

1993, c. 98 (Act). The Act directs the Division of Developmental Disabilities (Division) to coordinate with the New Jersey Council on Developmental Disabilities (NJCDD) to provide supports to families that care for individuals with disabilities in the family home. The family support system permits individuals and their families to define their own needs and select their services within available resources.

Subchapter 1 of the rules sets forth the purpose and scope of the rules, which is to provide a system of family support that is flexible and designed to strengthen and promote families that provide care at home for a family member with a developmental disability. Subchapter 1 also provides the definitions for the words and terms used in the rules.

Subchapter 2 sets forth the eligibility criteria applicable to family support system services. An individual determined eligible for Division services pursuant to N.J.A.C. 10:46A is eligible for family support services if the individual either lives with a family member or an uncompensated caregiver, and other publicly funded agency services are unavailable for the family support sought.

Subchapter 3 provides that the Division will implement the family support service system in conjunction with a Family Support Coordinator who is under the direction of the New Jersey Council on Developmental Disabilities. Subchapter 3 also sets forth the role of the Family Support Coordinator to facilitate and collaborate with the efforts of Regional Family Support Planning Councils and the Statewide Council to assess needs, establish goals, and set priorities for the provision of family supports.

Subchapter 4 provides the membership requirements and responsibilities for the Regional and Statewide Family Support Planning Councils.

While the Division is readopting these rules, it recognizes that further rulemaking may be necessary to update these rules in the future. Thus, the Division will continue to review the rules and may consider making substantial amendments prior to the next scheduled re adoption.

The Division 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. 10:46A is re adopted and shall continue in effect for seven years.

(a)

DIVISION OF DEVELOPMENTAL DISABILITIES

Notice of Re adoption Placement

Re adoption: N.J.A.C. 10:46B

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

Authority: N.J.S.A. 30:4-25.4 and 30:4-165.2.

Effective Date: September 30, 2024.

New Expiration Date: September 30, 2031.

Take notice that pursuant to N.J.S.A. 52:14B-5.1, the rules at N.J.A.C. 10:46B were scheduled to expire on November 17, 2024. N.J.A.C. 10:46B establishes the standards and criteria for placements for eligible individuals. Pursuant to statute, the Division of Developmental Disabilities (Division) assists eligible individuals with appropriate functional services. See N.J.S.A. 30:4-25.4. Functional services include those services that are provided through a residential placement. See N.J.S.A. 30:4-25.1. The Division determines placements based upon each individual's unique needs and situation.

Subchapter 1 of the rules sets forth the purpose of the rules, authority, as well as establishes the standards and criteria for the placement of eligible persons. The subchapter also sets forth the scope of the rules providing that the chapter applies to eligible individuals and provides the definitions for the words and terms used in the chapter.

Subchapter 2 sets forth the general standards for the administration of placements.

Subchapter 3 provides guidelines and parameters regarding the availability of placements, as well as addresses residential placement and

waiting lists. The subchapter also describes the process for determining whether an individual is in need of emergency services.

Subchapter 4 sets forth general standards for placement decisions, sets forth guidelines for placements in private institutions, and provides guidelines for private out-of-State placements.

Subchapter 5 sets forth the provisions for filing an appeal of a placement decision.

While the Division is re adopting these rules, it recognizes that further rulemaking may be necessary to update these rules in the future. Thus, the Division will continue to review the rules and may consider making substantial amendments prior to the next scheduled re adoption.

The Division 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. 10:46B is re adopted and shall continue in effect for seven years.

(b)

DIVISION OF MEDICAL ASSISTANCE AND HEALTH SERVICES

Notice of Re adoption Prosthetic and Orthotic Services

Re adoption with Technical Changes: N.J.A.C. 10:55

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

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

Effective Dates: September 30, 2024, Re adoption; November 4, 2024, Technical Changes.

New Expiration Date: September 30, 2031.

Take notice that pursuant to N.J.S.A. 52:14B-5.1, the rules at N.J.A.C. 10:55, Prosthetic and Orthotic Services, were scheduled to expire on November 20, 2024. N.J.A.C. 10:55 provides provider participation requirements and related information for the provision of prosthetic and orthotic services pursuant to the New Jersey Medicaid/NJ FamilyCare fee-for-service program. The rules also identify covered and non-covered prosthetic and orthotic devices and services.

N.J.A.C. 10:55 provides provider enrollment and participation requirements and related information for the provision of prosthetic and orthotic services pursuant to the Medicaid/NJ FamilyCare fee-for-service programs. The chapter consists of two subchapters and a chapter appendix.

N.J.A.C. 10:55-1 includes the general provisions of the chapter, including an overview of services, pertinent definitions, requirements for participation in the program for providers, policy on footwear, prior authorization requirements, prescription policies, and reimbursement policies.

N.J.A.C. 10:55-2 describes and sets forth the Centers for Medicare & Medicaid Services Healthcare Common Procedure Coding System (HCPCS) codes and the maximum fee allowances for the covered services.

N.J.A.C. 10:55 Appendix A sets forth information regarding the Fiscal Agent Billing Supplement.

While the Department is re adopting these rules with technical changes, it recognizes that further rulemaking may be necessary to update these rules. Therefore, the Department will continue to review the rules and may consider making substantial amendments prior to the next scheduled re adoption.

An administrative review of the rules has been conducted, and a determination has been made that N.J.A.C. 10:55 should be re adopted, with technical changes, because the rules are necessary, reasonable, adequate, efficient, understandable, and responsive to the purposes for which they were originally promulgated. Therefore, pursuant to N.J.S.A. 30:4D-1 et seq., and 30:4J-8 et seq., and in accordance with N.J.S.A. 52:14B-5.1.c(1), these rules are re adopted and shall continue in effect for a seven-year period.