

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.

The chapter contains four subchapters: Subchapter 1 is reserved; Subchapter 2, Public Notice and Public Comments Regarding Department Rules; Rulemaking Calendars; Subchapter 3, Additional Opportunity to Be Heard Upon Showing of Sufficient Public Interest; and Subchapter 4, Petitions for Rulemaking Regarding Department Rulemaking.

Technical changes are proposed at Subchapters 2 and 4 to revise Office of Legal and Regulatory Liaison to Office of Legal and Regulatory Affairs in the contact information references for individuals to submit public comments regarding existing rules and petitions for Department rulemaking.

The Department of Human Services has reviewed the chapter and finds that it should be readopted with technical changes as described above, because the rules in the chapter are necessary, adequate, reasonable, efficient, understandable, and responsive to the purposes for which they were originally promulgated and shall remain in effect for a seven-year period in accordance with N.J.S.A. 52:14B-5.1.c(1).

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

SUBCHAPTER 2. PUBLIC NOTICE AND PUBLIC COMMENTS REGARDING DEPARTMENT RULES; RULEMAKING CALENDARS

- 10:1-2.2 Public Comments regarding existing rules and proposed rulemaking
  - (a)-(b) (No change.)
  - (c) Public comments regarding existing rules should be submitted in writing and addressed to:
    - Department of Human Services
    - Office of Legal and Regulatory [Liaison] **Affairs**
    - PO Box 700
    - Trenton, NJ 08625-0700
  - (d) (No change.)

SUBCHAPTER 4. PETITIONS FOR RULEMAKING REGARDING DEPARTMENT RULEMAKING

- 10:1-4.2 Public petitions process and requirements
  - (a)-(b) (No change.)
  - (c) Petitions shall be addressed to either the specific relevant Division of the Department or the Department Central Headquarters at:
    - Department of Human Services
    - Office of Legal and Regulatory [Liaison] **Affairs**
    - PO Box 700
    - Trenton, New Jersey 08625-0700

(a)

**OFFICE OF LICENSING**  
**Notice of Readoption**  
**Standards for Private Licensed Facilities for Persons with Developmental Disabilities**  
**Readoption: N.J.A.C. 10:47**

Authority: N.J.S.A. 30:1-12, 30:1-15, 30:1-15.1, and 30:6D-1 et seq.  
 Authorized By: Sarah Adelman, Acting Commissioner, Department of Human Services.  
 Effective Date: August 4, 2021.  
 New Expiration Date: August 4, 2028.

**Take notice** that pursuant to N.J.S.A. 52:14B-5.1, the rules at N.J.A.C. 10:47, Standards for Private Licensed Facilities for Persons with Developmental Disabilities, were scheduled to expire on July 25, 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.

The Standards for Private Licensed Facilities for Persons with Developmental Disabilities rules address all aspects of the facilities' operations. The purpose of the chapter is to protect the health, safety, welfare, and human rights of the individuals who live in these residential facilities in the State of New Jersey.

**Take further notice** that the Department of Human Services has reviewed these rules and found them reasonable, necessary, and proper for the purpose for which they were originally promulgated. The use of the Standards for Private Licensed Facilities for Persons with Developmental Disabilities has declined precipitously since the rules were last amended. Increasingly, individuals are choosing community-based settings and often choosing to transition from institutional settings in order to more fully integrate into community life. When the chapter was last amended, there had been four such facilities offering services to hundreds of service recipients. Today, there is a single facility offering services to fewer than three dozen individuals. In order to ensure protection and stability in the services provided to these individuals, the Department proposes to continue the rules that are currently in place. The Department will continue to monitor the delivery of services through these facilities and is prepared to promulgate further amendments to this rule; if deemed necessary, such amendments will be proposed in the future.

The Department of Human Services has reviewed the rules and has determined them to be necessary, reasonable, and proper for the purpose for which they were originally promulgated. Therefore, pursuant to N.J.S.A. 30:4D-1 et seq., and 30:4J-8 et seq., and 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.

(b)

**DIVISION OF MEDICAL ASSISTANCE AND HEALTH SERVICES**

**Notice of Readoption**  
**Psychiatric Adult Acute Partial Hospital and Partial Hospital Services**

**Readoption: N.J.A.C. 10:52A**

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.  
 Agency Control Number: 21-A-13.  
 Effective Date: July 29, 2021.  
 New Expiration Date: July 29, 2028.

**Take notice** that pursuant to N.J.S.A. 52:14B-5.1, the rules at N.J.A.C. 10:52A, Psychiatric Adult Acute Partial Hospital and Partial Hospital Services, were scheduled to expire on June 17, 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. The rules set forth requirements for the provision of psychiatric adult acute partial hospital and partial hospital services to Medicaid/NJ FamilyCare beneficiaries.

The Department of Human Services has reviewed the rules and has determined them to be necessary, reasonable, and proper for the purpose for which they were originally promulgated. Therefore, pursuant to N.J.S.A. 30:4D-1 et seq., and 30:4J-8 et seq., 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.

## (a)

## DIVISION OF MEDICAL ASSISTANCE AND HEALTH SERVICES

### Notice of Redoption Case Management Services

#### Redoption with Technical Changes: N.J.A.C. 10:73

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.

Agency Control Number: 21-A-08.

