

occurrence [insert: "per facility" if multiple facilities are covered by this one document] and [dollar amount] annual aggregate ["per facility" if multiple facilities are covered by this one document]. [insert if applicable: "This local government is not organized to provide general governmental services and does not have the legal authority under State law or constitutional provisions to issue general obligation debt."]

The details of the issue date, maturity, outstanding amount, bond rating, and bond rating agency of all outstanding [insert if applicable: "revenue"] bond issues that are being used by [insert: name of local government owner or operator] to demonstrate financial responsibility are as follows: [complete table]

<u>Issue Date</u>	<u>Maturity Date</u>	<u>Outstanding Amount</u>	<u>Bond Rating</u>	<u>Rating Agency</u>
				[insert: Standard & Poor's or Moody's]

The total outstanding obligation of [insert: amount], excluding refunded bond issues, exceeds the minimum amount of {\$1 million} [insert: dollar amount per occurrence]. All outstanding [insert: "general obligation" or "revenue"] bonds issued by this government that have been rated by Standard and Poor's or Moody's are rated at least investment grade (Standard and Poor's BBB or Moody's Baa) based on the most recent ratings published within the last 12 months. [insert if applicable: "The revenue bonds listed are not backed by third-party credit enhancement or are insured by a municipal bond insurance company."] Neither rating service has provided notification within the last 12 months of downgrading of bond ratings below investment grade or of withdrawal of bond rating other than for repayment of outstanding bond issues.

I hereby certify that the wording of this letter is identical to the wording specified in Appendix B of N.J.A.C. 7:1E, as such rules were constituted on the date shown immediately below.

[Signature]
[Name]
[Title]
[Date]
...

HUMAN SERVICES

(a)

DIVISION OF FAMILY DEVELOPMENT New Jersey Supplemental Nutrition Assistance Program Updated Procedures for Students in an Institution of Higher Education

Proposed Amendment: N.J.A.C. 10:87-3.14

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

Authority: N.J.S.A. 30:1-12; P.L. 2022, c. 32 (N.J.S.A. 44:10-111); 7 U.S.C. § 2015; and 7 CFR 273.5.

Calendar Reference: See Summary below for explanation of exception to calendar requirement.

Proposal Number: PRN 2024-059.

Submit comments by July 19, 2024, to:

Megan R. Mazzone, Administrative Practice Officer
Division of Family Development
PO Box 716
Trenton, New Jersey 08625-0716
or by email: DFD-Regulations@dhs.nj.gov

The agency proposal follows:

Summary

As the Department of Human Services (Department) is providing a 60-day comment period on this notice of proposal, this notice is excepted

from the rulemaking calendar requirement pursuant to N.J.A.C. 1:30-3.3(a)5.

The Department proposes to amend N.J.A.C. 10:87-3.14 to make it consistent with current Federal Supplemental Nutrition Assistance Program (SNAP) rules and regulations at 7 U.S.C. § 2015(e) and 7 CFR 273.5, relating to students in institutions of higher education. The proposed amendments would codify that New Jersey has opted to allow higher education students to average weekly hours worked over the course of a month for purposes of establishing the 20 hours per week eligibility requirement for the New Jersey Supplemental Nutrition Assistance Program (NJ SNAP).

At N.J.A.C. 10:87-3.14(a), (b), and (c), proposed language defining students enrolled in an institution of higher education has been revised for clarity and to parallel the applicable Federal regulation more closely at 7 CFR 273.5. Also, at N.J.A.C. 10:87-3.14(a), language relating to training programs is proposed for deletion. Training programs are now proposed to be addressed at new N.J.A.C. 10:87-3.14(d)9, to improve clarity and more closely parallel the structure of the relevant Federal regulation.

At N.J.A.C. 10:87-3.14(d)1, proposed language has been added providing that, in determining whether a higher education student is employed for 20 hours per week, work hours shall be averaged over the course of a month, including hours accrued during academic breaks shorter than a month. Federal regulations permit such averaging, and this proposed amendment codifies that New Jersey has opted to implement such averaging.

At N.J.A.C. 10:87-3.14(d)3, proposed language has been added to clarify that only one higher education student per dependent child under the age of six in the same NJ SNAP household can qualify for NJ SNAP on the grounds that they are responsible for caring for that dependent child.

At N.J.A.C. 10:87-3.14(d)4, a technical change is proposed to add a cross-reference to N.J.A.C. 10:87-3.14(d)2. Also, proposed language has been added to clarify that where a higher education student is eligible for NJ SNAP because they are responsible for caring for a dependent child between the ages of six and 12 years of age, and there is not adequate child care available to satisfy work or work study rules, only one student per dependent child in the same household can qualify for NJ SNAP on this ground.

