

## CHAPTER 81

AN ACT establishing the State Mental Health Facilities Evaluation Task Force.

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

1. As used in this act:

“Commissioner” means the Commissioner of Human Services.

“Department” means the Department of Human Services.

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

2. a. There is established the State Mental Health Facilities Evaluation Task Force.

b. The purpose of the task force shall be to review and assess the viability of the department’s “Plan for the Closure of the Senator Garrett W. Hagedorn Psychiatric Hospital” and its impact on New Jersey’s State psychiatric facility system.

c. In order to effectuate the purposes of subsection b. of this section, the task force shall, at a minimum, advise the department on the following issues:

(1) the plan’s consistency with the United States Supreme Court Olmstead decision and the department’s July 2009 Olmstead settlement agreement;

(2) whether sufficient capacity and appropriate staff expertise will be made available in the remaining State psychiatric facilities to accommodate the current and future needs of patients requiring that level of care, including, but not limited to, an evaluation of geriatric care;

(3) whether geographic accessibility for State psychiatric facility care is maintained throughout the State, while considering the option of specialization of care at a single location;

(4) whether the State psychiatric facility system can accommodate patients with a forensic background, while considering the option of specialization of care at a single location;

(5) whether the plan adequately examines the allocation of State resources between the State psychiatric facility system and community system of care, while considering how to yield the most savings from the State psychiatric facility system; and

(6) the impact on other State and private agencies that share State-owned campuses, as well as the impact on area hospitals and the community mental health system.

d. The task force shall include 21 members, as follows:

(1) the Commissioner of Human Services and the Directors of the Divisions of Mental Health Services, Medical Assistance and Health Services, and Developmental Disabilities in the department, or their designees, as ex officio members;

(2) two members each from the Senate and the General Assembly, to be appointed by the President of the Senate and the Speaker of the General Assembly, respectively, who in each case shall be members of different political parties; and

(3) 13 public members who are residents of this State, as follows:

(a) 11 public members to be appointed by the Governor, including: one person who is a county mental health administrator; one person who is a county human services director; one person appointed upon the recommendation of the New Jersey Association of Mental Health and Addiction Agencies; one person appointed upon the recommendation of NAMI New Jersey; one person appointed upon the recommendation of the Mental Health Association in New Jersey; one person upon the recommendation of the Institute for Health, Health Care Policy and Aging Research at Rutgers, The State University of New Jersey; one person upon the recommendation of the New Jersey Psychiatric Rehabilitation Association; one person

upon the recommendation of the New Jersey Hospital Association; one person upon the recommendation of the Coalition of Mental Health Consumer Organizations of New Jersey; one person who is a member of the board of trustees of a State psychiatric facility; and one member of the general public with an interest or expertise in the work of the task force; and

(b) two additional members of the general public with an interest or expertise in the work of the task force, who in each case have, or have had, a family member who is, or has been, a patient in a State psychiatric facility, one of whom shall be appointed by the President of the Senate and one of whom shall be appointed by the Speaker of the General Assembly.

e. The legislative members of the task force shall serve during their terms of office. Vacancies in the membership of the task force shall be filled in the same manner provided for the original appointments.

f. The commissioner or the commissioner's designee shall serve as chairperson of the task force. The task force shall organize as soon as practicable following the appointment of its members and shall select a vice-chairperson from among the members. The chairperson shall appoint a secretary who need not be a member of the task force.

g. The public members shall serve without compensation, but shall be reimbursed for necessary expenses incurred in the performance of their duties and within the limits of funds available to the task force.

h. The task force shall be entitled to call to its assistance and avail itself of the services of the employees of any State, county or municipal department, board, bureau, commission or agency as it may require and as may be available to it for its purposes.

i. The task force may meet and hold hearings at the places that it designates during the sessions or recesses of the Legislature, but shall hold a minimum of three public hearings, one each in the southern, central, and northern regions of the State.

j. The department shall provide staff support to the task force.

k. The task force shall report its findings and recommendations to the Governor, and to the Legislature pursuant to section 2 of P.L.1991, c.164 (C.52:14-19.1), along with any legislative bills that it desires to recommend for adoption by the Legislature, no later than February 1, 2011. The report shall contain an analysis of the issues set forth in subsection c. of this section.

3. This act shall take effect immediately and shall expire upon the issuance of the task force report.

Approved October 7, 2010.