

CHAPTER 37B
PSYCHIATRIC COMMUNITY RESIDENCES
FOR YOUTH

Authority

N.J.S.A. 30:11B-4.

Source and Effective Date

R.1999 d.158, effective April 22, 1999.
 See: 31 N.J.R. 515(a), 31 N.J.R. 1334(b).

Chapter Expiration Date

In accordance with N.J.S.A. 52:14B-5.1c, Chapter 37B, Psychiatric Community Residences for Youth, expires on October 19, 2004. See: 36 N.J.R. 1692(a).

Chapter Historical Note

Chapter 37B, Psychiatric Community Residences for Youth, was adopted as R.1994 d.227, effective May 2, 1994. See: 25 N.J.R. 2197(a), 26 N.J.R. 1828(c).

Pursuant to Executive Order No. 66(1978), Chapter 37B, Psychiatric Community Residences for Youth, was readopted as R.1999 d.158, effective April 22, 1999. See: Source and Effective Date.

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SUBCHAPTER 1. GENERAL PROVISIONS

10:37B-1.1 Scope and purpose

(a) The rules in this chapter apply to all licensed psychiatric community residences for youth funded by or under contract with the Division.

(b) The purpose of the rules in this chapter is to:

1. Enable licensure and regulation of specialized residences for mentally ill youth;
2. Promote the goal of the residences to provide appropriate mental health services to youth at risk of hospitalization or recently discharged from inpatient care but not ready to return home or reside in a less intensive facility;
3. Promote high quality and effective delivery of funded residential services for youth; and
4. Establish licensure fees.

Amended by R.2004 d.91, effective March 1, 2004.
See: 35 N.J.R. 4200(b), 36 N.J.R. 1203(a).
In (b), added 4.

10:37B-1.2 Definitions

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

“Behavior management practice” means the use of a time out quiet room, therapeutic holding technique or point system as part of a comprehensive treatment plan to help the youth develop self-control, to reduce maladaptive behavior or to protect the youth and others from harm.

“Behavior management quiet room” means a room used exclusively for the purpose of keeping the youth apart from all social interaction in order to protect the youth or other persons from the youth’s assaultive or destructive behavior.

“CCIS” means the regional Children’s Crisis Intervention Service unit established to serve, for a period not exceeding 28 days, youth from the ages of five through 17 who have:

1. Received an initial screening by a designated mental health emergency screening service;
2. A primary psychiatric diagnosis; and
3. An impaired level of personal and social functioning to the extent that inpatient psychiatric crisis intervention and treatment services are necessary.

“Comprehensive treatment plan” means the formulation of goals, objectives and interventions for services based on an assessment which includes treatment, recommendations, and which may include: psychological, medical, developmental, family, educational, social, cultural, environmental, recreational and vocational components.

“Consent” means that a parent having legal responsibility for educational decision making or the adult pupil (that is, a person age 18 through 21 who is not under legal guardianship) has been fully informed of all information relevant to the activity for which the consent is sought, in his or her native language or other mode of communication, understands and agrees in writing to the implementation of this activity, and understands that granting of consent is voluntary and may be revoked at any time.

“Counseling for families” means the use of therapeutic methodologies which enable families to resolve problems or temporary stress of situations which they have encountered.

“Daily living skills” means the activities which enable a youth to perform functions for everyday living, such as basic housekeeping, grooming, dressing, maintaining schedules, **social and recreational activities.**

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

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

“DYFS” means Division of Youth and Family Services within the New Jersey Department of Human Services.

“Educationally handicapped pupil” means a pupil who has been determined to be eligible for special education and or related services according to N.J.A.C. 6:28-3.5. Classification categories for educationally handicapped pupils include: auditorily handicapped, autistic, chronically ill, communication handicapped, emotionally disturbed, mentally retarded, multiple handicapped, neurologically impaired, perceptually impaired, preschool handicapped, orthopedically handicapped, socially maladjusted, and visually handicapped.

“Group counseling” means the use of group processes and supports to develop in individuals the capacity to overcome specific personal problems or problem conditions.