At N.J.A.C. 10:87-3.14(d)6 and 7, amendments have been proposed to replace references to predecessor Federal programs with updated references to the current Federal programs, consistent with the parallel Federal SNAP rules and regulations.

At N.J.A.C. 10:87-3.14(d)7, amendments have been proposed adding language that appears in Federal SNAP regulations relating to employment and training programs at institutions of higher education that confer student eligibility for NJ SNAP.

At N.J.A.C. 10:87-3.14(e), a technical correction is proposed to correct a cross-reference.

Social Impact

The proposed amendments that provide for averaging student work hours over the course of a month, including hours worked during school breaks shorter than a month, in determining whether students meet the 20-hour a week work requirement, is expected to have a positive social impact. More higher education students may be eligible for NJ SNAP because of this flexible approach to averaging monthly hours worked. The remaining amendments do not involve any significant substantive changes to NJ SNAP and are not anticipated to have a social impact.

Economic Impact

The proposed amendments do not involve any significant substantial changes to NJ SNAP and are not anticipated to have an economic impact.

Federal Standards Statement

The Department has reviewed the applicable Federal laws and regulations. The proposed amendments include standards that do not exceed those at 7 CFR 272 and 273.

Jobs Impact

The proposed amendments will not result in the generation or loss of jobs in New Jersey.

Agriculture Industry Impact

The proposed amendments will not have an impact on the agriculture industry.

Regulatory Flexibility Statement

The proposed amendments have been reviewed with regard to the Regulatory Flexibility Act, N.J.S.A. 52:14B-16 et seq. The proposed amendments impose no reporting, recordkeeping, or other compliance requirements on small businesses and, thus, a regulatory flexibility analysis is not required. The proposed amendments make minor updates to NJ SNAP rules governing students in institutions of higher education so the rules will be consistent with current Federal rules and regulations governing SNAP and codify NJ SNAP policy on averaging work hours for these students.

Housing Affordability Impact Analysis

The proposed amendments will not have an impact on the affordability of housing in New Jersey. It is highly unlikely that the proposed amendments would evoke a change in the average costs associated with housing because the amendments make minor changes and updates relating to the eligibility of students at institutions of higher education for NJ SNAP.

Smart Growth Development Impact Analysis

The proposed amendments will not have an impact on smart growth. It is highly unlikely that the proposed amendments would evoke a change in housing production in Planning Areas 1 or 2, or within designated centers, pursuant to the State Development and Redevelopment Plan in New Jersey because the amendments make minor changes and updates relating to the eligibility of students at institutions of higher education for NJ SNAP.

Racial and Ethnic Community Criminal Justice and Public Safety Impact

The Department has evaluated this rulemaking and determined that it will not have an impact on pretrial detention, sentencing, probation, or parole policies concerning adults and juveniles in the State. Accordingly, no further analysis is required.

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

SUBCHAPTER 3. ELIGIBILITY FACTORS OTHER THAN NEED

10:87-3.14 Procedures for students in an institution of higher education

(a) A student in an institution of higher education is defined: Any] **as any** person who is between the ages of 18 and 50, who is physically and mentally fit, and is enrolled at least [half time] **half-time** in an institution of higher education. [Excluded from this definition are persons who are] **Half-time is defined by the institution of higher education and is usually based upon the number of credits or hours enrolled. Persons** attending high school[, participating in on-the-job training programs and training programs which] are not **considered students in an** institution[s] of higher education.

(b) [An] **A person is considered enrolled in an** institution of [post secondary] **higher** education [is any public or private educational institution which normally requires a high school diploma or equivalency certificate for enrollment or admits persons who are beyond the legal age of compulsory school attendance, provided that the institution is legally authorized by the State to provide an educational program beyond secondary education or provides a training program to prepare students for gainful employment.] **if they are enrolled in a business, technical, trade, or vocational school that normally requires a high school diploma or equivalency certificate for enrollment, or if the person is enrolled in a regular curriculum at a college or university that offers degree programs regardless of whether a high school diploma is required.**

(c) [A student shall be considered “enrolled” in an institution of higher education beginning] **The enrollment status of a student shall begin** on the first day of the school term **of the institution of higher education.** Such enrollment shall be deemed to continue through normal periods of class attendance, vacation, and recess, unless the student graduates, is

suspended or expelled, drops out, or does not intend to register for the next normal school term (excluding summer school).

(d) In order to be eligible to participate in the NJ SNAP program, any student (as defined [in] **at** (a) above) shall meet at least one of the following criteria:

1. Be employed for a minimum of 20 hours per week and be paid for such employment or, if self-employed, be employed for a minimum of 20 hours per week and receive weekly earnings at least equal to the Federal minimum wage multiplied by 20 hours. **Student work hours shall be calculated by averaging work hours over the course of a month, including work hours accrued during academic breaks shorter than one month. Work hours accrued during academic breaks longer than one month are excluded;**

2. (No change.)

