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 "Division" means the Division of Mental Health and Addiction Services in the Department of Human Services.
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SUBCHAPTER 2. PARTIAL CARE SERVICES

10:37F-2.1 Admission criteria

- (a) (No change.)
- (b) Inclusionary criteria: In order to be considered eligible for partial care services, an individual must:
 - 1.-4. (No change.)
 - 5. At the time of referral or as a result of psychiatric evaluation provided or arranged for by the PA, have at least one of the following primary DSM [IV] diagnoses [on Axis I]:
 - i.-vi. (No change.)
 - 6. Have a covered psychiatric disorder diagnosis consistent with codes[, Axis I-V,] of the [Diagnostic and Statistical Manual of Mental Disorders (DSM-IV-TR), incorporated herein by reference as amended and supplemented] DSM, including some 301.XX [Axis II] codes if the personality disorder is considered in the severe range and the individuals are at high risk of psychiatric hospitalization as a result; and
 - 7. At the time of referral, meet one or more of the following criteria:
 - i. (No change.)
 - ii. A Global Assessment of Functioning Scale score of between 11 and 70, as found in the [Diagnostic and Statistical Manual of Mental Disorders] DSM[, page 32].
 - (d) (No change.)

10:37F-2.3 Assessment

- (a) PA staff shall complete a written comprehensive assessment for each consumer prior to development of the individualized recovery plan. The comprehensive assessment provides the PA and consumer with an initial profile of the strengths and barriers related to community integration, achievement of chosen valued roles, and which issues or problems must be addressed in what priority.
 - 1.-5. (No change.)
 - 6. The written comprehensive assessment shall include a documented psychiatric evaluation completed within two weeks of admission which shall reflect consideration of the following:
 - i. Diagnosis [(Axis I-V)] in conformance with the [Diagnostic and Statistical Manual of Mental Disorders IV (DSM-IV (available from the American Psychiatric Association, 1400 K St., NW, Washington, DC 20005), incorporated herein by reference, as amended and supplemented] DSM;
 - ii.-x. (No change.)
 - 7.-8. (No change.)

(a)

DIVISION OF DEVELOPMENTAL DISABILITIES
Notice of Readoption
Mechanical Restraints and Safeguarding Equipment
Readoption: N.J.A.C. 10:42

Authority: N.J.S.A. 30:1-12 et seq., 30:4-6 et seq., and 30:6D-5.
 Authorized By: Sarah Adelman, Acting Commissioner, Department of Human Services.
 Effective Date: September 24, 2021.
 New Expiration Date: September 24, 2028.

Take notice that pursuant to N.J.S.A. 52:14B-5.1, the rules at N.J.A.C. 10:42 were scheduled to expire on October 8, 2021. Pursuant to Executive Order Nos. 127 (2020) and 244 (2021) and P.L. 2021, c. 103, any chapter of the New Jersey Administrative Code that would otherwise have expired during the Public Health Emergency originally declared in Executive Order No. 103 (2020) is extended through January 1, 2022. Therefore, this chapter has not yet expired and the 30-day filing date pursuant to N.J.S.A. 52:14B-5.1.c has not yet occurred, therefore, pursuant to Executive Order

No. 244 (2021), and P.L. 2021, c. 103, this notice of readoption is timely filed.

N.J.A.C. 10:42 details the policies and procedures for the use of safeguarding equipment and mechanical restraints for individuals served by the Division of Developmental Disabilities (Division). The rules are designed to foster the reduction or elimination of the use of mechanical restraints and safeguarding equipment in favor of less restrictive practices. The rules direct that a concerted effort should be made to provide individuals with appropriate behavioral supports designed to meet his or her specific needs. The rules also require that mechanical restraints and safeguarding equipment be used only to address significant safety concerns related to preventing behaviors that affect the health and well-being of the individual or others.

The Division has reviewed the rules and determined that they are necessary and proper for the purpose for which they were originally promulgated. The Division intends to continue to collaborate with stakeholders, including individuals, agencies, trade organizations, advocates, and interested parties to initiate any new standards for the use of mechanical restraints, as necessary.

Therefore, pursuant to N.J.S.A. 52:14B-5.1.c(1), N.J.A.C. 10:42 is readopted and shall continue in effect for seven years.

(b)

DIVISION OF DEVELOPMENTAL DISABILITIES
Notice of Readoption
Appeal Procedure

Readoption: N.J.A.C. 10:48

Authority: N.J.S.A. 30:1-12 et seq., and 30:4-6 et seq.
 Authorized By: Sarah Adelman, Acting Commissioner, Department of Human Services.
 Effective Date: September 24, 2021.
 New Expiration Date: September 24, 2028.

Take notice that pursuant to N.J.S.A. 52:14B-5.1, the rules at N.J.A.C. 10:48 were scheduled to expire on October 23, 2021. Pursuant to Executive Order Nos. 127 (2020) and 244 (2021) and P.L. 2021, c. 103, any chapter of the New Jersey Administrative Code that would otherwise have expired during the Public Health Emergency originally declared in Executive Order No. 103 (2020) is extended through January 1, 2022. Therefore, this chapter has not yet expired and the 30-day filing date pursuant to N.J.S.A. 52:14B-5.1.c has not yet occurred, therefore, pursuant to Executive Order No. 244 (2021), and P.L. 2021, c. 103, this notice of readoption is timely filed.

N.J.A.C. 10:48 establishes the steps an individual served by the Division may take when disagreements arise between the individual and the Division. The purpose of the chapter is to encourage and permit the early resolution of disputes and, where that is not possible, to identify the steps to secure review by the proper authority.

The Division has reviewed the rules and determined that they are necessary and proper for the purpose for which they were originally promulgated. Therefore, pursuant to N.J.S.A. 52:14B-5.1.c(1), N.J.A.C. 10:48 is readopted and shall continue in effect for seven years.

(c)

DIVISION OF MEDICAL ASSISTANCE AND HEALTH SERVICES

Notice of Readoption
Nurse Midwifery Services

Readoption With Technical Changes: N.J.A.C. 10:58

Authority: N.J.S.A. 30:4D-1 et seq., and 30:4J-8 et seq.
 Authorized By: Sarah Adelman, Acting Commissioner, Department of Human Services.