“Individualized education program” means a written plan developed at a meeting according to N.J.A.C. 6:28-3.6 which sets forth goals and objectives and describes an integrated sequential program of individually designed educational activities and related services necessary to achieve the stated goals and objectives.

“Parent” means a birth or adoptive parent, legal guardian, or any other person having responsibility for, or custody of, a youth.

“Provider agency” (PA) means a public or private organization which has a mental health contract with the Division and has been licensed by the Division to provide residential services.

“Psychiatric community residence for youth” (residence) means a community residential facility, licensed by the Division in accordance with this chapter, which provides food, shelter, and personal guidance on a 24-hour basis under such supervision as required to not more than 15 mentally ill youth who require assistance. These residences are funded by or contracted with the Division for youth who have received or may be at risk of inpatient care in an inpatient facility and who may benefit from psychiatric treatment within a community residence setting so as to avert more intensive treatment or to facilitate their return home or placement in a longer term residential facility. Residences do not admit any person residing in the State psychiatric hospital for adolescents or the State correctional facilities who has been found not guilty of a crime by reason of insanity or unfit to be tried on a criminal charge. Residences are not considered a health care facility, within the meaning of the “Health Care Facilities Planning Act,” P.L. 1971 c.136 (N.J.S.A. 26:2H-1 et seq.) and include, but are not limited to, group homes, supervised apartment living arrangements, family care homes and hostels.

“Referral” means, for educational purposes, making a written request that a child study team meet to determine the need for evaluation according to N.J.A.C. 6:28-3.3.

“School-age pupil” means a person age three through 21 who is or was enrolled in a public school.

“Seriously emotionally disturbed youth”, 18 years of age or younger, exhibiting one of the following characteristics:

- 1. Behavioral, emotional, or social impairment that disrupts the child’s or adolescent’s academic and developmental progress and may also impact upon family and interpersonal relationships and has impaired functioning that has continued for at least one year, or
- 2. Has an impairment of short duration and high severity.

“State facility education program” means a program contracted with the Department and funded by the Department’s Office of Education for the provision of education services.

“Therapeutic holding technique” means holding a youth so that he or she cannot move all or part of his or her body. This technique does not involve the use of any mechanical devices, such as hand or foot cuffs to restrict the movement of the youth.

“Time out” means removing a youth to an area or room in the residence where there is limited stimulation. This removal should be a therapeutic intervention and a time for the youth to reflect on his or her behavior in order to gain control so he or she can return to the other youth.

“Youth” means a person who is 18 years of age and under.

SUBCHAPTER 2. LICENSING

10:37B-2.1 Initial licensing process

(a) All inquiries related to licensure of psychiatric community residences for youth shall be made to:

Division of Mental Health Services
Bureau of Licensing and Inspections
Capital Center, PO Box 727
Trenton, N.J. 08625-0727

(b) To become a licensed provider agency (PA), an agency must:

- 1. Demonstrate the intent and capability to operate a community residence within the provisions of this chapter;
- 2. Be a mental health provider with a service contract with, or funding from, the Division. Such a service con-

tract shall include provisions for the operation of community residences; and

3. Pay the fee(s) required by N.J.A.C. 10:37B-2.2.

(c) The PA shall comply with this chapter.

(d) The PA shall apply for licensure to the Division. Applications shall indicate the type or types of community residences intended, the specific geographic location in which residences would be located, and the number of residents to be served. Such application shall be made to the Division at the address in (a) above.

Amended by R.2004 d.91, effective March 1, 2004.

See: 35 N.J.R. 4200(b), 36 N.J.R. 1203(a).

In (a), amended the address; in (b), added 3; in (d), deleted the last sentence.

10:37B-2.2 Licensure fees

(a) The PA shall submit the appropriate fee on an annual basis to the Division at the address listed at N.J.A.C. 10:37B-2.1(a). Checks shall be made payable to the “State of New Jersey.” No license shall be issued where payment of this fee has been received by the Division. Failure to pay the annual fee applicable to an existing license shall result in revocation of that license.

