

## CHAPTER 267

**AN ACT** providing for the licensure of pediatric respite care facilities and supplementing Title 26 of the Revised Statutes.

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

C.26:2H-12.75 Findings, declarations relative to pediatric respite care facilities.

1. The Legislature finds and declares that:

a. Many children in the State with limited life expectancies or complex, life-limiting illnesses receive care at pediatric medical day care facilities, but the families of these children remain responsible for the overall care of their children and become overwhelmed because they lack the built-in breaks typically available to most families;

b. Inadequate support services exist to provide respite for families responsible 24 hours per day for children with limited life expectancies or complex, life-limiting illnesses;

c. Community-based, comprehensive, family-centered pediatric respite care facilities established in other states have been shown to enhance the quality of life for children with limited life expectancies or complex, life-limiting illnesses and for their families by providing curative care when possible, pediatric palliative care, respite care, hospice care, and bereavement services, and by addressing their psychological, and spiritual needs; and

d. Similar pediatric respite care facilities should be authorized to operate in this State, and in order to ensure that children and their families receive the best possible support, it is appropriate that these facilities be licensed by the Department of Health.

C.26:2H-12.76 “Pediatric respite care facility” defined.

2. For purposes of this act, “pediatric respite care facility” means a facility licensed by the Department of Health that provides home-like care in a facility for two weeks or less of respite care, or as necessary for end-of-life care or as medically necessary for children up to age 21 with limited life expectancies or complex, life-limiting illnesses and support for their families, and employs an interdisciplinary team to assist in providing curative care treatment when possible, palliative care, and supportive services to meet the physical, emotional, spiritual, social, and economic needs of children and their families during illness, as well as during dying and bereavement if no cure is attained. A “pediatric respite care facility” shall also mean a pediatric long-term care facility licensed in accordance with N.J.A.C. 8:33H-1.5.

C.26:2H-12.77 Application for licensure.

3. An entity may apply to the Commissioner of Health for a license to establish a pediatric respite care facility in the State. In addition to any other requirements set forth by the Commissioner of Health, an applicant shall be required to provide the following:

a. criminal history record background checks of each staff member and administrator of the facility;

b. payment of any reasonable fees for the issuance or renewal of licenses as determined by the commissioner; and

c. documentation of compliance with standards and policies established by the commissioner regarding:

(1) the core services to be provided;

(2) professional personnel requirements;

(3) standards of patient care; and

(4) administration of the facility.

The provisions of this section shall not apply to pediatric long-term care facilities licensed in accordance with N.J.A.C.8:33H-1.5.

C.26:2H-12.78 Rules, regulations.

4. The Commissioner of Health, in consultation with the Commissioners of Human Services and Children and Families, shall adopt such rules and regulations, in accordance with the "Administrative Procedure Act," P.L.1968, c.410 (C.52:14B-1 et seq.), as the commissioner deems necessary to effectuate the purposes of this act.

5. This act shall take effect on the first day of the seventh month next following the date of enactment, but the commissioner may take such anticipatory administrative action in advance thereof as shall be necessary for the implementation of this act.

Approved January 17, 2014.