

1.-23. (No change.)

24. To be accompanied by a support person both in the emergency department and during hospitalization, in areas where communication between hospital staff, professionals, and patients would normally take place.

Recodify existing 24.-31. as **25.-32.** (No change in text.)

HUMAN SERVICES

(a)

DIVISION OF FAMILY DEVELOPMENT

New Jersey Supplemental Nutrition Assistance Program (NJ SNAP)

Elimination of the Supplemental Nutrition Assistance Program (SNAP) Family Cap Provisions

Proposed Amendments: N.J.A.C. 10:87-2.32 and 5.7

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

Authority: N.J.S.A. 30:1-12; and P.L. 2020, c. 99.

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

Proposal Number: PRN 2025-029.

Submit comments in writing by June 6, 2025, to:

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

The agency proposal follows:

Summary

N.J.A.C. 10:87 sets forth the rules of the Department of Human Services (Department), Division of Family Development (Division), governing the New Jersey Supplemental Nutrition Assistance Program (NJ SNAP).

Section 7 at P.L. 1997, c. 38, formerly codified at N.J.S.A. 44:10-61, mandated that the level of Work First New Jersey (WFNJ) cash assistance benefits payable to an assistance unit shall not increase as a result of the birth of a child during the period in which the assistance unit was eligible for benefits. This provision was generally known as the “family cap.” On September 29, 2020, Governor Murphy signed P.L. 2020, c. 99, into law, which repealed P.L. 1997, c. 38, § 7. While the family cap did not affect Supplemental Nutrition Assistance Program (SNAP) benefit levels, the Department is proposing amendments to the SNAP rules at N.J.A.C. 10:87-2.32 and 5.7 in order to remove references to the WFNJ family cap. The proposed amendment at N.J.A.C. 10:87-2.32(a)5 eliminates the SNAP categorical eligibility category for households whose WFNJ cash assistance benefits had been impacted by the family cap.

The proposed amendments at N.J.A.C. 10:87-5.7(c)3i and (d) concern exceptions to the limitation on SNAP benefits increasing in instances where WFNJ cash assistance recipients are sanctioned due to noncompliance with program requirements. While SNAP benefits are generally limited to pre-sanction levels, benefits would increase if the assistance unit size increased, even in circumstances where WFNJ cash assistance benefits would be impacted by the family cap. The proposed amendments remove family cap references because the repeal of P.L. 1997, c. 38, § 7 results in both WFNJ and SNAP benefits increasing when the assistance unit size increases, despite any WFNJ sanctions.

The proposed amendment at N.J.A.C. 10:87-5.7(d)2 removes the good cause exception to restricting SNAP benefit levels for assistance units receiving WFNJ, but whose case has been sanctioned, allowing SNAP benefits to increase when WFNJ cash assistance would be impacted by the family cap.

As the Department of Human Services is providing a 60-day comment period for 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.

Social Impact

The proposed amendments at N.J.A.C. 10:87-2.32 and 5.7 will have neither a positive nor negative social impact. The proposed amendments remove references to the family cap provisions; however, SNAP benefits were never impacted by the family cap.

Economic Impact

The proposed amendments at N.J.A.C. 10:87-2.32 and 5.7 will have no economic impact. The proposed amendments remove references to the family cap provisions; however, SNAP benefits were never impacted by the family cap.

Federal Standards Statement

The Department has reviewed the applicable Federal laws and regulations. The proposed amendments set forth standards that do not exceed those at 7 CFR 273, Supplemental Nutrition Assistance Program. Therefore, a Federal standards analysis is not required.

Jobs Impact

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

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; thus, a regulatory flexibility analysis is not required. The proposed amendments govern a public assistance program designed to promote the general welfare and safeguard the health and wellbeing of the population by raising the levels of nutrition among low-income households.

Housing Affordability Impact Analysis

The proposed amendments will have no 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 proposed amendments govern a public assistance program designed to promote the general welfare and to safeguard the health and wellbeing of the population by raising the levels of nutrition among low-income households.

Smart Growth Development Impact Analysis

The proposed amendments will have no impact on smart growth and there is an extreme unlikelihood 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. The proposed amendments govern a public assistance program designed to promote the general welfare and safeguard the health and well-being of the population by raising the levels of nutrition among low-income households.

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 practices 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 2. THE APPLICATION PROCESS

10:87-2.32 Categorically eligible WFNJ/TANF/SSI households

(a) Any household, except those listed [in] at (c) below, in which all members are authorized to receive WFNJ/TANF/SSI benefits shall be considered categorically eligible for the NJ SNAP program, unless the

household is institutionalized or disqualified for any reason from receiving NJ SNAP benefits. This includes the following households: those in which all members receive or are authorized to receive cash through a public assistance program funded in full or in part with Federal Title IV-A or New Jersey State money counted as Maintenance of Effort (MOE) purposes; those in which all members receive or are authorized to receive non-cash or in-kind benefits, funded with more than 50 percent State money counted as MOE or Federal money [under] pursuant to Title IV-A designed to forward purposes one and two of the TANF block grant; and those in which all members receive or are authorized to receive non-cash or in-kind benefits, funded with more than 50 percent State money designed to forward purposes three and four of the TANF block grant, and requires participants to have a gross monthly income at or below 200 percent of the Federal poverty level.

