

**CHAPTER 38A**  
**PRE-PLACEMENT PROGRAM**

**Authority**

N.J.S.A. 30:1-12, 30:4-27.19 and 30:4-63.

**Source and Effective Date**

R.2009 d.19, effective December 9, 2008.  
See: 40 N.J.R. 4487(a), 41 N.J.R. 236(a).

**Chapter Expiration Date**

Chapter 38A, Pre-Placement Program, expires on December 9, 2013.

**Chapter Historical Note**

Chapter 38A, Pre-Placement Program, was adopted as R.1993 d.356, effective July 19, 1993. See: 24 N.J.R. 4326(a), 25 N.J.R. 3213(a).

Pursuant to Executive Order No. 66(1978), Chapter 38A, Pre-Placement Program, was readopted as R.1998 d.381, effective June 26, 1998. See: 30 N.J.R. 1367(a), 30 N.J.R. 2646(a).

Chapter 38A, Pre-Placement Program, was readopted as R.2003 d.353, effective August 7, 2003. See: 35 N.J.R. 1822(a), 35 N.J.R. 4082(b).

Chapter 38A, Pre-Placement Program, was readopted as R.2009 d.19, effective December 9, 2008. As a part of R.2009 d.19, 10:38A Appendix, Sample PPV Agreement, was adopted as new rules, effective January 5, 2009. See: Source and Effective Date. See, also, section annotations.

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**APPENDIX. SAMPLE PPV AGREEMENT**

**SUBCHAPTER 1. GENERAL PROVISIONS**

**10:38A-1.1 Scope and purpose**

(a) The Pre-Placement Program shall be available to all eligible patients (as defined herein at N.J.A.C. 10:38A-2.1) at each of the State psychiatric hospitals operated by the Division. Community providers eligible to receive Pre-Placement Program payments from the State psychiatric hospital for the cost of pre-placement care shall include, but not be limited to, licensed boarding homes, residential care facilities, and other residential providers approved by hospital staff.

(b) Certain patients at State psychiatric hospitals have received the maximum available benefit from their inpatient

psychiatric hospitalization in the judgment of their treatment team, but have not had an opportunity to explore the suitability of or to demonstrate their ability to adjust to certain alternative available community placements. The purpose of the Pre-Placement Program is to provide such patients with the opportunity to test out, prior to discharge, a possible community setting and to serve those patients whose psychiatric history and hospital behavior threaten their ability to succeed at these placements unless it is financially and programmatically supported. Additionally, community service providers would receive authorization to ensure payment from the hospital's Interim Assistance Program for their room and board services provided to the client during the pre-placement visit but prior to an eligible client's receipt of either Interim Assistance or Supplemental Security Income benefits. Where a client is ineligible for Interim Assistance due to independent, sufficient and recurring income or benefits, payment to the provider for room and board services shall be made by the client.

Amended by R.2003 d.353, effective September 2, 2003.  
See: 35 N.J.R. 1822(a), 35 N.J.R. 4082(b).

In (a), inserted "(as defined herein at N.J.A.C. 10:38A-2.1)" following "patients"; inserted "and other residential providers approved by hospital staff" following "residential care facilities"; substituted references to hospitals for facilities throughout.

Amended by R.2009 d.19, effective January 5, 2009.  
See: 40 N.J.R. 4487(a), 41 N.J.R. 236(a).

In (b), substituted "judgment" for "judgement" and "an eligible" for "the", inserted ", prior to discharge," "from the hospital's Interim Assistance Program", "room and board" and "provided to the client during the pre-placement visit but", and inserted the last sentence.

**10:38A-1.2 Definitions**

The following words and terms, as used in this chapter, shall have the following meanings, unless the content clearly indicates otherwise:

"CEO" means the Chief Executive Officer of a State psychiatric hospital.

"Conditional Extension Pending Placement" or "CEPP" means, as delineated at R. 4:74-7(h)2, the legal status of a patient who is otherwise entitled to discharge, but who cannot be immediately discharged due to the unavailability of an appropriate placement. CEPP status is evidenced by a court order which conditionally extends the patient's hospitalization and schedules a placement review hearing 60 days thereafter. Any subsequent placement review hearings are held at intervals not greater than six months if the patient is not discharged earlier.

"Department" shall mean the New Jersey Department of Human Services.

"Division" shall mean the New Jersey Division of Mental Health Services.