(b) A PA applying for a new license shall submit an application fee of \$575.00. A PA is not required to pay a separate application fee for a program for which it is licensed under N.J.A.C. 10:37-10 on July 1, 2003.

(c) A PA applying for renewed licensure shall submit with its application a licensure renewal fee in accordance with the following schedule:

- 1. Renewal fee for first psychiatric community residence for youth \$575.00
- 2. Renewal fee for each additional psychiatric community residence for youth \$287.50

New Rule, R.2004 d.91, effective March 1, 2004.

See: 35 N.J.R. 4200(b), 36 N.J.R. 1203(a).

Former N.J.A.C. 10:37B-2.2, Licensing of psychiatric community residences for youth programs, recodified to N.J.A.C. 10:37B-2.3.

10:37B-2.3 Licensing of psychiatric community residences for youth programs

(a) The Division shall inspect any proposed psychiatric community residence for youth site, utilizing the physical and fire safety standards pursuant to N.J.A.C. 10:128-4.1 and 10:128-4.4 through 4.6, and shall review all program operations or descriptions for compliance with the provisions of this chapter.

(b) The Division shall notify the PA in writing of any violations.

(c) Once the PA has corrected all violations, the PA shall request a final site inspection and shall submit documents indicating habitability.

(d) A license shall be issued once intent to comply with all program requirements is demonstrated, inspections are satisfactory, and there is reasonable assurance that the residence shall be operated in the manner required by this subchapter.

(e) The license shall be issued by the Department through the Division.

(f) The license shall be limited to a specifically identified facility, issued for a period of one year and shall indicate the maximum number of persons to be served within that facility.

(g) The license shall be available during normal business hours on the agency's premises for review by the Division or any interested members of the public.

Recodified from N.J.A.C. 10:37B-2.2 by R.2004 d.91, effective March 1, 2004.

See: 35 N.J.R. 4200(b), 36 N.J.R. 1203(a).

Former N.J.A.C. 10:37B-2.3, Provisional license, recodified to N.J.A.C. 10:37B-2.4.

10:37B-2.4 Provisional license

(a) A provisional license may be issued by the Department to a prospective PA which expresses interest in operating a community residence, indicates in writing an intent to comply with the guidelines contained in this chapter and applies to the Division for such provisional licensing. The application shall indicate the type or types of community residences desired, the specific geographical areas in which residences would be located, and the number of residents to be served.

(b) The Division shall review the application of the prospective PA, assess the fiscal, programmatic, and administrative capabilities of the PA and determine whether a provisional license shall be issued. The PA shall pay the fee(s) required by N.J.A.C. 10:37B-2.2.

(c) The provisional license shall authorize a PA to secure a facility or facilities in which to provide services.

(d) A provisional license shall authorize a PA to provide services to residents.

(e) The provisional license shall be issued for a time period not to exceed six months and may be renewed in six months intervals by the Division if, in its judgment, the PA consistently made good faith efforts to establish the proposed residence(s).

(f) A PA which has been issued a provisional license shall immediately make application for an annual renewable license in accordance with N.J.A.C. 10:39-2.1 when the residence has been secured and services to residents are ready to be initiated.

Recodified from N.J.A.C. 10:37B-2.3 and amended by R.2004 d.91, effective March 1, 2004.

See: 35 N.J.R. 4200(a), 36 N.J.R. 1203(a).

In (b), rewrote the last sentence. Former N.J.A.C. 10:37B-2.4, Applicability of standards, recodified to N.J.A.C. 10:37B-2.5.

10:37B-2.5 Applicability of standards

(a) All PAs which are funded by, or have contracts with, the Division prior to May 2, 1994 and all community residences in operation prior to May 2, 1994 shall be considered approved for licensing and shall not be subject to the initial or provisional licensing process. From May 2, 1994 on, licensure shall be based on the Division's annual inspection.

(b) Those PAs which are not funded by or do not have contracts with the Division on or before May 2, 1994 and those residences established subsequent to May 2, 1994 shall follow the initial licensing process, as required by this chapter, and shall be subject to annual inspections.

