

CHAPTER 161A
STANDARDS FOR LICENSURE OF
RESIDENTIAL SUBSTANCE USE DISORDERS
TREATMENT FACILITIES

Authority

N.J.S.A. 26:2B-7 et seq., in particular N.J.S.A. 26:2B-14;
26:2BB-5 through 6; 26:2G-1 et seq.; and 30:1-12;
and Reorganization Plan 002-2004.

Source and Effective Date

R.2013 d.063, effective July 15, 2013.
See: 43 N.J.R. 2218(a), 45 N.J.R. 1725(a).

Chapter Expiration Date

Chapter 161A, Standards for Licensure of Residential Substance Use
Disorders Treatment Facilities, expires on July 15, 2020.

Chapter Historical Note

Chapter 161A, Standards for Licensure of Residential Substance Use
Disorders Treatment Facilities, was adopted as new rules by R.2013
d.063, effective July 15, 2013. See: Source and Effective Date.

CHAPTER TABLE OF CONTENTS

SUBCHAPTER 1. DEFINITIONS AND QUALIFICATIONS

10:161A-1.1	Scope and applicability
10:161A-1.2	Purpose
10:161A-1.3	Definitions
10:161A-1.4	Qualifications and responsibilities of the medical director and physicians
10:161A-1.5	Qualifications and responsibilities of the director of nursing services and licensed nursing personnel
10:161A-1.6	Qualifications of pharmacists
10:161A-1.7	Qualifications and responsibilities of the administrator of the facility
10:161A-1.8	Qualifications and responsibilities of the director of substance abuse counseling services
10:161A-1.9	Qualifications and responsibilities of the substance abuse counseling staff
10:161A-1.10	Qualifications of dietitians and food service supervisors

SUBCHAPTER 2. LICENSURE PROCEDURES AND ENFORCEMENT

10:161A-2.1	Applications for licensure
10:161A-2.2	Licenses
10:161A-2.3	Application requirements
10:161A-2.4	Newly constructed, renovated, expanded or relocated facilities
10:161A-2.5	Review and approval of a license application
10:161A-2.6	Surveys
10:161A-2.7	Conditional license
10:161A-2.8	Periodic surveys following licensure
10:161A-2.9	Deficiency findings
10:161A-2.10	Informal dispute resolution
10:161A-2.11	Plan of correction
10:161A-2.12	Surrender of a license
10:161A-2.13	Waiver
10:161A-2.14	Enforcement remedies
10:161A-2.15	Notice of violations and enforcement actions
10:161A-2.16	Effective date of enforcement actions
10:161A-2.17	Enforcement actions
10:161A-2.18	Failure to pay a penalty; remedies
10:161A-2.19	Curtailement of admissions

10:161A-2.20	Provisional license
10:161A-2.21	Suspension of a license
10:161A-2.22	Revocation of a license
10:161A-2.23	Injunction
10:161A-2.24	Hearings
10:161A-2.25	Settlement of enforcement actions

SUBCHAPTER 3. GENERAL REQUIREMENTS

10:161A-3.1	Provision of services
10:161A-3.2	Compliance with laws and rules
10:161A-3.3	Ownership
10:161A-3.4	Submission of documents and data
10:161A-3.5	Personnel
10:161A-3.6	Policy and procedure manual
10:161A-3.7	Employee health
10:161A-3.8	Reportable events
10:161A-3.9	Notices
10:161A-3.10	Reporting to professional licensing boards
10:161A-3.11	Transportation
10:161A-3.12	Tobacco products

SUBCHAPTER 4. GOVERNING AUTHORITY

10:161A-4.1	Responsibility of the governing authority
-------------	---

SUBCHAPTER 5. ADMINISTRATION

10:161A-5.1	Appointment of administrator
-------------	------------------------------

SUBCHAPTER 6. CLIENT CARE POLICIES AND SERVICES

10:161A-6.1	Client care policies and procedures
10:161A-6.2	Client continuity of care and client safety
10:161A-6.3	Standards for preadmission, admission and retention of clients
10:161A-6.4	Notice of discharge
10:161A-6.5	Use of restraints
10:161A-6.6	Calibration of instruments
10:161A-6.7	Interpretation services

SUBCHAPTER 7. MEDICAL SERVICES

10:161A-7.1	Provision of medical services
10:161A-7.2	Medical policies and medical staff bylaws

SUBCHAPTER 8. NURSING SERVICES

10:161A-8.1	Provision of nursing services
-------------	-------------------------------

SUBCHAPTER 9. CLIENT ASSESSMENTS AND TREATMENT PLAN

10:161A-9.1	Client assessment
10:161A-9.2	Client treatment planning

SUBCHAPTER 10. SUBSTANCE ABUSE COUNSELING AND SUPPORTIVE SERVICES

10:161A-10.1	Provision of substance abuse counseling
10:161A-10.2	Director of substance abuse counseling services
10:161A-10.3	Supportive services
10:161A-10.4	Co-occurring services