3. Be responsible for the care of a dependent household member under the age of six[;].

i. Only one person per dependent in the same NJ SNAP household may qualify pursuant to this provision;

4. Be responsible for the care of a dependent household member between the ages of six and 12 for whom adequate child care is not available to enable the student to either attend class and satisfy the 20-hour work requirement at (d)1 above, or to participate in a [state or Federally-financed] **State or Federally financed** work study program during the regular school year[;], **as set forth at (d)2 above.**

i. (No change.)

ii. Only one person per dependent **in the same NJ SNAP household** may qualify [under] **pursuant to** this provision;

5. Be receiving benefits from the Work First New [Jersey/Temporary] **Jersey (WFNJ) or other Temporary** Assistance for Needy Families ([WFNJ/ TANF] **TANF**) program;

[6. Participate in the JOBS program under Title IV of the Social Security Act;]

6. Be enrolled in an institution of higher education as a result of participation in the work incentive program pursuant to Title IV of the Social Security Act (42 U.S.C. §§601 et seq.), or its successor programs;

7. Be assigned to or placed in an institution of higher education through or in compliance with the requirements of one of the programs identified at (d)7i through iv below. Self-initiated placements during the period of time the person is enrolled in one of these employment and training programs shall be considered to be in compliance with the requirements of the employment and training program in which the person is enrolled, provided that the program has a component for enrollment in an institution of higher education, and that the program accepts the placement. Persons who voluntarily participate in one of these employment and training [activities] **programs**, and are placed in an institution of higher education through or in compliance with the requirements of the [activity] **program**, shall also qualify [for the exemption]. The programs are:

i. A program [under the Workforce Investment Act of 1998 (WIA) (P.L. 105-220)] **pursuant to Title I of the Workforce Innovation and Opportunity Act (29 USC §§ 3111 et seq.);** [or]

ii. An NJ SNAP Employment and Training Program (NJ SNAP ETP) activity [under N.J.A.C. 10:87-10.4, unless the individual meets the exemption criteria at N.J.A.C. 10:87-10.2(b)3; or] **pursuant to N.J.A.C. 10:87-10, including, but not limited to, a course or program of study that:**

(1) Is part of a program of career and technical education as defined at section 3 of the Carl D. Perkins Career and Technical Education Act of 2006 (20 U.S.C. § 2302) designed to be completed in not more than four years at an institution of higher education; or

(2) Is limited to remedial courses, basic adult education, literacy, or English as a second language;

iii. (No change.)

iv. An employment and training program for low-income households that is operated by the State of New Jersey, or its local governments, where one or more of that program’s requirements is at least equivalent to an acceptable NJ SNAP ETP component as specified at N.J.A.C. 10:87-10[.14]; [or]

8. Be a single parent enrolled in an institution of higher education on a full-time basis (as defined by the institution), and be responsible for the

care of a dependent child under the age of 12. This provision is to be applied in those situations where only one natural, adoptive, or step-parent (regardless of marital status) is in the same NJ SNAP household as the child. (For example, if one natural parent and a step-parent are living with the child, neither the natural parent nor the step-parent shall qualify as an eligible student [under] pursuant to this provision.) If no natural, adoptive, or step-parent is in the same NJ SNAP household as the child, another full-time student in the same NJ SNAP household as the child may qualify for eligible student status [under] pursuant to this provision if he or she has parental control over the child, and is not living with his or her spouse[.]; or

9. Be participating in an on-the-job training program. A person is considered to be participating in an on-the-job training program only during the period of time the person is being trained by the employer.

(e) The income and resources of an ineligible student living with a household shall not be considered in determining eligibility or level of benefits of the household (see N.J.A.C. 10:87-5.9(a)[12]13).

LAW AND PUBLIC SAFETY

(a)

**DIVISION OF CONSUMER AFFAIRS
BOARD OF MESSAGE AND BODYWORK THERAPY
Professional Liability Insurance; Entities Providing
Education in CPR, Firstaid, and Use of an
Automated External Defibrillator
Proposed Amendments: N.J.A.C. 13:37A-2.1
through 2.5 and 6.1**

Authorized By: Board of Massage and Bodywork Therapy, Lisa Tadeo, Acting Executive Director.

Authority: N.J.S.A. 45:11-67.

Calendar Reference: See Summary below for explanation of exception to calendar requirement.

Proposal Number: PRN 2024-060.