Effective Dates: August 3, 2021, Redoption;  
September 7, 2021, Technical Changes.

New Expiration Date: August 3, 2028.

**Take notice** that pursuant to N.J.S.A. 52:14B-5.1, the rules at N.J.A.C. 10:73, Case Management Services, were scheduled to expire on September 24, 2020. 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 redoption is timely filed.

The chapter governs case management services provided to New Jersey Medicaid/NJ FamilyCare beneficiaries receiving services through the Case Management Program for Adults, administered under the auspices of the Divisions of Medical Assistance and Health Services and Mental Health and Addiction Services within the Department of Human Services, Care Management Organization services, or Youth Case Management services, provided under the auspices of the Children's System of Care within the Department of Children and Families.

In addition to readopting the existing rules, the Department of Human Services is making technical changes throughout N.J.A.C. 10:73. The technical changes include: changing all references to "Division of Child Behavioral Health Services (DCBHS)" to read "Children's System of Care (CSOC)" to reflect the current name of the agency and changing references to "Division of Youth and Family Services (DYFS)" to read "Child Protection and Permanency (CP&P)" to reflect the current name of the agency. Additional revisions include, but are not limited to, making the changes at N.J.A.C. 10:73-1.2, Definitions, which also changes the order of the definitions. The definitions that are marked as deleted are not being deleted, but the name of the agencies are being corrected and the definitions are being relocated in alphabetical order based on the new names of the agencies.

At N.J.A.C. 10:73-2.5(c), changing the word "who" to "that" to correct a grammatical error.

At N.J.A.C. 10:73-4.10(g), changing the reference to the "Joint Commission on Accreditation of Healthcare Organizations (JCAHO)" to read "Joint Commission" to reflect the current name of the agency.

Throughout the chapter, changing the references to "Division of Mental Health Services (DMHS)" to read "Division of Mental Health and Addiction Services (DMHAS)" to reflect the current name of the agency.

Throughout the chapter, changing all references to "Medicaid or NJ FamilyCare" or "Medicaid and NJ FamilyCare" to read "Medicaid/NJ FamilyCare" to reflect the preferred name of the program.

Throughout the chapter, changing all references to "Unisys" to read "Gainwell Technologies" to reflect the name of the current Medicaid/NJ FamilyCare fiscal agent.

This notice of redoption with technical changes has been reviewed by, and received approval from, the Division of Mental Health and Addiction Services. The notice of redoption with technical changes has also been

reviewed by, and received approval from, the Children's System of Care, within the Department of Children and Families.

The Department of Human Services has reviewed the rules and has determined them to be necessary, reasonable, and proper for the purpose for which they were originally promulgated. Therefore, pursuant to N.J.S.A. 30:4D-1 et seq., and 30:4J-8 et seq., and in accordance with N.J.S.A. 52:14B-5.1.c(1), these 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

##### 10:73-1.1 Chapter purpose and organization

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

(c) N.J.A.C. 10:73-3 describes the Care Management Organization services component provided under the [Division of Child Behavioral Health Services (DCBHS)] **Department of Children and Families' Children's System of Care (CSOC)**. The subchapter describes the target population to be served; services provided; and the requirements and responsibilities of the provider, including, but not limited to, the organizational structure, staffing, procedures, reporting requirements, monitoring, evaluation, and reimbursement requirements.

(d) N.J.A.C. 10:73-4 describes Youth Case Management services provided by the Division of Medical Assistance and Health Services under the auspices of the [Division of Child Behavioral Health Services] **Department of Children and Families' Children's System of Care (CSOC)**, and provides a description of what is included in the services; the requirements and responsibilities of the providers rendering the services; beneficiary eligibility; and the reimbursement for the provision of those services.

(e) (No change.)

##### 10:73-1.2 Definitions

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

...

"Case management services" means those services which will assist a beneficiary of Medicaid/NJ FamilyCare or a child, youth, or young adult receiving services from the [Division of Child Behavioral Health Services (DCBHS)] **Children's System of Care (CSOC)** in gaining access to needed medical, social, educational, and other services.

...

"**Child Protection and Permanency (CP&P)**" means the agency that is the organizational component within the New Jersey Department of Children and Families that administers the Title IV-E program of the Social Security Act, Federal Payments for Foster Care and Adoption Assistance, 42 U.S.C. §§ 670-679b.

"**Children's System of Care (CSOC)**" means the organizational component within the Department of Children and Families that provides a comprehensive approach to the provision of mental health and behavioral health services to eligible children, youth, and young adults.

"Contract systems administrator (CSA)" means an administrative organization contracted by, and serving as an agent of, the State of New Jersey to provide utilization management, care coordination, quality management and information management for the [Division of Child Behavioral Health Services (DCBHS)] **Department of Children and Families' Children's System of Care (CSOC)** in its management of the Statewide system of care that provides mental and behavioral health services and supports to eligible children, youth, and young adults.

...

"Department of Children and Families (DCF)" means the department of New Jersey government, created by P.L. 2006, c. 47, that has the goal of ensuring safety, permanency, and well-being for all children and has direct responsibility for child welfare and other child and family services, supported by strong inter-agency partnerships among other State departments also responsible for family services. The new department includes [the Division of Youth and Family Services] **Child Protection and Permanency**, the [Division of Child Behavioral Health Services