

services and procedures. Subchapter 13 establishes standards addressing resident records. Subchapter 14 establishes standards addressing resident rights. Subchapter 15 establishes housekeeping, sanitation, safety, and maintenance standards. Subchapter 16 establishes standards addressing infection prevention and control services. Chapter 43 Appendix A includes guidelines addressing inappropriate resident behavior and resident-to-resident abuse. Chapter 43 Appendix B includes a daily food guide. Chapter 43 Appendix C includes recommendations for pet-facilitated therapy in New Jersey institutions.

The Department of Health (Department) has been working with internal and external stakeholders to develop new rules and amendments to the chapter to reflect updated best practices. The Department anticipates filing this rulemaking with the Office of Administrative Law for processing in the ordinary course; however, this rulemaking would not be concluded prior to the expiration of existing N.J.A.C. 8:43. The Acting Commissioner has reviewed existing N.J.A.C. 8:43 and determined that, pending the finalization of the anticipated rulemaking described above, the existing chapter remains necessary, proper, reasonable, efficient, understandable, and responsive to the purposes for which it was originally promulgated and should be readopted. Therefore, pursuant to N.J.S.A. 52:14B-5.1.c(1), N.J.A.C. 8:43 is readopted and shall continue in effect for seven years.

## HUMAN SERVICES

### (a)

#### OFFICE OF PROGRAM INTEGRITY AND ACCOUNTABILITY

##### Notice of Readoption

##### Central Registry of Offenders Against Individuals with Developmental Disabilities

##### Readoption with Technical Changes: N.J.A.C. 10:44D

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

Authority: N.J.S.A. 30:6D-73.

Effective Dates: October 14, 2025, Readoption;  
November 17, 2025, Technical Changes.

New Expiration Date: October 14, 2032.

**Take notice** that pursuant to N.J.S.A. 52:14B-5.1, the rules at N.J.A.C. 10:44D were scheduled to expire on November 30, 2025. N.J.A.C. 10:44D implements the Central Registry of Offenders Against Individuals with Developmental Disabilities, P.L. 2012, c. 69 (codified at: N.J.S.A. 30:6D-73). The chapter regulates the standards and procedures for the placement of offenders on the Central Registry.

Following is a summary of the subchapters of N.J.A.C. 10:44D.

Subchapter 1, General Provisions, sets forth the Department of Human Services' (Department) purpose and scope of the Central Registry of Offenders against Individuals with Developmental Disabilities to protect a vulnerable population. The subchapter also defines the terms used throughout the chapter and provides the general policy explaining the responsibilities of service providers to ensure the safety, well-being, and freedom from exploitation for individuals with a developmental disability.

Subchapter 2, Reporting Requirements, provides requirements to immediately report allegations of abuse, neglect, and exploitation including non-exhaustive lists of injuries, types of risk, or types of harm. The subchapter also provides the Division's responsibility to maintain a reporting system that is available 24 hours a day and to promote the awareness of the system in licensed State-funded facilities or programs. Lastly, the subchapter sets forth who must report such allegations, how the allegations are to be reported, and the process of investigating failures to report allegations.

Subchapter 3, Investigations, delineates the standards by which investigations of allegations of abuse, neglect, and exploitation are

conducted, defines the standards by which investigations are evaluated and substantiated, provides to whom and how the investigations' findings must be communicated, as well as sets forth what data is to be compiled from the investigations.

Subchapter 4, Placement on the Central Registry, defines the standards required for the placement of offenders onto the Central Registry.

Subchapter 5, Department Review, explains procedures for the Commissioner, or the Commissioner's designee, to review the investigation's propriety as to placement of a caregiver/service provider on the Central Registry, as well as who is required to be notified of the decision.

