

(b) The content and format of the annual report for covered facilities is available upon request to the Ambulatory Care Facility Assessment Unit at PO Box 358, Trenton, NJ 08625-0360, telephone (609) 913-5791 and from the Department's forms page at <https://nj.gov/health/forms>. Instructions on how to submit the electronic standardized Department form may be found at <https://dohlicensing.nj.gov/helpfel5>.

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

(e) Covered facilities shall submit an annual report for the calendar year preceding the State fiscal year to the Department, in care of the Ambulatory Care Facility Assessment Unit, by no later than May 31 preceding the start of the State fiscal year.

1. Facilities failing to provide annual reports by June 30 preceding the start of the State fiscal year shall pay the maximum assessment of \$350,000 for the State fiscal year.

(f) Annual reports mailed shall be submitted to the following address: New Jersey Department of Health, Office of Health Care Financing, Ambulatory Care Facility Assessment Unit, PO Box 358, Trenton, NJ 08625-0358, telephone (609) 913-5791.

(g) Annual reports hand delivered shall be submitted to the following address: New Jersey Department of Health, Office of Health Care Financing, Ambulatory Care Facility Assessment Unit, 55 North Willow Street, 5th Floor, Room 5015, Trenton, NJ 08608, telephone (609) 913-5791.

8:31A-3.2 Audit of annual report

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

(c) If the Department determines, upon audit pursuant to this section, that a covered facility understated its gross receipts in its annual report by more than a de minimis amount, the Department shall increase retroactively the covered facility's assessment for the fiscal year that was based on the defective report to the appropriate amount and the facility shall be liable for a penalty in the amount set forth at N.J.A.C. 8:31A-4.1(c).

SUBCHAPTER 4. ENFORCEMENT

8:31A-4.1 Penalties

(a) (No change.)

(b) A covered facility that is operating one or more ambulatory care services listed at N.J.A.C. 8:31A-1.1(b) without a license from the Department shall be liable for double the amount of the assessment provided at N.J.A.C. 8:31A-2.1, in addition to such other penalties as the Department may impose by law for operating an ambulatory care facility without a license.

(c) If the Department determines, upon audit pursuant to N.J.A.C. 8:31A-3.2, that a covered facility understated its gross receipts in its annual report by more than a de minimis amount, the covered facility shall be liable for a penalty in the amount of the difference between the original and corrected assessments, which shall be in addition to the amount of the retroactive assessment difference that the Department imposes pursuant to N.J.A.C. 8:31A-3.2(c).

HIGHER EDUCATION

(a)

NEW JERSEY HIGHER EDUCATION EDUCATIONAL OPPORTUNITY FUND Notice of Administrative Changes Administrative Policies and Procedures Undergraduate EOF Financial Eligibility Financial Eligibility for Initial Article III Student Grants

N.J.A.C. 9A:11-2.3

Effective Date: June 1, 2022.

Take notice that, in accordance with N.J.A.C 9A:11-2.3(a), the Educational Opportunity Fund (EOF) Board of Directors announces an

updated EOF Income Eligibility Scale. The EOF Income Eligibility scale is based on 200 percent of the annual Federal Poverty Guidelines (that is, doubled) as published annually in the Federal Register.

Full text of the changed rule follows (additions indicated in boldface thus; deletions indicated in brackets ([thus]):

SUBCHAPTER 2. UNDERGRADUATE EOF ACADEMIC AND FINANCIAL ELIGIBILITY

9A:11-2.3 Financial eligibility for initial Article III student grants

(a) The EOF Income Eligibility Scale is based on 200 percent of the annual Federal poverty guideline (that is, doubled) as published annually by the United States Department of Health and Human Services in the Federal Register. This benchmark was established to reflect an eligible target population consistent with the intent of the original legislation. The EOF Executive Director shall inform institutions of annual adjustments to the EOF Income Eligibility Scale each summer, and the gross income limits set forth in this subsection shall be updated through a notice of administrative change published in the New Jersey Register.

1. Except provided at (d), (e), (g), (h), and (i) below, dependent and independent students are financially eligible for an initial Article III student grant if their gross household income does not exceed the applicable amounts set forth in the EOF Income Eligibility Scale, as follows:

Academic Year [2022-2023] 2023-2024

Table with 2 columns: Household size of Applicants with, Gross Income Not to Exceed. Rows 1-8.

2. For each additional member of the household, an allowance of \$[9,080] 9,440 shall be added to this amount in order to determine EOF eligibility for the [2022-2023] 2023-2024 academic year.

3. (No change.)

(b)-(k) (No change.)

HUMAN SERVICES

(b)

DIVISION OF MENTAL HEALTH AND ADDICTION SERVICES

Notice of Readoption County Psychiatric Facilities

Readoption with Technical Changes: N.J.A.C. 10:35

Authority: N.J.S.A. 30:1-12 and 30:4-78, 78.1 through 78.5, and 79; and Reorganization Plan 001-2018.

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

Effective Dates: May 27, 2022, Readoption;

July 5, 2022, Technical Changes.

New Expiration Date: May 27, 2029.

