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STATE OF NEW JERSEY
DEPARTMENT OF INSTITUTIONS AND AGENCIES,
DIVISION OF MENTAL HEALTH AND HOSPITALS,
COMMUNITY MENTAL HEALTH SERVICES,

OFFICIAL RULES AND REGULATIONS
GOVERNING - STATE AID
UNDER THE
COMMUNITY MENTAL HEALTH SERVICES ACT

Chapter 146, Public Law 1957
(79 N. J. S. A. 30:9a-1 to 30:9a-10)

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REGULATION SHELF

OFFICIAL RULES AND REGULATIONS
GOVERNING STATE AID UNDER THE COMMUNITY MENTAL HEALTH SERVICES ACT

I. INTRODUCTION

- A. On July 15, 1957, the New Jersey State Community Mental Health Services Act officially became law. This legislation has been designated Chapter 146, Public Law 1957 (Assembly Bill number 435). The law states that it is a public policy in the State of New Jersey to "encourage the development of preventive and treatment services for mental health problems through additional community mental health programs, and the improvement and expansion of existing community mental health services."
- B. The role of the Department of Institutions and Agencies in the implementation of this bill encompasses the following areas of responsibility:
 - 1. Consultative services and technical assistance to communities in New Jersey. These services can, for example, include assistance in the solution of problems that may arise out of planning and activity in such areas as program development, community relations, fiscal planning, and the development of over-all resources;
 - 2. Responsibility for the administration of State and Federal mental health monies;
 - 3. The establishment and maintenance of minimum professional standards for personnel participating in the program;
 - 4. The assessment and determination of the eligibility of community mental health projects for participation in the Community Mental Health Services Act program.
- C. The County Mental Health Board will assume functions that set it apart from the Boards of other mental health groups within a county. The County Mental Health Board should, therefore, be clearly distinguished from the type of board which governs a specific mental health facility, and the board of a county mental health association.
- D. The basic procedure to be used in applying for mental health funds under the Mental Health Services Act is as follows:
 - 1. Each project requesting financial assistance under the Community Mental Health Services Act shall submit an application through the Mental Health Board in the County in which it is situated. A copy of the application shall be filed directly with the Division of Mental Health and Hospitals at the time the original forms are forwarded to the County Board.
 - 2. All projects shall include an explanation of the operation proposed and a budget showing all sources of revenue, including anticipated State financial aid, and a personnel staffing pattern.
 - 3. The County Mental Health Board shall recommend within the formula for State financial assistance, the amount of State financial support

eligible to the county to be allocated to each project in the county based on an evaluation of the project, the number of people served, the scope of the services provided, and such other factors as the Board may deem necessary to accomplish the objectives of this Act.

4. The recommendations of the various County Mental Health Boards as well as the processed applications of each project requesting aid shall be reviewed by the State Community Mental Health Advisory Council.
 5. The Commissioner, with due regard for the recommendations made by the Community Mental Health Advisory Council, shall approve for State financial participation community mental health projects which comply with all regulations of the Department, and which implement in an efficient and economic manner a community mental health program through educational, consultative, diagnostic and treatment services for mental health problems of children and adults in the community.
 6. The Commissioner shall notify the sponsoring agency of his action and certify the amount of State financial participation allowed, if any.
- E. The regulations and definitions that follow have been formulated to assist in the administration of the Mental Health Services Act, and accordingly reflect the stated conditions of the Act.

II. CONDITIONS GOVERNING APPLICATION FOR STATE GRANTS

A. Prerequisites

1. The formation of a County Mental Health Board and the appointment of its members must precede all applications for State aid. Chapter 146, P.L. 1957 defines and describes the composition of the County Mental Health Board, the procedure for appointing members, and the terms of office of the members.
2. Services for which a State grant is sought must not be refused to any person because of his race, color, creed, or nationality and the described services must comply with the New Jersey State laws and policies against discrimination.
3. Fees for services in outpatient psychiatric clinics shall be all-inclusive.
4. State aid will be granted for approved community mental health services whether or not they were in existence prior to the effective date of Chapter 146, P.L. 1957.
5. Projects which are making significant changes in their programs are to file notification with the Division of Mental Health and Hospitals and the County Mental Health Board as soon as plans are formulated.

