

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

**Authority**

N.J.S.A. 30:1-12.

**Source and Effective Date**

R.1998 d.381, effective June 26, 1998.  
See: 30 N.J.R. 1367(a), 30 N.J.R. 2646(a).

**Chapter Expiration Date**

In accordance with N.J.S.A. 52:14B-5.1c, Chapter 38A, Pre-Placement Program, expires on December 23, 2003. See: 35 N.J.R. 1822(a).

**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: Source and Effective Date. See, also, section annotations.

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**SUBCHAPTER 1. GENERAL PROVISIONS**

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

(a) The Pre-Placement Program shall be available to all eligible patients at each of the State psychiatric facilities operated by the Division. Community providers eligible to receive Pre-Placement Program payments from the State psychiatric facility for the cost of pre-placement care shall include, but not be limited to, licensed boarding homes and residential health care facilities.

(b) Certain patients at State psychiatric facilities have received the maximum available benefit from their inpatient psychiatric hospitalization in the judgement 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 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 for their services prior to the client's receipt of either Interim Assistance or Supplemental Security Income benefits.

**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 facility.

“Conditional Extension Pending Placement” means a patient's legal status as determined by a court and evidenced by a court order.

“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 a group of persons who are responsible for evaluating a client's treatment and service needs, monitoring the client's progress and assessing his or her readiness for discharge. The team is composed of hospital staff and community service representatives.

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”.

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**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 providers, the patient must:

1. Be an inpatient at a State psychiatric facility 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;

4. Be likely to meet the income and medical eligibility standards for Supplemental Security Income; and
5. Indicate his or her willingness to apply for both Interim Assistance and Supplemental Security Income, when appropriate.

### SUBCHAPTER 3. PROGRAM STANDARDS

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

(a) Each eligible patient may participate in the Pre-Placement Program up to a maximum of 14 calendar days.

(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 approved as appropriate for the Pre-Placement Program by the Interdisciplinary Treatment Team shall be referred to the Discharge/Financial Coordinator for Interim Assistance eligibility determination.

(d) Each Chief Executive Officer (CEO) shall designate which facility staff are responsible to monitor the patient's adjustment at the community service provider and act as a liaison to that provider for assistance regarding adjustment issues.

(e) If a patient requests his or her return to the facility, the facility staff designated at (d) above shall review the placement situation and basis for the request and attempt to maintain the placement, if possible, and in the client's best interests. If these efforts do not succeed, and the patient continues to request his or her return during pre-placement period, the patient shall be returned to the facility.

(f) A patient may be returned to the facility when his or her Interdisciplinary Treatment Team has concluded that he or she and the provider have inadequately adjusted to each other so that conditions supporting the likelihood of a successful discharge and placement to the provider are not well-established. Before making its decision, the Interdisciplinary Treatment Team should discuss the situation with and consider the input received from the patient, patient's family, the provider and any other interested party with relevant information.

(g) Each participating patient and provider shall receive a fact sheet from facility staff which summarizes the significant aspects of the program. The provider shall demonstrate its willingness to adhere to the program's policies and procedures as delineated in this chapter by signing an agreement to that effect with the referring facility. The patient or patient's guardian shall be given the opportunity to consent in writing to the disclosure of the patient's facility records to the provider prior to placement. If either a prospective provider or a patient wants to interview the other prior to placement, the interview shall be arranged by the hospital staff.

(h) Patients adjudicated as Conditional Extension Pending Placement may participate in the program but facility staff need to be careful that patient participation in the program and possible return to hospitalization due to unsuccessful adjustment involve notice to the court and be in accordance with court directives. Patients who are involuntarily committed may also participate in the program unless a court order directs otherwise.

(i) State psychiatric facility staff shall adhere to appropriate internal directives regarding financial and administrative recordkeeping and payment methodology.

(j) Whenever a patient successfully completes a Pre-Placement for 14 days with a provider, he or she shall be removed from that program status and no longer subject to return to the facility according to the standard contained in these rules (see (e) above). Patients who have completed the Pre-Placement Program and whose subsequent behavior indicates that they require psychiatric hospitalization must be screened in accordance with the procedures and standards contained in the Mental Health Screening Law (N.J.S.A. 30:4-27.1 et seq.).

(k) Whenever a patient successfully completes a Pre-Placement for 14 days with a provider, an alternative financial source, such as Supplemental Security Income, for any continued cost of community care must be secured by the patient, with assistance from hospital staff, as needed, in order to maintain ongoing placement with that provider.