"Interdisciplinary Treatment Team" means the organized group of clinical staff who are responsible for the treatment of

a specific patient who has been admitted to an adult psychiatric hospital. Members of the team meet to share their expertise with one another; to develop and implement treatment plans; to monitor patient progress; to reassess and make adjustments in treatment plans, as needed; and to plan discharge/aftercare. Patients are also members of their specific treatment teams and participate in the development of the treatment plan to the extent that their clinical condition permits. Family members and significant others are encouraged to be part of the treatment planning process. Treatment team members shall include, at a minimum, a psychiatrist, a registered nurse, and a social worker. The treatment team shall request the participation of whatever other unit or community liaison staff is necessary for the treatment and responsible discharge of the patient.

“Interim Assistance” means the payment procedure developed by the State of New Jersey and the Social Security Administration that permits a patient who has been released from a State psychiatric hospital and who has applied for Federal Supplemental Security Income (SSI) benefits to receive State loaned funding at a level consistent with the anticipated SSI benefit while his or her SSI claim is being evaluated. (See N.J.A.C. 10:38.)

Amended by R.1998 d.381, effective July 20, 1998.  
See: 30 N.J.R. 1367(a), 30 N.J.R. 2646(a).

In “Division”, substituted “Services” for “and Hospitals”.  
Amended by R.2003 d.353, effective September 2, 2003.  
See: 35 N.J.R. 1822(a), 35 N.J.R. 4082(b).

In “CEO” substituted “hospital” for “facility”; rewrote “Conditional Extension Pending Placement”, “Interdisciplinary Treatment Team”, added “Interim Assistance”.

## SUBCHAPTER 2. ELIGIBILITY REQUIREMENTS

### 10:38A-2.1 Program eligibility

(a) To be eligible for the Pre-Placement Program, including the supporting payments to community and other residential providers approved by hospital staff, the patient must:

1. Be an inpatient at a State psychiatric hospital who is not judicially restrained from discharge;
2. Be 18 years of age or older;
3. Have been evaluated by their Interdisciplinary Treatment Team as:
  - i. Not likely to constitute a danger to self, others, or property, if residing at the community program;
  - ii. Having received the maximum available benefit from their inpatient psychiatric hospitalization; and
  - iii. Possessing the capacity for successful adjustment at a specific, available community placement which is appropriate for pre-placement payments, if applicable;

4. Be likely to meet the eligibility standards for Supplemental Security Income, or have sufficient resources to sustain the placement without the State psychiatric hospital supporting payments to the community provider; and

5. Indicate his or her willingness to apply for both Interim Assistance and Supplemental Security Income, when appropriate.

Amended by R.2003 d.353, effective September 2, 2003.  
See: 35 N.J.R. 1822(a), 35 N.J.R. 4082(b).

In (a), inserted “and other residential” following “community” and “approved by hospital staff” following “providers” in the introductory paragraph and substituted “hospital” for “facility” in 1; in 3iii, inserted “if applicable” following “payments”; rewrote 4.

Amended by R.2009 d.19, effective January 5, 2009.  
See: 40 N.J.R. 4487(a), 41 N.J.R. 236(a).

In (a)4, deleted “income and medical” preceding “eligibility”, and substituted “psychiatric” for “Psychiatric”.

## SUBCHAPTER 3. PROGRAM STANDARDS

### 10:38A-3.1 Program standards and requirements

(a) Each eligible patient may participate in the Pre-Placement Program for any number of days, not to exceed a maximum of 14 calendar days.

1. The Interdisciplinary Treatment Team shall determine how long the placement period will be prior to the placement.
2. The length of the placement period may be adjusted during the placement, if clinically appropriate.
3. The Interdisciplinary Treatment Team shall discuss and consider the input received from the patient regarding the appropriate length of the placement.
4. The Interdisciplinary Treatment Team shall reach an agreement with the residential provider to make an adjustment to the placement period.

(b) Any hospital patient or any interested party on behalf of a hospital patient may initiate a Pre-Placement Program request to the patient’s Interdisciplinary Treatment Team.

(c) Each patient who has been approved as appropriate for the Pre-Placement Program by the Interdisciplinary Treatment Team and who may be eligible for Supplemental Security Income shall be referred to the Discharge/Financial Coordinator or other hospital designee for Interim Assistance eligibility determination.

(d) Each Chief Executive Officer (CEO) shall designate a member of the patient’s treatment team or other appropriate person, if indicated in the hospital’s policies and procedures manual, to monitor the patient’s adjustment in the community and, depending on the particular placement, act as a liaison to the community providers or the patient’s family for assistance regarding adjustment issues.