

**CHAPTER 35**  
**COUNTY PSYCHIATRIC FACILITIES**

**Authority**

N.J.S.A. 30:1-12 and 30:4-78, 78.1 through 78.5, and 79.

**Source and Effective Date**

R.2008 d.50, effective February 4, 2008.  
See: 39 N.J.R. 4384(a), 40 N.J.R. 1352(a).

**Chapter Expiration Date**

Chapter 35, County Psychiatric Facilities, expires on February 4, 2013.

**Chapter Historical Note**

Chapter 35, Standards of the Division of Correction and Parole, was adopted by R.1973 d.349, effective December 12, 1973. See: 6 N.J.R. 15(c). Chapter 35 was amended by R.1974 d.273, effective September 30. See: 6 N.J.R. 432(b); R.1974 d.356, effective December 27, 1974. See: 7 N.J.R. 59(b); R.1975 d.108, effective April 24, 1975. See: 7 N.J.R. 272(a). Chapter 35, Standards of the Division of Correction and Parole, was recodified as N.J.A.C. 10A:35.

Chapter 35, County Psychiatric Facilities, was adopted as R.1992 d.339, effective September 21, 1992. See: 24 N.J.R. 208(a), 24 N.J.R. 3339(a).

Pursuant to Executive Order No. 66(1978), Chapter 35, County Psychiatric Facilities, was readopted as R.1997 d.387, effective August 19, 1997. See: 29 N.J.R. 2511(a), 29 N.J.R. 4132(a).

Chapter 35, County Psychiatric Facilities, was readopted as R.2003 d.25, effective December 17, 2002. See: 34 N.J.R. 1890(a), 35 N.J.R. 405(a).

Chapter 35, County Psychiatric Facilities, was readopted as R.2008 d.50, effective February 4, 2008. See: Source and Effective Date.

**CHAPTER TABLE OF CONTENTS**

**SUBCHAPTER 1. GENERAL PROVISIONS**

- 10:35-1.1 Scope
- 10:35-1.2 Purpose
- 10:35-1.3 Definitions

**SUBCHAPTER 2. FINANCIAL AND MANAGEMENT PLAN**

- 10:35-2.1 Purpose and deadline of plan
- 10:35-2.2 Content of plan
- 10:35-2.3 Annual Certification Process
- 10:35-2.4 Modifications to the plan
- 10:35-2.5 Division review of initial and modified plans and annual certification

**SUBCHAPTER 3. AFFILIATION AGREEMENT DEVELOPMENT**

- 10:35-3.1 Affiliation agreement development
- 10:35-3.2 Review process

**SUBCHAPTER 4. TRANSFERS BETWEEN REGIONAL STATE AND COUNTY PSYCHIATRIC FACILITIES**

- 10:35-4.1 Scope
- 10:35-4.2 Basis for transfers
- 10:35-4.3 General transfer policies and procedures
- 10:35-4.4 Specific procedures when patients object to transfer

**SUBCHAPTER 5. SANCTIONS AND APPEALS PROCESS**

- 10:35-5.1 Sanctions
- 10:35-5.2 Appeals process

**SUBCHAPTER 1. GENERAL PROVISIONS**

**10:35-1.1 Scope**

These rules shall apply to the operation of the six current county psychiatric facilities at Bergen Regional Medical Center; Buttonwood Hospital; Camden County Health Services Center; Essex County Hospital Center; Meadowview Hospital; and Runnells Specialized Hospital. These rules shall also apply to any additional county psychiatric facilities, which may be so designated by the Commissioner in the future.

Amended by R.1997 d.387, effective September 15, 1997.

See: 29 N.J.R. 2511(a), 29 N.J.R. 4132(a).

Inserted reference to Runnells Specialized Hospital and made conforming amendments.

Amended by R.2003 d.25, effective January 21, 2003.

See: 34 N.J.R. 1890(a), 35 N.J.R. 405(a).

Substituted "Bergen Regional Medical Center" for "Bergen Pines Hospital" and deleted "Hospital" following "Camden County Health Services Center".

**10:35-1.2 Purpose**

The purpose of these rules is to promote efficiency, accessibility, and high-quality services within the county psychiatric facilities as part of a publicly funded well-coordinated and integrated Statewide system of mental health services. In order to best accomplish this purpose, the Commissioner hereby delegates certain authority granted by P.L. 1990, c.73 to the Director as detailed throughout this chapter.

