

CHAPTER 161

AN ACT concerning State psychiatric hospitals and supplementing chapter 4 of Title 30 of the Revised Statutes.

BE IT ENACTED by the Senate and General Assembly of the State of New Jersey:

C.30:4-3.23 Definitions relative to State psychiatric hospitals.

1. As used in this act:

“Commissioner” means the Commissioner of Human Services.

“Department” means the Department of Human Services.

“Major injury” means an injury that requires treatment that can only be performed at a general or special hospital licensed pursuant to P.L.1971, c.136 (C.26:2H-1 et seq.), and may include admission to the hospital for additional treatment or observation.

“Moderate injury” means an injury that requires treatment beyond basic first aid that can only be performed by a health care professional at the office of a physician, at a hospital emergency room, or by a physician at a State psychiatric hospital.

“Physical assault” means an act upon a person that results in a major or moderate injury that occurs at a State psychiatric hospital.

“State psychiatric hospital” means a psychiatric hospital listed in R.S.30:1-7.

“Unexpected death” means a death that was not medically anticipated, including, but not limited to suicide, homicide or unanticipated death due to an unforeseen medical complication or other circumstance.

C.30:4-3.24 Reporting system for physical assaults, unexpected deaths at State psychiatric hospitals.

2. a. The department shall establish a reporting system for compiling information about physical assaults and unexpected deaths that occur at State psychiatric hospitals, and shall summarize the information in a report which, at a minimum, shall separately identify for each State psychiatric hospital:

- (1) the number of major and moderate injuries among patients;
- (2) the number of major and moderate injuries between patients and staff members; and
- (3) the number of unexpected deaths.

b. The report prepared pursuant to this section shall not contain any identifying information about a patient or staff member.

c. The report shall be considered a public or government record under P.L.1963, c.73 (C.47:1A-1 et seq.) or P.L.2001, c.404 (C.47:1A-5 et al.), and shall be posted on the official website of the department and updated quarterly.

C.30:4-3.25 Notification of Public Advocate.

3. The department shall notify the Public Advocate within 24 hours after an unexpected death occurs at a State psychiatric hospital and shall promptly notify the Public Advocate of any death of which the department has knowledge that occurs within seven days after a patient was discharged from a State psychiatric hospital.

C.30:4-3.26 Rules, regulations.

4. Pursuant to the “Administrative Procedure Act,” P.L.1968, c.410 (C.52:14B-1 et seq.), the commissioner shall adopt rules and regulations necessary to effectuate the purposes of this act.

5. This act shall take effect on the first day of the third month next following the date of enactment.

Approved November 20, 2009.