Recodified from N.J.A.C. 10:37B-2.4 by R.2004 d.91, effective March 1, 2004.

See: 35 N.J.R. 4200(b), 36 N.J.R. 1203(a).

Former N.J.A.C. 10:37B-2.5, Waiver of standards, recodified to N.J.A.C. 10:37B-2.6.

10:37B-2.6 Waiver of standards

(a) Requests for waivers shall be made to the Division in writing with supporting information justifying the request.

(b) Waivers of specific standards shall be considered at the discretion of the Division, provided that one or more of the following conditions have been met:

1. Strict enforcement of the standard would result in unreasonable hardship on the clients;
2. The waiver is in accordance with the particular need of a client(s) but does not adversely affect the health, safety, welfare, or rights of the client; or
3. There is a clear clinical or programmatic justification for such a waiver that will enhance a PA's effectiveness or efficiency without an adverse effect on any client's health, safety, welfare or rights.

Recodified from N.J.A.C. 10:37B-2.5 by R.2004 d.91, effective March 1, 2004.

See: 35 N.J.R. 4200(b), 36 N.J.R. 1203(a).

Former N.J.A.C. 10:37B-2.6, License renewal, recodified to N.J.A.C. 10:38B-2.7.

10:37B-2.7 License renewal

(a) The license shall be subject to an annual renewal.

(b) Determination of license renewal shall be based on the annual evaluation conducted by the Division's Bureau of Licensing and Inspections.

(c) The Director of the Division (or designee) shall make the determination of renewal.

(d) In the event that a license expires prior to the determination of renewal, the license shall remain in effect until such a determination is made.

(e) A PA seeking renewal of its license shall pay the fee(s) required by N.J.A.C. 10:37B-2.2. Failure to pay the required fees shall result in denial of the application for license renewal.

Recodified from N.J.A.C. 10:37B-2.6 and amended by R.2004 d.91, effective March 1, 2004.

See: 35 N.J.R. 4200(b), 36 N.J.R. 1203(a).

Rewrote (e). Former N.J.A.C. 10:37B-2.7, Monitoring compliance, recodified to N.J.A.C. 10:37B-2.8.

10:37B-2.8 Monitoring compliance

(a) The PA shall ensure, through its quality assurance program, that residences meet the program and facilities requirements for licensure set forth in this chapter. Quality assurance visits to ensure health, safety, and welfare standards shall be conducted by the PA quarterly, at a minimum. The Division will audit the process annually.

(b) All PAs and residences shall be evaluated on site for program requirements annually by the Bureau of Licensing and Inspections, and, at the discretion of the Division, as needed.

(c) A formal report of program and facility evaluations, including all deficiencies and violations, shall be provided to the PA by the division.

(d) No later than 40 days after receipt of the report, the PA shall provide written notice to the Division that specific violations have been corrected, and that actions have been taken to abate specific violations noted and that full correction is anticipated within the time frames noted in the report.

(e) For any violations cited by the Division as life-threatening, meaning presenting an imminent threat to the health and safety of residents, the PA shall correct them and remove the threat created by such deficiencies immediately and shall provide written notice, within 48 hours, to the Bureau of Licensing and Inspections that such action has been taken.

(f) If the Division report identifies violations which are not life-threatening, representatives from the Division, as part of their ongoing monitoring responsibilities, shall visit the specified residence or program and provide a report to the Division on progress toward remediation of deficiencies every 60 days until compliance is achieved.

(g) When the PA is cited for a physical violation and the maintenance is the responsibility of another party, there must be documented evidence that the PA has informed the building owner, and his or her agent, of the need to correct any deficiencies. If such deficiencies are not corrected, the PA shall take further action as appropriate.

Recodified from N.J.A.C. 10:37B-2.7 by R.2004 d.91, effective March 1, 2004.

See: 35 N.J.R. 4200(b), 36 N.J.R. 1203(a).

