

**Organizational Rules; Rules of Practice; Petition for Rulemaking**

**N.J.A.C. 10:1-1**

Adopted by Gwendolyn L. Harris, Commissioner, Department of Human Services

Effective Date: Upon publication in the New Jersey Register of February 3, 2003

Take notice that the Department of Human Services hereby adopts amendments to the rules which provide a description of the organizational structure and operation of the Department of Human Services.

These rules are intended to inform the public and to effectuate the required rulemaking of the Department in accord with the New Jersey Administrative Procedure Act (N.J.S.A. 52:14B-1 et seq., as amended by P.L. 2001, c. 5) and the Office of Administrative Law Rules for Agency Rulemaking (N.J.A.C. 1:30 et seq.). Specifically, the purpose of these rules is to provide public notice regarding: the Department's mission and its overview and organization.

Full text of the rule with amendments follows:

## SUBCHAPTER 1. DEPARTMENT MISSION AND ORGANIZATION

### 10:1-1.1 Department Mission

The New Jersey Department of Human Services is dedicated to providing high quality services and resources to protect, assist and empower: children at risk; economically disadvantaged individuals and families; and people with disabilities. We emphasize “people first” in the delivery of services. We strive to ensure a seamless array of services through partnerships and collaboration with communities statewide. The Department is driven by the needs of individuals and families, partnering with others to assure the delivery of a seamless array of supports and services, to make a positive impact on the life of each person touched by our efforts.

### 10:1-1.2 Department Overview and Organization

(a) The Department, in concert with the state's human services nonprofit community, serves the citizens of New Jersey as the largest department in State government.

(b) The Department oversees a number of major facilities - psychiatric hospitals operated by the Division of Mental Health Services, and developmental centers operated by the Division of Developmental Disabilities. Additionally, residential centers are operated by the Division of Youth and Family Services, and regional school campuses are operated by the Department's Office of Education. The Kohn Rehabilitation Center is operated by the Commission for the Blind and Visually Impaired.

(c) The Department provides the majority of its community services through purchase of service contracts with private, nonprofit community agencies.

(d) The Department Central Headquarters includes the offices of the Deputy Commissioner for Family and Protective Services, the Deputy Commissioner for Divisions Serving People with Disabilities, the Chief of Staff, the Director of Planning and Special Initiatives, the Director for Legal, Policy and Legislative Affairs, and the Director of Public Affairs. All have direct reporting relationships to the Commissioner.

1. The Deputy Commissioner for Divisions Providing Protective Services is responsible for the management of policies, operations, and the budgets for the Division of Family Development (DFD), the Division of Medical Assistance and Health Services (DMAHS), the Division of Youth and Family Services (DYFS), the Office of Prevention of Mental Retardation and Developmental Disabilities, the Office of Child Abuse Prevention and the Office of Facilities Support.

2. The Deputy Commissioner for Divisions Serving People with Disabilities oversees the Division of Developmental Disabilities (DDD), the Division of Disability Services (DDS), the Division of the Deaf and Hard of Hearing (DDHH), the Division of Mental Health Services (DMHS), the Commission for the Blind and Visually Impaired (CBVI), and the Office of Catastrophic Illness in Children Relief Fund.

3. The Chief of Staff advises the Commissioner on cross-cutting departmental issues and administrative and policy matters, and directly supervises major support areas of the Department, including Human Resources, Budget, Finance, Administration and Real Estate, Technology and Information Systems, Program Integrity and Accountability, the Human Services Police, and the Office of Education. Given these areas of supervision, the Chief of Staff is responsible for

ensuring that personnel, operating budgets, information technology initiatives, program/project compliance and community based activities are supportive of the Department's business goals as enumerated by the Commissioner. These areas focus on supporting the divisions and institutions and helping them to deliver quality and accountable service.

4. The Office of Planning and Special Initiatives utilizes relevant research, evaluation and program analysis to make policy recommendations in order to enhance and improve the Department's services. The office is charged with examining and advising the Department's Executive Management Team in areas such as health care, welfare reform, child welfare and services for people with disabilities. Major research projects are conducted, and staff develop and implement inter-departmental initiatives and demonstration projects in numerous service areas.