Submit comments by July 19, 2024, to:

Lisa Tadeo, Acting Executive Director
Board of Massage and Bodywork Therapy
Division of Consumer Affairs
124 Halsey Street
PO Box 45048
Newark, New Jersey 07101
or electronically at: <http://www.njconsumeraffairs.gov/Proposals/Pages/default.aspx>.

The agency proposal follows:

Summary

P.L. 2019, c. 405, requires applicants for licensure as massage and bodywork therapists and registered employers of licensed massage and bodywork therapists to maintain professional liability insurance. The law establishes the minimum amount of such insurance as no less than \$1,000,000 per occurrence and \$3,000,000 aggregate per policy year. The Board of Massage and Bodywork Therapy (Board) proposes to amend N.J.A.C. 13:37A-2.1 through 2.5 and 6.1 to effectuate P.L. 2019, c. 405. The Board proposes further amendments addressed below.

The Board has received notice that the American Safety and Health Institute, EMP International Inc., and EMS Safety Services Inc., entities, which are recognized at N.J.A.C. 13:37A-2.1 and 2.3 as those that can approve or offer courses in CPR, Firstaid, and use of an automated external defibrillator (AED), have merged into a new entity, the Health & Safety Institute. The Board proposes to amend N.J.A.C. 13:37A-2.1 and 2.3 to delete references to the American Safety and Health Institute, EMP International Inc., and EMS Safety Services Inc., and to replace them with reference to the Health & Safety Institute.

The Board has also received a request from ProTrainings to be recognized as an entity that can approve or offer courses in CPR, Firstaid,

and use of an AED. The Board has reviewed the courses offered by ProTrainings and has determined that they are substantially similar to courses offered by the American Heart Association. The Board proposes to amend N.J.A.C. 13:37A-2.1 and 2.3 to include ProTrainings as an entity that can approve or offer courses in CPR, Firstaid, and use of an AED.

The Board has determined that the comment period for this proposal shall be 60 days; therefore, pursuant to N.J.A.C. 1:30-3.3(a)5, this notice is excepted from the rulemaking calendar requirement.

Social Impact

The Board believes that the proposed amendments at N.J.A.C. 13:37A-2.1 through 2.5 and 6.1 will benefit society by ensuring that massage and bodywork licensees and registered employers of licensed massage and bodywork therapists have the resources to cover any damages due to malpractice on their part and to allow an additional entity to provide training.

Economic Impact

The proposed amendments at N.J.A.C. 13:37A-2.1 through 2.5 and 6.1 will impose costs on massage and bodywork licensees and registered employers of licensed massage and bodywork therapists. These costs are outweighed by the benefits the public receives by ensuring that licensees and registered employers have the resources to cover any damages due to malpractice and are required by statute.

Federal Standards Statement

A Federal standards analysis is not required because there are no Federal laws or standards applicable to the proposed amendments.

Jobs Impact

The Board does not believe that the proposed amendments will increase or decrease the number of jobs in New Jersey.

Agriculture Industry Impact

The Board does not believe that the proposed amendments will have any impact on the agriculture industry of this State.

Regulatory Flexibility Analysis

Any licensed massage and bodywork therapist or registered employer who qualifies as a “business which is resident in this State, independently owned and operated and not dominant in its field, and which employs fewer than 100 full-time employees” would constitute a “small business” within the meaning of the Regulatory Flexibility Act, N.J.S.A. 52:14B-16 et seq. (RFA). To the extent a licensed massage and bodywork therapist or registered employer qualifies as a “small business” pursuant to the RFA, the following analysis applies pursuant to N.J.S.A. 52:14B-19.

The costs imposed on small businesses are the same as those imposed on all businesses as outlined in the Economic Impact above. The Board does not believe that licensees or registered employers will need to employ any professional services to comply with the requirements of the proposed amendments. The proposed amendments do not impose reporting or recordkeeping requirements, but do impose compliance requirements as detailed in the Summary above.

As the compliance requirements in the proposed amendments are necessary to ensure that licensees and registered employers have the resources to cover any damages due to malpractice, the Board believes that the proposed amendments must be uniformly applied to all licensees and registered employers and no exemptions are provided based on the size of the business. Furthermore, the minimum insurance requirements are dictated by statute, and the Board does not have the ability to deviate from this standard.

Housing Affordability Impact Analysis

The proposed amendments will have an insignificant impact on the affordability of housing in New Jersey and there is an extreme unlikelihood that the rulemaking would evoke a change in the average costs associated with housing because the proposed rules concern entities that may approve or offer courses in CPR, Firstaid, and use of an AED, and malpractice insurance requirements for licensees and registered employers.

Smart Growth Development Impact Analysis

The proposed amendments will have an insignificant impact on smart growth and there is an extreme unlikelihood that the rulemaking would