6. Applications of projects requesting State grants must be forwarded by each County Mental Health Board to the Division of Mental Health and Hospitals with its official recommendation no later than May 1 of each year.
7. No County Mental Health Board shall operate a community mental health project.
8. When the maximum money available in any county is being expended on approved projects, no support will be given or promised to any new or expanded services until additional money is available.

Support of an on-going and currently approved project shall not be cut back in order to subsidize new or expanded services.
9. Inasmuch as services supported under the Community Mental Health Services Program are essential community services not otherwise available in the community and thus are not necessarily for the indigent, appropriate fee schedules shall be established in each instance.

B. Expenditures

1. The following types of expenditures are viewed as reimbursable by the Commissioner of the Department of Institutions and Agencies pursuant to the stated provisions of Assembly Bill 435:
 - a. Salaries and approved expenses of qualified and necessary personnel.
 - b. Approved services provided through contract or other arrangement.
 - c. Operation, janitorial, and service costs exclusive of rental or improvements to premises.
 - d. Actual and necessary expenses of members of the professional staff incurred in the performance of official duties.
2. The following types of expenditures are excluded from State aid:
 - a. Expenditures otherwise claimed under State grant programs.
 - b. Expenditures for rentals or improvements to premises.
 - c. Compensation to members of a county mental health board.

III. TYPES OF SERVICES AND FACILITIES FOR WHICH STATE AID WILL BE ALLOWED

Subject to Chapter 146, P.L. 1957, and the regulations stated here, State grants will be made for expenditures covering the following types of services and facilities whether incurred through direct or joint operation, by contract, or other arrangements.

A. Outpatient psychiatric clinics

1. Definition: This shall include mental hygiene clinics, child guidance clinics, and any other facility by whatever name known,

that is established or maintained as a public agency, or on a non-profit basis, for the examination, diagnosis, care or treatment, on an outpatient basis, of persons suffering from mental illness, mental retardation, or emotional disorder, provided that:

- a. Emphasis be placed on services for children and related adults in order to implement the work of the Child Study Team and provide measures and consultative services for school mental health programs.
 - b. Facilities designed specifically to provide services to the mentally retarded shall receive State support only for examination, diagnosis and parent counsel.
2. The professional staff of the project must include qualified personnel from each of the following professions:
 - (1) Psychiatry
 - (2) Psychology
 - (3) Social Work
 3. The Psychiatrist must assume medical and legal responsibility for the diagnostic and treatment program of the project, and must serve a sufficient amount of time to fulfill adequately this responsibility.
 4. The services of the various professional disciplines must be integrated through regular staff meetings and other conferences initiated for the joint purposes of diagnosis, and the planning and evaluation of treatment.
 5. Individual records shall be kept on each patient and shall contain all diagnostic studies including a record of treatment provided by the various professional disciplines. The record should provide sufficiently detailed information about the background and symptomatology of a patient, and the diagnostic formulation and course of treatment, so as to make possible an objective evaluation of services for statistical, and other purposes.

B. Outpatient psychiatric clinics in general hospitals

1. Definition: Outpatient psychiatric clinics which are part of the psychiatric service of a general hospital shall be subject to the same requirements as are set forth above for all outpatient psychiatric clinics.

IV. ASSESSMENT: EVALUATIONS AND REPORTS OF SERVICES

- A. County mental health boards or sponsoring agencies shall submit such reports of evaluation and assessments of a project as may be required by the Department of Institutions and Agencies.
- B. All mental health projects approved for State financial aid under the Community Mental Health Services Act shall submit a quarterly statement of services and expenditures on the forms provided by the Department.
- C. The Commissioner or any authorized representatives of the Department of Institutions and Agencies may visit, examine, inspect and investigate any service or facility for which State aid is claimed under Chapter 146, P.L. 1957 to determine whether the services and facilities are being conducted in accordance with the program outlined in the basic application submitted by the sponsoring agency.