1.-4. (No change.)

[5. A household whose TANF grant has been capped by the birth of an additional child is categorically eligible for NJ SNAP benefits.]

(b)-(s) (No change.)

SUBCHAPTER 5. FINANCIAL ELIGIBILITY; INCOME

10:87-5.7 Special income situations

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

(c) The rules for failure to comply with public assistance (PA) program requirements (also known as “The Riverside Rule”) ban an increase in NJ SNAP program benefits when income from the WFNJ/TANF/GA programs is decreased (reduced or suspended) as a result of failure to comply with a program requirement and a sanction has been imposed.

1.-2. (No change.)

3. The PA amount to be considered as income for NJ SNAP purposes shall be the pre-sanction amount. This pre-sanction amount shall be used until the sanction is removed.

i. If a new member is added to the PA household during the period of sanction, the TANF grant increases and the calculation of NJ SNAP benefits shall be based on the new TANF grant amount as the TANF countable income. The new member added to the PA household will also increase the NJ SNAP benefit amount since the new person is also added to the NJ SNAP household. [If the new member is a capped child the WFNJ/TANF grant will not increase, however, the child will be included in the NJ SNAP household and the NJ SNAP allotment shall increase accordingly.]

4.-10. (No change.)

(d) The following are good cause reasons for not applying the Riverside Rule. The ban on increasing benefits does not apply under these circumstances.

1. (No change.)

[2. Clients have a child subject to the TANF family cap;] Recodifying existing 3.-5. as 2.-4. (No change in text.)

LAW AND PUBLIC SAFETY

(a)

DIVISION OF CRIMINAL JUSTICE

Police Training Commission Rules

Proposed Amendments: N.J.A.C. 13:1-1.1, 8.1, and 10.6

Authorized By: John F. Cunningham, Chairman, Police Training Commission, with the approval of Matthew J. Platkin, Attorney General.

Authority: P.L. 2022, c. 65 (N.J.S.A. 52:17B-71 et seq.).

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

Proposal Number: PRN 2025-036.

Submit written comments by June 6, 2025, to:

Police Training Commission
25 Market Street
PO Box 085
Trenton, New Jersey 08625
or email to: PTC@njdcj.org

The agency proposal follows:

Summary

Pursuant to the authority vested in the Police Training Commission (Commission) through P.L. 1961, c. 56, P.L. 2008, c. 80, and P.L. 2022, c. 65, the Commission is proposing amendments at N.J.A.C. 13:1 to amend certain items. In accordance with N.J.A.C. 1:30-3.3(a)5, the comment period for this notice of proposal shall be 60 days; therefore, this notice is excepted from the rulemaking calendar requirement.

The Commission is proposing an amendment at N.J.A.C. 13:1-1.1 to clarify the various terms used throughout this chapter pertaining to the “Chief Law Enforcement Officer.” This clarifies, for purposes of the Police Licensing Act and Police Training Act (P.L. 1961, c. 56; P.L. 2008, c. 80; and P.L. 2022, c. 65), that each law enforcement agency is required to appoint a chief law enforcement officer for purposes of the act requiring the highest-ranking sworn law enforcement officer to fill that role. This requirement is already set forth at N.J.A.C. 13:1-11.1. In most agencies, this will be the chief. In agencies without a chief, this will be the highest-ranking sworn law enforcement officer. In either case, the officer must have an active license.

Proposed amendments at N.J.A.C. 13:1-1.1, 8.1, and 10.6 clarify the Commission’s existing policy that, to be considered a valid psychological examination, both the written personality examination and the psychological evaluation are to be conducted in-person. This has been the longstanding practice that the Commission now seeks to incorporate within its rules. During and since the COVID-19 pandemic, psychologists decided to conduct psychological exams for prospective officers virtually. This format of examinations was not approved by the Commission. The psychological exams approved by the Commission were validated for in-person use only. Virtual examinations have never been validated. There is an assumption that virtual testing is equivalent to in-person testing, but this implication has never been subjected to scientific testing. In addition, the Commission has, anecdotally, heard of cheating that has occurred during virtual examinations. The Commission makes clear in these proposed amendments that only in-person psychological examinations will be considered valid by the Commission.

Social Impact

The proposed amendments are designed to ensure integrity in the administered psychological examinations. Pursuant to this rulemaking, any individual seeking to become a law enforcement officer in New Jersey will need to meet certain uniform psychological standards that are required to successfully graduate from a police training academy as a law enforcement officer in the State. Similarly, individuals who fall short of these psychological standards risk dismissal from the academy, which could temporarily or permanently prevent them from working as officers in a New Jersey law enforcement unit.

Economic Impact

The proposed amendments do not create additional costs nor do they require additional funding necessary to implement the requirements of the proposed amendments.

Federal Standards Statement

A Federal standards analysis is not required as the amendments are not proposed pursuant to, or subject to, any Federal statutes, regulations, or other standards.

Jobs Impact

It is anticipated that the proposed amendments will not cause any jobs to be generated, or lost, in any area of the State’s economy.

Agriculture Industry Impact

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