

SUBCHAPTER 8. MARTIN LUTHER KING PHYSICIAN-DENTIST SCHOLARSHIP PROGRAM

9A:11-8.1 Student eligibility

(a) To be eligible for a Martin Luther King Physician-Dentist Scholarship (King Scholarship), a student shall demonstrate that they:

1. Are or has been a legal resident of the State of New Jersey for at least one year immediately before receiving the scholarship;
2. (No change.)
3. Are or will be a full-time student enrolled for an initial M.D., D.O., or D.M.D. degree at Rutgers-Robert Wood Johnson Medical School, Rutgers-New Jersey Medical School, Rutgers-School of Dental Medicine, Cooper Medical School of Rowan University, or Rowan School of Osteopathic Medicine.

(b) (No change.)

9A:11-8.2 Grant amounts

(a) The maximum and minimum award ranges for a King Scholarship shall be annually established by the Board, but shall not exceed the maximum amount of tuition charged at Rutgers-Robert Wood Johnson Medical School, Rutgers-New Jersey Medical School, Rutgers-School of Dental Medicine, Cooper Medical School of Rowan University, or Rowan School of Osteopathic Medicine.

(b) (No change.)

HUMAN SERVICES

(a)

BUREAU OF GUARDIANSHIP SERVICES

Notice of Readoption

Decision-Making for the Terminally Ill

Readoption: N.J.A.C. 10:48B

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

Authority: N.J.S.A. 30:1-12, 30:4-165.1, and 30:4-165.4 et seq., specifically 30:4-165.16.

Effective Date: October 16, 2023.

New Expiration Date: October 16, 2030.

Take notice that pursuant to N.J.S.A. 52:14B-5.1, the rules at N.J.A.C. 10:48B were scheduled to expire on November 29, 2023. The chapter sets forth specific guidelines for the Bureau of Guardianship Services (BGS) when making complex end-of-life decisions on behalf of persons served. Further, the chapter provides specific ethical considerations related to decisions to continue or discontinue medical treatment for a terminally ill person with intellectual/developmental disabilities.

The chapter is comprised of eight subchapters, which are summarized below.

Subchapter 1, General Principles, addresses specific ethical concerns for the population served, provides information regarding access to palliative care, and provides knowledge-based requirements of recognized ethics committee members.

Subchapter 2, Definitions, defines the words and terms used throughout the chapter.

Subchapter 3, Ethics Committee, explains that ethics committees are independent of the Division of Developmental Disabilities and are required to be available for consultation to BGS when end-of-life decisions are considered. The subchapter describes the make-up of ethics committees, including the membership requirements.

Subchapter 4, Decision-Making Capacity, outlines the process of determining whether a terminally ill person has the capacity to make end-of-life decisions. The subchapter provides guidance on the how determinations are made regarding withholding or withdrawing life-sustaining treatment including, but not limited to, Do Not Resuscitate Orders for terminally ill individuals who do not have the capacity to make decisions on their own.

Subchapter 5, Individuals With Capacity to Make Medical Decisions, provides clarification that a person with capacity can independently make end-of-life decisions.

Subchapter 6, Individuals Without Capacity to Make Medical Treatment Decisions for Whom BGS is Not Providing Guardianship Services, provides guidelines for end-of-life decision-making when a surrogate decision-maker, other than BGS, is in place or is required.

Subchapter 7, Individuals Without Capacity to Make Medical Treatment Decisions for Whom BGS is Providing Guardianship Services, includes guidance regarding the role and function of ethics committees, withholding or withdrawing life-sustaining medical treatment for individuals for whom BGS is providing guardianship services, procedures for rendering decisions, and Do Not Resuscitate Orders for BGS consumers.

Subchapter 8, Palliative Care, describes how palliative and hospice care services can be rendered to an individual with a terminal or life-threatening illness.

While the Department of Human Services (Department) is readopting these rules, it recognizes that further rulemaking is necessary to update this chapter to reflect current practices. Thus, the Department will be proposing substantial amendments in an upcoming rulemaking.

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. 52:14B-5.1.c(1), these rules are readopted and shall continue in effect for a seven-year period.

(b)

DIVISION OF MEDICAL ASSISTANCE AND HEALTH SERVICES

Notice of Readoption

NJ FamilyCare-Children's Program

Readoption: N.J.A.C. 10:79

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 Date: October 16, 2023.

New Expiration Date: October 16, 2030.

Take notice that pursuant to N.J.S.A. 52:14B-5.1, the rules at N.J.A.C. 10:79, the NJ FamilyCare-Children's Program chapter, were scheduled to expire on December 13, 2023. N.J.A.C. 10:79 regulates the NJ FamilyCare-Children's Program, which provides healthcare benefits to certain children. The Department of Human Services (Department) has reviewed the chapter and finds that it should be readopted because the rules are necessary, reasonable, adequate, efficient, understandable, and responsive to the purposes for which they were originally promulgated.

The chapter contains eight subchapters, as follows:

N.J.A.C. 10:79-1, Introduction, includes the purpose, scope, and definitions of the NJ FamilyCare-Children's Program.

N.J.A.C. 10:79-2, Case Processing, describes case processing, including application submission, reviewing agency responsibilities, interview, application processing, date of initial eligibility, retroactive eligibility for Plan A, redetermination of eligibility, and case transfers.

N.J.A.C. 10:79-3, Non-financial Eligibility Factors, delineates the non-financial factors required to establish program eligibility. Following a section on general provisions are rules regarding citizenship, State residency, eligible children, household unit, third-party liability, health insurance coverage rules, persons sanctioned pursuant to the Temporary Assistance for Needy Families (TANF) or Aid to Families with Dependent Children (AFDC) rules, and inmates of public institutions.

N.J.A.C. 10:79-4, Financial Eligibility, includes income eligibility factors, prospective budgeting of income, countable income standards, and resource eligibility.

N.J.A.C. 10:79-5, Administration, includes rules regarding eligibility determination agencies, administrative principles, confidentiality of