V. APPLICATIONS

A. Content

- I. The application for State aid must consist of the following items:
 - a. A budget summary identifying each service and facility, and showing the total sum budgeted for each.
 - b. A detailed budget, or budgets, as they have been submitted for review by the County Mental Health Board.
 - c. Copies of all pertinent local laws and resolutions.
 - d. Copies of contracts for mental health services or the operation of facilities.
 - e. The application must be accompanied by a narrative statement of the purposes, scope, functions and responsibilities of the sponsoring agency, including fee schedules and rules for determining ability to pay.
 - f. The application must contain a statement of the services and facilities for which State aid is requested and shall state whether these are directly, or indirectly, operated by:
 - (1) The sponsoring agency
 - (2) Contract or other arrangement
 - (3) Other city or county agencies
 - (4) Private and/or voluntary agency

- g. All proposed major changes in subsequent annual budgets must be explained. Previously described budgets, however, need be explained only when the proposed expenditures for the said services show a change exceeding five per cent.
- h. A curriculum vitae (professional biography) for each new member of the professional staff.
- i. The names and titles of each member of the official governing body under whose auspices the facility operates.
- j. Such other pertinent documents which are requested by the Commissioner of the Department of Institutions and Agencies.

VI. PROFESSIONAL PERSONNEL

Professional personnel shall meet the minimum standards of training and experience set forth in this section.

A. Psychiatric personnel

I. Resident or psychiatrist in training

a. General duties

- (1) While in a training status and under approved psychiatric supervision, participates in the examination, diagnosis, treatment, and rehabilitation of emotional disorders of children and adults.^{1/}
- (2) Participates in community mental health activities under the supervision of a staff or senior psychiatrist.

b. Training and experience

- (1) Graduation from a Class A medical school and one year of approved internship.^{2/}
- (2) Possession of a state medical license. However, individuals holding appointment in a hospital residency training program need only meet academic requirements for medical license. In the case of unlicensed graduates of a foreign medical school a certificate issued by the Educational Council for Foreign Medical Graduates is required.

^{1/} The word "approved" with reference to psychiatric training means accepted by the American Board of Psychiatry and Neurology as part of the requirements for Board Certification.

^{2/} Approved by American Medical Association.

2. Staff Psychiatrist

a. General duties

- (1) Responsible for the diagnosis and treatment of psychiatric disorders.
- (2) Integrates the special skills of the clinic staff into the most suitable approach to the patient and to the mental health problems of the community.
- (3) Participates in community mental health activities by giving consultative services to other professional individuals or organizations.
- (4) Supports and participates in a program of mental health education for lay and professional groups.

b. Training and experience

- (1) Graduation from a Class A medical school and one year of approved internship.
- (2) Three years of approved training in psychiatry which includes service in a mental health clinic.
- (3) Licensed to practice medicine in New Jersey.

3. Clinical or Medical Director

a. General Duties

- (1) Directs the professional and community services activities of a clinic, a group of clinics, or a major phase of a large clinical program. Supervises staff members in the examination, staffing, and care of patients; provides instruction for other staff members; organizes and conducts community programs; provides consultative services to professional workers and organizations. Supports and participates in a mental health education program for lay and professional groups.

b. Training and Experience

- (1) Graduation from a Class A medical school and one year of approved internship.
- (2) Three years of approved training in psychiatry.
- (3) Two additional years of experience in psychiatry. At least one year of experience must have been in a mental health clinic or an equivalent of outpatient psychiatric service.
- (4) Licensed to practice medicine in New Jersey.

B. Psychological Personnel

1. Psychological Intern

a. General duties

- (1) Under the supervision of a trained staff psychologist, administers, scores, evaluates, and reports results of the more commonly used tests; collects and processes research data as may be prescribed by supervisor; or similar duties. The intern may participate in basic training in psychotherapeutic methods depending upon the discretion of the medical director.

b. Training and experience

- (1) A Master's degree, or 45 credits and enrollment in a doctoral program in psychology at a recognized university including practicum courses in diagnostic theory and methods.

