonable, and proper for the purpose for which they were originally promulgated. In accordance with N.J.S.A. 52:14B-5.1.c(1), timely filing of this notice extended the expiration date of the chapter seven years from the date of filing.

(c)

**DIVISION OF WORKFORCE DEVELOPMENT**

**Notice of Readoption**

**Workforce Development Partnership Program Rules**

**Readoption: N.J.A.C. 12:23**

Authority: N.J.S.A. 34:1-20, 34:1A-3.e, and 34:15D-1 et seq., specifically, 34:15D-11.