

NEW JERSEY

NJ wants new penalties to fight abuse in group homes for people with disabilities



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After years of complaints about poor care and mismanagement, group homes for New Jerseyans with developmental disabilities could face a bevy of new regulations under legislation introduced in Trenton this week.

A suite of seven bills proposed Tuesday would allow New Jersey to fine and even take over underperforming homes, put new restrictions on spending and executive salaries at the facilities and give the state new oversight powers.

State Sen. Joseph Vitale, a veteran Middlesex County Democrat, drafted the legislation in collaboration with Gov. Phil Murphy's administration, which has been criticized by disability advocates for weak enforcement of violations by the industry, which cares for an estimated 8,000 of the state's most vulnerable residents.

The package of bills, first reported by NJ.com and the Newark Star-Ledger, includes provisions for enhanced enforcement and stiffer penalties for providers who fail to meet safety standards.

“By enhancing protections and boosting accountability for providers, we underscore our dedication to enabling every person to achieve their full potential and live with the dignity and respect they deserve,” state Human Services Commissioner Sarah Adelman said in a statement.

What the group home legislation calls for

If approved by the full Legislature and signed by the governor, the bills would allow the Human Services Department to punish infractions such as inadequate employee background checks or poor internal investigations into instances of neglect or injury, poor living conditions and incorrect dosing of medications for residents.

The Division of Developmental Disabilities, the state agency that licenses group homes, would be empowered to terminate government contracts with providers who fail to meet standards.

In an industry known for low pay and high turnover, the legislation would also cap executive salaries so more funds can be directed toward care. Home providers would be required to post audited financial statements online, a move aimed at increasing financial transparency.

The package would add medical director positions within the DHS and the state Department of Children and Families to bolster investigations of alleged abuse and neglect, particularly involving people with complex medical needs. A Disability Mortality and Abuse Prevention Advisory Committee would be established to review cases.

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The proposed overhaul also calls for transferring responsibility for people under 21 from the DHS's Office of Program Integrity and Accountability to the Department of Children and Families, a move that advocates have said would expedite investigations involving younger group home residents.

“This sweeping legislative effort underscores our strong resolve to bolster safeguards and accountability,” said Vitale, chair of the Senate Health, Human Services and Senior Citizens Committee. “Our shared commitment is that every individual with intellectual and developmental disabilities lives in a safe and supportive environment.”

A disability watchdog wants 'more accountability'

Catherine Chin, director of the Alliance for the Betterment of Citizens with Disabilities, an industry trade group, declined to comment, saying she needed more time to assess the legislation.

Paul Aronsohn, the state's disability ombudsman, has been calling for many of these changes for years. His annual reports to Gov. Murphy, align closely with the package of bills, emphasizing the need for improved safety and accountability among group home operators.

Aronsohn's report last year called for more rigorous abuse and neglect investigations and better staff training at group homes. Providers should direct more money toward frontline staff, he said, mirroring the legislation's focus on capping executive salaries to improve resources for direct care.

"The more accountability and transparency we have, the less abuse and neglect there will be," Aronsohn said in an interview Wednesday. "Many residents are vulnerable; some can't effectively communicate and are highly dependent on staff. We're not just talking about physical abuse—emotional abuse, deprivation of food, restricting outdoor access, and preventing family visits are all forms of abuse that happen too often," he said.

Escalating penalties

Vitale's proposal would establish these penalties:

- Home providers could be fined up to \$10,000 for infractions such as inadequate background checks on employees, poor internal investigations, and instances of neglect or injury.
- For more serious or repeated offenses, especially cases of abuse or neglect resulting in serious injury, fines can escalate to \$25,000.
- Companies operating without necessary licenses would face a warning for the first offense and fines up to \$10,000 for subsequent violations.
- The Division of Developmental Disabilities may suspend payments for services provided in unlicensed settings after repeated offenses.

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