Subchapter 6, Appeals and Removal from Central Registry, outlines an informal departmental hearing process by which an individual that the Department has found cause for placement on the Central Registry may request to show that the placement is not legally or factually warranted. The subchapter also provides the process by which an individual may appeal Central Registry placement to the Office of Administrative Law, and the manner in which an individual may, after five years on the Registry, demonstrate to the Commissioner evidence of rehabilitation to have their name removed from the Registry.

Subchapter 7, Registry Checks, provides the requirements for service providers, including caregivers, volunteers, alternates, and respite providers, to check the Central Registry when the entity is a State-operated facility, State-funded facility, as well as a State licensed, contracted, or regulated facility. The subchapter also includes consequences for entities that do not comply with requirements to check the Central Registry, as well as how a person can contest being identified as being on the Central Registry. Lastly, the subchapter provides when, and the process by which, out-of-State facilities are permitted or required to check the Central Registry.

In addition to readopting the existing rules, the Department is making technical changes at N.J.A.C. 10:44D-6.1 to revise all references to "Office of Legal, Regulatory and Guardianship Services" to read "Office of Legal and Regulatory Affairs" to reflect the current title of the office.

The Office of Program Integrity and Accountability has reviewed the rules and determined that they are necessary and proper for the purpose for which they were originally promulgated. Therefore, pursuant to N.J.S.A. 52:14B-5.1.c(1), N.J.A.C. 10:44D is readopted and shall continue in effect for seven years.

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

#### SUBCHAPTER 6. APPEALS AND REMOVAL FROM CENTRAL REGISTRY

##### 10:44D-6.1 Central Registry of Offenders Against Individuals with Developmental Disabilities Informal Hearing

(a) (No change.)

(b) The request for an informal hearing shall be filed within 10 business days from the date of receipt of the notice.

1. All requests for an informal hearing shall be in writing and shall be directed to the following address:

NJ Department of Human Services Office of Legal[,] and Regulatory [and Guardianship Services] **Affairs**

PO Box 700  
6th Floor  
222 South Warren Street  
Trenton, NJ 08625-0700

2. (No change.)

(c) The Department hearing officer shall schedule an informal hearing to take place within 30 calendar days of receipt of such a request. If, after good faith efforts by the requesting party and the Office of Legal[,] and Regulatory [and Guardianship Services] **Affairs**, an informal hearing cannot be arranged to take place within a reasonable period of time, the case may be transferred on appeal to the Office of Administrative Law as described in the appeals rules at N.J.A.C. 10:44D-6.2.

(d) The informal hearing shall take place in Trenton, New Jersey, at facilities provided by the Office of Legal[,] and Regulatory [and Guardianship Services] **Affairs**. The informal hearing will be controlled by the Department hearing officer, who shall consider evidence,

testimony, or documents presented by the requester, as well as the Department's investigating unit.

(e)-(h) (No change.)

## LABOR AND WORKFORCE DEVELOPMENT

(a)

### PUBLIC SAFETY AND OCCUPATIONAL SAFETY AND HEALTH

#### Notice of Readoption Safe Dispensing of Retail Gasoline

##### Readoption: N.J.A.C. 12:196

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

Authority: N.J.S.A. 34:1-20, 34:1A-3.e, and 34:3A-11.

Effective Date: October 10, 2025.

New Expiration Date: October 10, 2032.

**Take notice** that pursuant to N.J.S.A. 52:14B-5.1, the rules at N.J.A.C. 12:196 were scheduled to expire on November 27, 2025.

A summary of the readopted sections follows:

N.J.A.C. 12:196-1.1 sets forth the purpose and scope of the chapter.

N.J.A.C. 12:196-1.2 defines the words and terms used throughout the chapter.

N.J.A.C. 12:196-1.3 sets forth attendant duties.

N.J.A.C. 12:196-1.4 addresses the training of attendants.

N.J.A.C. 12:196-1.5 concerns the certification of attendants.

N.J.A.C. 12:196-1.6 addresses the types of portable containers into which fuel may be dispensed.