**Take notice** that pursuant to N.J.S.A. 52:14B-5.1, the rules at N.J.A.C. 10:35, County Psychiatric Facilities, were scheduled to expire on July 17, 2022. This chapter contains the rules of the Department of Human Services (Department), Division of Mental Health and Addiction Services (Division), that govern the provision of mental health services in county psychiatric facilities.

This chapter applies to the operation of current county psychiatric facilities or units, and any additional county psychiatric facilities or units that may be so designated by the Department in the future. The rules delineate requirements, including financial and management plans, affiliation agreements, and transfer of patients between regional State and county psychiatric facilities, as well as sanctions and appeals processes for violations of the rules.

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

In addition to readopting the existing rules, the Department is proposing technical changes throughout N.J.A.C. 10:35. The technical changes include updating the names of county psychiatric facilities, to reflect a 2018 reorganization through which the State psychiatric hospitals were retained by and fall under the operation of the New Jersey Department of Health, and to ensure consistent use of terminology.

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 30:4-27.8-10, and in accordance with N.J.S.A. 52:14B-5.1.c(1), the 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

10:35-1.1 Scope

This chapter shall apply to the operation of the four current county psychiatric facilities at [Bergen Regional] **New Bridge Medical Center**; Essex County Hospital Center; Meadowview Psychiatric Hospital; and [Runnells Specialized Hospital] **Cornerstone Behavioral Health Hospital of Union County**. This chapter shall also apply to any additional county psychiatric facilities, which may be so designated by the Commissioner in the future.

10:35-1.3 Definitions

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

...  
 "Regional State psychiatric facility" means those State psychiatric hospitals listed [in] at N.J.S.A. 30:1-7, which are being utilized [by the Division of Mental Health and Addiction Services] to treat adult psychiatric patients within designated regions of the State. These facilities are Ancora Psychiatric Hospital, Greystone Park Psychiatric Hospital, and Trenton Psychiatric Hospital.

SUBCHAPTER 2. FINANCIAL AND MANAGEMENT PLAN

10:35-2.2 Content of plan

(a) The plan from each county **psychiatric** facility shall minimally include the following information:

1. A statement of whether the governing body of the county intends to continue to operate or privatize a county psychiatric facility for the next calendar year. Should the governing body of the county intend to privatize the county psychiatric facility, the plan must minimally include the following:

- i-iii. (No change.)
- iv. An attestation that the county will work collaboratively with the Division through the transition to ensure safe and quality continued care for the patients of the county **psychiatric** hospital and to facilitate a smooth transition for the local system of care[.];

2. A statement of any financial obligations that must be incurred in order to bring the **county psychiatric** facility into compliance with State and Federal standards, including any applicable plan of correction;

3. A statement of mission and the role of the **county psychiatric** facility within local and regional mental health systems;

4.-9. (No change.)

10. An identification of proposals or plans external to the **county psychiatric** facility, which may impact on the **county psychiatric** facility's ability to provide services; and

11. (No change.)

10:35-2.4 Modifications to the plan

(a)-(d) (No change.)

(e) The governing body of each county shall immediately inform the Assistant Commissioner, in writing, of any changes in the status of the **county psychiatric** facility's licensure, accreditation, or certification, as these occur during the year.

10:35-2.5 Division review of initial and modified plans and annual certification

(a) The Assistant Commissioner shall complete the review of each **county psychiatric** facility's plan and notify, in writing, the governing body of the county of his or her decision to approve[,] or approve with conditions, the county's plan guiding the operations of its respective **county psychiatric** facility within 90 days of the plan's receipt.

(b) (No change.)

SUBCHAPTER 3. AFFILIATION AGREEMENT DEVELOPMENT

10:35-3.1 Affiliation agreement development

(a) (No change.)

(b) The purpose of these agreements shall be to effectively link the **county psychiatric** facility's services to these other services so that accessible, high quality mental health care is provided in the most clinically appropriate, least restrictive service environment, consistent with an individual's needs.

(c)-(h) (No change.)

10:35-3.2 Review process

(a)-(c) (No change.)

(d) County systems review committees shall review the operational aspects of the **county psychiatric** facility affiliation agreements.

(e) (No change.)

(a)

**COMMISSION FOR THE BLIND AND VISUALLY IMPAIRED**

**Notice of Readoption  
 Prevention Services Program of the Commission for  
 the Blind and Visually Impaired  
 Readoption: N.J.A.C. 10:94**

Authority: N.J.S.A. 30:1-2 and 30:6-1et seq.

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

Effective Date: May 31, 2022.

New Expiration Date: May 31, 2029.

**Take notice** that N.J.A.C. 10:94, Prevention Services Program of the Commission for the Blind and Visually Impaired, was scheduled to expire on July 20, 2022. The rules in the chapter facilitate programing that allow for a range of services that intend to save sight and restore vision, whenever it is possible, for service recipients Statewide. The Department of Human Services (Department) recognizes that further rulemaking is necessary to update this chapter to be consistent with best practices. To that end, the Department is considering substantive amendments to be published following this readoption.

The Department has reviewed the rules and has determined them to be necessary, reasonable, and proper for the purposes for which they were