**10:35-1.3 Definitions**

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

"Commissioner" means the Commissioner of the Department of Human Services.

"Compliance with Federal standards" means meeting the Medicare certification requirements in units for patients who require a level of care consistent with such Medicare certification.

"Compliance with State standards" means meeting the applicable licensure requirements of the New Jersey Department of Health and Senior Services.

"County psychiatric facility" means a psychiatric hospital or unit which is operated by the governing body of a county and which participates in the State aid program of the Department of Human Services, Division of Mental Health Services.

“Department” means the New Jersey Department of Human Services.

“Director” means the Director of the Division of Mental Health Services.

“Division” means the New Jersey Division of Mental Health Services within the Department of Human Services.

“Governing body of a county” means the office of the county executive. In those counties without a county executive it shall mean the county board of chosen freeholders.

“Plan” means financial and management plan submitted by the governing body of a county.

“Regional State psychiatric facility” means those State psychiatric hospitals listed in N.J.S.A. 30:1-7 which are being utilized by the Division of Mental Health Services to treat adult psychiatric patients within designated regions of the State. These facilities are Ancora Psychiatric Hospital, Grey-stone Park Psychiatric Hospital, Trenton Psychiatric Hospital and Senator Garrett W. Hagedorn Psychiatric Hospital.

Amended by R.1997 d.387, effective September 15, 1997.  
See: 29 N.J.R. 2511(a), 29 N.J.R. 4132(a).

Amended “Compliance with State standards”; “County psychiatric facility”, “Director”, “Division” and “Regional State psychiatric facility”.  
Amended by R.2003 d.25, effective January 21, 2003.  
See: 34 N.J.R. 1890(a), 35 N.J.R. 405(a).

In “Regional State psychiatric facility”, rewrote the second sentence.

## SUBCHAPTER 2. FINANCIAL AND MANAGEMENT PLAN

### 10:35-2.1 Purpose and deadline of plan

The governing body of each county that operates a county psychiatric facility shall submit to the Director a plan no later than December 31 of each calendar year so that the purpose articulated at N.J.A.C. 10:35-1.2 above may be achieved. In addition to the information listed at N.J.A.C. 10:35-2.2, the plan may need to include additional program or fiscal information deemed essential by the Director to fulfill the duties mandated by P.L. 1990, c.73. If any such additional information is needed, it shall be so requested in writing by the Director.

### 10:35-2.2 Content of plan

(a) The plan from each county facility shall minimally include the following information:

1. A statement of whether the governing body of the county intends to continue to operate a county psychiatric facility for the next calendar year;

2. A statement of any financial obligations that must be incurred in order to bring the facility into compliance with State and Federal standards, including any applicable plan of correction;

3. A statement of mission and the role of the facility within local and regional mental health systems;

4. A description of any program and facility deficiencies cited by State, Federal or private licensing, certifying or accrediting bodies and corrective action plans related to the cited deficiencies;

5. A description of target populations served, projected annual admissions and anticipated average daily population;

6. A description of admissions and discharge policies, including specific criteria;

7. A description of hours of operation, number and types of beds licensed and in use for psychiatric services;

8. A description of methodologies and/or data utilized to determine the need for current, modified or new programs;

9. A description of current and projected use of buildings and land for mental health and/or other purposes;

10. An identification of proposals or plans external to the psychiatric facility which may impact on the facility’s ability to provide services; and

11. A description, in a format specified by the Director, of budgetary information and personnel listings sufficient to reasonably identify facility, staffing and program operational costs, expected revenues, and associated financial aspects of planned facility services.

Amended by R.2003 d.25, effective January 21, 2003.

See: 34 N.J.R. 1890(a), 35 N.J.R. 405(a).

In (a)6, inserted “, including specific criteria” following “discharge policies”.

### 10:35-2.3 Annual Certification Process

On or before December 31 of each year, the governing body of each county shall submit written certification to the Director as to the accuracy of information submitted and that information contained in the previously submitted plan remains in effect without change, if that is so.

### 10:35-2.4 Modifications to the plan

(a) If changes to the plan are anticipated for the next year, the governing body of each county shall submit written notification and description of the modifications to the Director on or before December 31 of the preceding year.