N.J.A.C. 12:196-1.7 requires emergency shut-off switches to be provided at a place distant from dispensing devices.

N.J.A.C. 12:196-1.8 addresses sources of ignition; specifically, prohibiting smoking and open flames in areas used for fueling, servicing fuel systems, or receiving or dispensing of Class I liquids; and requiring attendants to ensure that the motors of all vehicles being fueled are shut off during fueling operations.

N.J.A.C. 12:196-1.9 sets forth fire control (extinguisher) requirements.

N.J.A.C. 12:196-1.10 provides for warning signs to be conspicuously posted in the dispensing area.

N.J.A.C. 12:196-1.11 sets forth standards and publications referred to by reference throughout the chapter.

N.J.A.C. 12:196-1.12 requires that each of the standards and publications referred to throughout the chapter be available for inspection.

N.J.A.C. 12:196-1.13 addresses violations and penalties.

N.J.A.C. 12:196-1.14 requires that an administrative hearing be provided to violators before any penalty is levied.

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.

## LAW AND PUBLIC SAFETY

(b)

### DIVISION ON CIVIL RIGHTS

#### Notice of Readoption Regulations Pertaining to Discrimination on the Basis of Disability

##### Readoption with Technical Changes: N.J.A.C. 13:13

Authorized By: Yolanda N. Melville, Director.

Authority: N.J.S.A. 10:5-4.1, 10:5-8, and 10:5-12.

Effective Dates: October 13, 2025, Readoption;  
November 17, 2025, Technical Changes.

New Expiration Date: October 13, 2032.

**Take notice** that pursuant to N.J.S.A. 52:14B-5.1, the rules at N.J.A.C. 13:13 were scheduled to expire on December 18, 2025. These rules address prohibitions against discrimination on the basis of disability in employment, housing, and places of public accommodation and are designed to provide guidance to employers, housing providers, owners and operators of businesses and other public accommodations, people with disabilities, and others who are impacted by the application of the New Jersey Law Against Discrimination (LAD), N.J.S.A. 10:5-1 et seq.

The New Jersey Division on Civil Rights (Division), in the Department of Law and Public Safety, enforces the LAD. The Division has reviewed N.J.A.C. 13:13 and determined that the existing chapter remains necessary, proper, reasonable, efficient, understandable, and responsive for the purposes for which it was originally promulgated, as amended and supplemented over time, and should be readopted with technical changes to update references to the LAD to "N.J.S.A. 10:5-1 et seq." Therefore, pursuant to N.J.S.A. 52:14B-5.1.c(1), N.J.A.C. 13:13 is 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 4. ACCESS TO PUBLIC ACCOMMODATIONS

##### 13:13-4.1 Purpose

The purpose of this subchapter is to implement the provisions of the New Jersey Law Against Discrimination, N.J.S.A. 10:5-1 [to 49] **et seq.**, as it pertains to unlawful discrimination against people with disabilities by the owners, lessees, proprietors, managers, superintendents, agents, or employees of any place of public accommodation.

##### 13:13-4.2 Definitions

The following words and terms, as used in this subchapter, shall have the following meanings:

"LAD" means the New Jersey Law Against Discrimination, N.J.S.A. 10:5-1 [to 49] **et seq.**

...

(c)

### DIVISION ON CIVIL RIGHTS

#### Notice of Readoption Regulations Pertaining to Housing for Older Persons

##### Readoption with Technical Changes: N.J.A.C. 13:15

Authorized By: Yolanda N. Melville, Director.

Authority: N.J.S.A. 10:5-4.1, 10:5-8, and 10:5-12.

Effective Dates: October 13, 2025, Readoption;  
November 17, 2025, Technical Changes.

New Expiration Date: October 13, 2032.

**Take notice** that pursuant to N.J.S.A. 52:14B-5.1, the rules at N.J.A.C. 13:15 were scheduled to expire on February 19, 2026. These rules