

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

originally promulgated, as required at N.J.S.A. 30:1-12 et seq. In accordance with N.J.S.A. 52:14B-5.1.c(1), these rules should be readopted and continue in effect for a seven-year period.

The following is a summary of the subchapters at N.J.A.C. 10:94.

Subchapter 1, Overview of Prevention Services, provides the purpose and scope of the services provided to save and restore eye sight whenever possible through a variety of educational programs as well as eye health and preventions services. This subchapter also includes the definition of terms utilized throughout the chapter.

Subchapter 2, Eye Health Nursing Program, describes the criteria to receive eye health services; a non-exhaustive list of services provided by CBVI eye health nurses; emergency services; the provision of optical aids or devices, as well as ocular prostheses; the provision of equipment, medical aids, and devices; and hospital and surgical procedures.

Subchapter 3, Vision and Eyes Screening Programs, describes the different eye screening and vision care services, including: early childhood vision screenings, on-site screenings, the migrant eye screening program, and diabetic eye disease detection that are provided to service recipients through the "Project BEST-Better Eye-Health Services and Treatment" program.

Subchapter 4, Low Vision Program, describes the services that assist low vision consumers with maximizing visual efficiency and functioning in their daily lives.

Subchapter 5, Other Services, describes services provided to consumer families that are supportive or non-cost services that assist the consumer with reaching their goals, such as providing transportation services.

(a)

DIVISION OF DEVELOPMENTAL DISABILITIES

**Notice of Administrative Changes
Contribution to Care and Maintenance
Requirements**

**Notice of Family Maintenance Standard, Medical
Cost Standard, Tuition Deduction, and the Cost
of Care and Maintenance Rates**

N.J.A.C. 10:46D-3.2

Effective Date: June 6, 2022.

Take notice that, in accordance with N.J.A.C. 10:46D-3.2, the Department of Human Services (Department) announces that the following family maintenance standard (N.J.A.C. 10:46D-3.2(a)), medical cost standard (N.J.A.C. 10:46D-3.2(a)), tuition deduction standard (N.J.A.C. 10:46D-3.2(a) and (f)), and the cost of care and maintenance rates shall be utilized in the determination of eligibility and the contribution to care and maintenance of individuals residentially placed by the Division of Developmental Disabilities and their legally responsible relatives for the period beginning January 1, 2022. The approved calendar year 2022 patient payment per diem rate for State developmental centers is \$1,283.00. The approved calendar year 2022 patient payment per diem rate for residential functional services is \$384.00. These changes are effective January 1, 2022. This notice of administrative changes is published pursuant to N.J.A.C. 1:30-2.7.

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

SUBCHAPTER 3. TREASURY FORMULA-DDD

10:46D-3.2 DDD Formula B-DDD(B) for individuals under age 18

(a) This section shall apply to the individual under age 18 being served, LRR(s) or any other person responsible for the estate of such individual and/or LRR(s). The family maintenance standard for a family of four, for calendar year [2021] **2022**, is [\$34,382] **\$35,639**, the medical cost standard for a family of four is [\$9,523] **\$9,287** and the tuition deduction shall be revised annually, using the Consumer Price Index figures then applicable and the cost for in-State tuition at Rutgers, the State University, ([\$12,230] **\$12,536** for school year [2020-21] **2021-22**). These revisions

shall be published annually by the Department as public notices in the New Jersey Register. Additionally, the Department shall publish in the New Jersey Register, the cost of care and maintenance rates as established by the Commissioner.

(b)-(e) (No change.)

(f) The deduction for college tuition shall be the actual college tuition cost paid, but shall not exceed the maximum of the annual in-State tuition expenses for Rutgers University. The deduction shall be the net of any scholarships, awards, or grants, and shall cover tuition paid, but shall not cover such items as room, board, books, and lab fees. The maximum college tuition deduction for school year [2020-2021] **2021-2022** is [\$12,230] **\$12,536**. This shall be revised annually as required at (a) above.

(g)-(j) (No change.)

LAW AND PUBLIC SAFETY

(b)

DIVISION OF STATE POLICE

Motor Vehicle Race Track Rules

Readoption with Amendments: N.J.A.C. 13:62

Adopted New Rules: N.J.A.C. 13:62-4.27 and 17

Proposed: February 7, 2022, at 54 N.J.R. 253(a).

Adopted: May 4, 2022, by Colonel Patrick J. Callahan, Office of the Superintendent, Division of State Police, with the approval of Matthew J. Platkin, Acting Attorney General.

Filed: June 6, 2022, as R.2022 d.083, **without change**.

Authority: N.J.S.A. 5:7-8; and Attorney General Executive Directive 1982-2.

Effective Dates: June 6, 2022, Readoption;
July 5, 2022, Amendments and New Rules.

Expiration Date: June 6, 2029.

Summary of Public Comment and Agency Response:

The official comment period ended April 8, 2022. **No comments were received.**

Federal Standards Statement

The rules readopted with amendments and new rules are not subject to any Federal standards or requirements. Therefore, a Federal standards analysis is not required.

Full text of the readopted rules can be found in the New Jersey Administrative Code at N.J.A.C. 13:62.

Full text of the adopted amendments and new rules follows:

SUBCHAPTER 1. DEFINITIONS

13:62-1.1 Definitions

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

...
"Driving experience" means a motorsports activity where a patron receives the opportunity to drive a street or race car on a racetrack without restrictions, usually accompanied by an instructor.

...
"Vintage race car" means any original, purpose-built race car, which is over 20 years old, or a reproduction that does not meet the current safety guidelines as defined by the provisions set forth in this chapter.

SUBCHAPTER 2. MOTOR VEHICLE RACE TRACK LICENSE REQUIREMENTS AND LICENSEE RESPONSIBILITIES: ALL RACING EVENTS

13:62-2.1 License application procedure

(a) A license shall be required for any operation or conduct of motor vehicle races and exhibitions of motor vehicle driving and the tracks or places at which the same are operated and conducted. The application for