SUBCHAPTER 11. EDUCATIONAL SERVICES

10:161A-11.1	Provision of education services for adolescents
--------------	---

SUBCHAPTER 12. LABORATORY AND RADIOLOGICAL SERVICES

10:161A-12.1	Provision of laboratory and radiological services
--------------	---

SUBCHAPTER 13. RECREATIONAL SERVICES

- 10:161A-13.1 Provision of recreational services

SUBCHAPTER 14. PHARMACEUTICAL SERVICES

- 10:161A-14.1 Provision of pharmaceutical services
10:161A-14.2 Standards for drug administration
10:161A-14.3 Standards for storage of medications
10:161A-14.4 Additional standards for facilities that provide medically monitored detoxification services

SUBCHAPTER 15. DIETARY SERVICES

- 10:161A-15.1 Provision of dietary services
10:161A-15.2 Responsibilities of dietary personnel
10:161A-15.3 Requirements for dietary services

SUBCHAPTER 16. EMERGENCY SERVICES AND PROCEDURES

- 10:161A-16.1 Emergency plans and procedures
10:161A-16.2 Drills, tests and inspections
10:161A-16.3 Emergency medical services

SUBCHAPTER 17. CLIENT RIGHTS

- 10:161A-17.1 Establishment of policies and procedures
10:161A-17.2 Rights of each client
10:161A-17.3 Complaints

SUBCHAPTER 18. CONTINUUM OF CARE PLANNING SERVICES

- 10:161A-18.1 Continuum of care planning
10:161A-18.2 Continuum of care planning policies and procedures
10:161A-18.3 Client and family education

SUBCHAPTER 19. CLINICAL RECORDS

- 10:161A-19.1 Maintenance of clinical records
10:161A-19.2 Assignment of responsibility
10:161A-19.3 Contents of clinical records
10:161A-19.4 Requirements for clinical record entries
10:161A-19.5 Access to clinical records
10:161A-19.6 Preservation, storage and retrieval of clinical records

SUBCHAPTER 20. INFECTION PREVENTION AND CONTROL

- 10:161A-20.1 Infection prevention and control
10:161A-20.2 Regulated medical waste

SUBCHAPTER 21. HOUSEKEEPING, SANITATION AND SAFETY

- 10:161A-21.1 Provision of services
10:161A-21.2 Housekeeping
10:161A-21.3 Client care environment
10:161A-21.4 Waste removal
10:161A-21.5 Water supply
10:161A-21.6 Laundry services

SUBCHAPTER 22. QUALITY ASSURANCE PROGRAM

- 10:161A-22.1 Quality assurance program
10:161A-22.2 Quality assurance activities

SUBCHAPTER 23. VOLUNTEER SERVICES

- 10:161A-23.1 Provision of volunteer services
10:161A-23.2 Volunteer policies and procedures

SUBCHAPTER 24. PHYSICAL PLANT AND FUNCTIONAL REQUIREMENTS

- 10:161A-24.1 Physical plant general compliance for new construction or alteration
10:161A-24.2 Physical plant general compliance for construction or alteration completed prior to July 15, 2013
10:161A-24.3 Plan review and fees
10:161A-24.4 Alterations, replacements and damage to existing facilities
10:161A-24.5 Provision for persons with physical disabilities
10:161A-24.6 Restrictions
10:161A-24.7 Ventilation
10:161A-24.8 Exit access passageway and corridors
10:161A-24.9 Automatic fire alarm and detection systems
10:161A-24.10 Fire suppression systems
10:161A-24.11 Interior finish requirement
10:161A-24.12 Attached structures
10:161A-24.13 Multiple occupancy

SUBCHAPTER 25. PHYSICAL ENVIRONMENT

- 10:161A-25.1 Resident bedrooms and baths
10:161A-25.2 Living and recreation rooms
10:161A-25.3 Dining rooms
10:161A-25.4 Storage
10:161A-25.5 Laundry equipment
10:161A-25.6 Kitchens
10:161A-25.7 Fire extinguisher specifications
10:161A-25.8 Employee rooms
10:161A-25.9 Sounding devices
10:161A-25.10 Ceiling heights

SUBCHAPTER 26. EXISTING FACILITIES

- 10:161A-26.1 Physical plant standards for all existing licensed facilities
10:161A-26.2 Fire safety
10:161A-26.3 Resident bedrooms

SUBCHAPTER 27. CONFIDENTIALITY

- 10:161A-27.1 Confidentiality

APPENDIX A

APPENDIX B

APPENDIX C

SUBCHAPTER 1. DEFINITIONS AND QUALIFICATIONS

10:161A-1.1 Scope and applicability

(a) This chapter applies to substance (alcohol and drug) abuse treatment facilities that provide residential substance use disorders treatment to adults and adolescents including, but not limited to, halfway houses, extended care facilities, long-term residential facilities, short-term residential treatment facilities and non-hospital-based (medical) detoxification or any other similar such organization. The rules in this chapter constitute the basis for the licensure and inspection of residential substance use disorders treatment facilities by the New Jersey Department of Human Services, Division of Mental Health and Addiction Services (DMHAS).