5. The Office of Legal, Policy and Legislative Affairs provides advice and direction on legal, policy and legislative matters and directly supervises the Office of Legal and Regulatory Liaison (OLRL) and the Office of Legislative Liaison (OLL).

i. The Office of Legal and Regulatory Liaison functions as the Department's legal liaison with the Office of the Attorney General, the Office of the Governor's Counsel and other legal entities. OLRL handles and processes to the Office of the Attorney General all requests for advice (verbal and written), and all litigation (civil, criminal and administrative hearings) involving the Department or one of its employees. OLRL also functions as the Department's liaison with both the Office of Administrative Law in terms of all rulemaking activity, and the Executive Commission on Ethical Standards as it performs the Ethics Liaison function on behalf of the Department.

ii. The Office of Legislative Liaison reviews, monitors, and coordinates the development of the Department's position on federal and state bills by working with staff in the divisions and central office. The State Legislative Liaisons work with the Governor's Office, legislators, other state departments, legislative staff, community organizations, and advocacy groups. They also follow-up on constituent inquiries from legislators' offices that are made directly to OLL. The Federal Legislative Liaisons work with various national organizations, the Governor's Washington DC Office, other states, and community organizations in New Jersey which are interested in federal human service issues. The office also serves as a clearinghouse on certain federal reports and studies and keeps the Department staff informed of federal and national issues that may impact the Department. It also coordinates the Department's position on proposed federal regulations that have an interdivisional impact and on other federal issues.

6. The Office of Public Affairs has three broad areas of functional responsibility: media relations, publications and community outreach.

i. The Media Relations function coordinates overall communications strategy, responds to all media inquiries, advises the commissioner and senior staff on all press issues and media policy, develops positive media coverage through special events, placing stories and maintaining strong relationship with state press corps, and writing press releases, Op-Eds, Letters to the Editor for the commissioner and senior staff.

ii. The Publications function develops, writes, edits and produces all internal publications, including the department's annual report and newsletter and various division newsletters. Writes, edits and maintains the department's Website. Prepares all speeches and briefings for commissioner's appearances, participation in events and speaking engagements.

iii. The Community Outreach function coordinates all department outreach efforts, including conferences, conventions, etc.; provides recommendations and resources to department staff for more effective outreach; manages and coordinates the development of various advertising and educational materials for department initiatives and programs; directs the operations of the Good Neighbors Community Outreach Program; and oversees the appointments process for all department boards and councils.

(e) The Divisions of the Department are as follows:

1. The Division of Medical Assistance and Health Services (DMAHS) administers the Medicaid program, a Federal- and State-funded health care program that serves low-income people, including people who are aged, blind, and disabled. The Division's New Jersey Care 2000 and NJ Care 2000+ programs provide health care to Medicaid beneficiaries through Health Maintenance Organizations (HMOs) that provide them with a primary care physician to manage their health services. DMAHS also manages the NJ KidCare and NJ FamilyCare health insurance programs for low-income working families who have no insurance.

2. The Division of Mental Health Services (DMHS) helps people with mental illnesses by providing services to help them live, work, socialize and learn to their fullest potential. A comprehensive system of care is provided that includes psychiatric in-patient settings, community-based support services, and residential and day treatment programs. DMHS operates the State psychiatric hospitals throughout the State, and also supports the operation of the county psychiatric hospitals.

3. The Division of Developmental Disabilities (DDD) serves people with developmental disabilities, such as mental retardation, autism, cerebral palsy, epilepsy, spina bifida and traumatic brain injuries. The Division seeks to serve people in the least restrictive environment

possible and to foster individual development and independence. DDD helps people with disabilities stay in their own homes with their own families, whenever possible. Support services provided by DDD include respite care, counseling and referral services. DDD operates several State developmental centers, and also provides services in licensed community residences. The community residences are operated by private agencies or individuals under contract with DDD, and they include group homes, supervised apartments, supported living programs, and skill development and family care homes.

4. The Division of Youth and Family Services (DYFS) functions as the State's family and child protection/child welfare agency and provides services to children at risk and their families. The services provided include general social services, foster care, adoption services, child care licensing, domestic violence services, and residential treatment for troubled youths. The division has district offices, adoption resource centers, institutional abuse investigation offices, and residential treatment centers throughout the State in addition to contracting with numerous community-based providers and individuals. DYFS is mandated by law to investigate all reports of child abuse and neglect.