2. Staff Psychologist

a. General duties

- (1) Participates in diagnostic and treatment functions; participates in community mental health activities; interprets and uses research findings; summarizes and quantifies research data and prepares evaluation studies; supervises the work of any psychological trainees assigned to him; and participates in any training program.

b. Training and experience

- (1) A Master's degree in psychology from an accredited university with a supervised internship.
- (2) One year of relevant experience beyond the internship.

3. Chief Psychologist

a. General duties

- (1) Supervises psychological personnel in lower grades; performs the psychological diagnostic and treatment functions in more difficult cases or provides consultation to staff members of lower grade for such cases; participates in inservice or other training programs; consults with other agencies in the community about psychological procedures and techniques needed to achieve mental health program objectives or executes details of community mental health programs; carries out plans for educational activities for lay groups; supervises or executes research or evaluation studies.

b. Training and experience

- (1) A Doctorate degree in psychology from a recognized university with a supervised internship.
- (2) One year of relevant experience beyond the internship.
- (3) One additional year of progressively responsible professional experience in psychology.

C. Social Work Personnel

1. Social Work Trainee

a. General duties

- (1) Under the supervision of a social work supervisor performs social work services to assist in the diagnosis and treatment of patients, and performs related duties as assigned.

b. Training and experience

- (1) Matriculation for a Master's degree in an approved school of social work.^{1/}

2. Staff Social Worker

a. General duties

- (1) Performs social work services of a more intensive nature and with more difficult types of problems. Serves as resource person in mental health problems to other social workers and social agencies in the area served by the clinic and may supervise social workers or students in social work; performs related duties as assigned.

b. Training and experience

- (1) Graduation with a Master's degree from a professional school of social work approved by the Council on Social Work Education.

3. Chief Social Worker

a. General duties

- (1) Responsible for the supervision of the staff social workers or students in social work assigned to a clinic for training; aids in staff development and training programs; establishes standards for adequacy of social case work in diagnostic and treatment procedures and formulates methods for increasing the effectiveness of the work of the staff social workers; acts as a consultant in the community served by the clinic on mental health programs carried on by other organizations and agencies; performs related duties as assigned.

^{1/}The word "approved" with reference to social work training means approved by the Council on Social Work Education.

b. Training and experience

- (1) Graduation with a Master's degree from a graduate school of social work approved by the Council on Social Work Education.
- (2) Five years of experience beyond the level of staff social worker
 - a. Four of these years of experience in a psychiatric clinic or hospital, two years of which were served under the supervision of a qualified social worker.
 - b. The remaining year must have been served in the supervision of social workers or trainees in social work.

D. Executive Personnel

I. Administrative or Executive Director

a. General duties

- (1) Provides administrative and executive leadership for a community mental health clinic, assumes the responsibility for program planning, development of resources, budget planning, and community relations in cooperation with other key personnel such as the medical director, and senior staff members; interprets policy, gives assistance to a board of directors, and serves as a liaison person. In general, seeks to attain the stated program goals of the clinic through sound administrative practices. In some instances this director may have a dual role and function as a staff member in psychology, social work, or education.

b. Training

A Master's or Doctoral degree from an accredited university in psychology, or psychology and education, social work, or in an inter-disciplinary graduate program emphasizing the above.

c. Experience

- (1) Three years of experience beyond the Doctorate where one year has been spent in a community mental health clinic performing duties leading to knowledge and understanding of the inter-disciplinary aspects of clinic operation, and to basic knowledge and familiarity with the roles and functions of all staff members

OR

- (2) Five years of experience beyond the Master's degree where two years have been spent in a community mental health clinic performing duties leading to knowledge and understanding of the inter-disciplinary aspects of clinic operation, and to basic knowledge and familiarity with the roles and functions of all staff members.

b. Training and experience

- (1) Graduation with a Master's degree from a graduate school of social work approved by the Council on Social Work Education.
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