5. The Division of Family Development (DFD) administers the State's welfare reform program, Work First New Jersey, offering public assistance to people who are poor and homeless. This Division serves numerous needy individuals through several programs which include: Temporary Assistance to Needy Families (TANF); General Assistance (GA); Food Stamps; Emergency Assistance (EA); Child Support and Paternity Programs; Child Care; Home Energy Assistance; Social Services for the Homeless; the Kinship Navigator Program, and the Refugee Resettlement Program. The majority of these services are provided through contracts with county welfare agencies and not-for-profit community agencies.

6. The Division of the Deaf and Hard of Hearing (DDHH) serves as an advocacy agency for people who are deaf or hard of hearing, by promoting accessibility to programs, services and information. This Division is the state's primary source of information and referral services regarding topics related to hearing loss. DDHH also serves as New Jersey's primary interpreter-referral service and it distributes free text telephones (TTYs) to qualified deaf and hard of hearing low-income residents.

7. The Commission for the Blind and Visually Impaired (CBVI) provides educational, vocational rehabilitation, independent living and eye health services to individuals who are experiencing a vision impairment that is affecting normal, daily life activities. The Commission also works to prevent and reduce the incidence of blindness by conducting a variety of educational and eye disease detection programs. These services include a mobile eye health screening unit and other support services and educational programs to help New Jerseyans better understand and prevent the further development of eye diseases, such as glaucoma or diabetic retinopathy. CBVI serves numerous persons each year, including those who benefit from both the Commission's blindness prevention services and visual adjustment programs.

8. The Office of Education (OOE) provides educational, related, and support services to students, ages 3 to 21 years, in DHS operated and contracted facilities and in DHS Regional Schools. Through the provision of individualized, comprehensive 12 month educational programs, the OOE serves students with a variety of disabilities; students who are at risk of school failure; students who have left school before earning a high school diploma; and students who are pregnant and parenting teenagers. In addition, the OOE administers the New Jersey Youth Corps Program which offers youth, ages 16 to 25 years, the opportunity to earn a diploma while developing employability skills through meaningful community service. The OOE also



provides educational funding and oversight to students determined by the Department of Education to be State responsible; implements the New Jersey Technical Assistance Project for students with multi-sensory impairments; and, operates a Technology for Life and Learning Center which provides assessment, instructional and educational management services for individuals who are candidates for augmentative and alternative communication systems and other assistive technologies.

9. The Division of Disability Services (DDS) serves as New Jersey's central point of information and referral for individuals of all ages with disabilities and their families. This Division promotes and facilitates maximum independence of people with disabilities through information about and access to services and supports. The Division fosters coordination and cooperation among government agencies that serve people with disabilities. A significant number of callers are served each year. DDS administers the Ticket to Work Medicaid Buy-In Program, the Traumatic Brain Injury Demonstration Grant, the Personal Assistance Services Program (PASP) and the Cash & Counseling Demonstration Program. The latter two programs give people with disabilities the freedom to manage and direct their own services.

10. The Office of Child Abuse Prevention includes the NJ Task Force on Child Abuse and Neglect, which aims to improve the child protection system and inform the public about child abuse and neglect. The office also includes the Child Life Protection Commission, which administers the Children's Trust Fund, which issues grants to prevent child abuse. The fund is supported by check-off donations on the New Jersey Income Tax return, by private contributions and by a Federal grant.

11. The Office for Prevention of Mental Retardation and Developmental Disabilities has the mission to educate the community about the causes of mental retardation and developmental

disabilities, and to develop strategies to reduce their occurrence. The Office staffs the Governor's Council on Prevention of Mental Retardation and Developmental Disabilities, and works under the Council's guidance.

12. The Catastrophic Illness in Children Relief Fund Commission, which is in but not of the Department, was established by legislation to provide financial assistance for New Jersey families with unserved medical expenses for a child, age 18 or younger. The fund serves as a financial safety net for families struggling with a child's previously incurred medical expenses. The fund is considered a special, dedicated, non-lapsing trust fund, which collects its revenues from an employer surcharge.