Former N.J.A.C. 10:37B-2.8, Appeal of the Division's findings, recodified to N.J.A.C. 10:37B-2.9.

10:37B-2.9 Appeal of the Division's findings

(a) The PA may appeal findings of the Division, with the exception of life-threatening violations.

(b) The appeal of findings shall be directed to the director of the Division (or designee) within 20 days of the PA's receipt of the written report of findings.

(c) A response to the appeal shall be provided to the PA within 20 days of its receipt.

Recodified from N.J.A.C. 10:37B-2.8 by R.2004 d.91, effective March 1, 2004.

See: 35 N.J.R. 4200(b), 36 N.J.R. 1203(a).

Former N.J.A.C. 10:37B-2.9, Administrative sanction, recodified to N.J.A.C. 10:37B-2.10.

10:37B-2.10 Administrative sanction

(a) In the event that the PA does not submit the written notice specified in N.J.A.C. 10:39-3.1(c) by the required date, or if violations have not been abated within time frames specified in the report, the Division shall have the option of suspension of payments to which the PA may be entitled under any agreements with the Division, imposition of a moratorium on admissions to the facility, revocation of the current license to operate the facility, non-renewal of the license to operate the facility, or imposition of other administrative sanction(s) appropriate to the violations cited.

(b) In the event that the Division requires the revocation or non-renewal of the license and the relocation of the residents of the facility, a written order shall be directed to the PA's executive director (or designee) and to the President of the Board of Directors of the agency.

(c) When an order to vacate the premises and the revocation of a license has been issued by the Division, the Department shall work with the PA to ensure proper placement of residents.

Recodified from N.J.A.C. 10:37B-2.9 by R.2004 d.91, effective March 1, 2004.

See: 35 N.J.R. 4200(b), 36 N.J.R. 1203(a).

Former N.J.A.C. 10:37B-2.10, Review of administrative sanctions, recodified to N.J.A.C. 10:37B-2.11.

10:37B-2.11 Review of administrative sanctions

Where an administrative sanction exists and the PA denies the basis of the sanction, the PA may apply to the director of the Division (or designee) for a review, which shall be afforded and a decision rendered by the director of the Division (or designee) within five working days of the receipt of the written request for a review.

Recodified from N.J.A.C. 10:37B-2.10 by R.2004 d.91, effective March 1, 2004.

See: 35 N.J.R. 4200(b), 36 N.J.R. 1203(a).

Former N.J.A.C. 10:37B-2.11, Administrative hearing of appeal, recodified to N.J.A.C. 10:37B-2.12.

10:37B-2.12 Administrative hearing of appeal

If the PA chooses to appeal a decision made pursuant to the provisions of N.J.A.C. 10:37B-2.10, the PA may request an administrative hearing, which shall be conducted pursuant to the Administrative Procedure Act, N.J.S.A. 52:14B-1 et seq. and 52:14F-1, and the Uniform Administrative Procedure Rules, N.J.A.C. 1:1.

Recodified from N.J.A.C. 10:37B-2.11 by R.2004 d.91, effective March 1, 2004.

See: 35 N.J.R. 4200(b), 36 N.J.R. 1203(a).

Former N.J.A.C. 10:37B-2.12, Emergency situation, recodified to N.J.A.C. 10:37B-2.13.

10:37B-2.13 Emergency situation

The Division, when it determines that the health, safety or welfare of the residents warrant it, may immediately suspend a PA license, and take the necessary action to ensure the well-being of residents. Any hearing provided in such cases shall be on an expedited basis.

Recodified from N.J.A.C. 10:37B-2.12 by R.2004 d.91, effective March 1, 2004.

See: 35 N.J.R. 4200(b), 36 N.J.R. 1203(a).

SUBCHAPTER 3. ADMINISTRATION**10:37B-3.1 Statement of purpose**

(a) The residences shall maintain on file a written statement of purpose that shall identify the following:

1. The residence's philosophy, goals and objectives;
2. Characteristics of the youth to be served;
3. Types of treatment services provided to the youth, including those provided directly by the residence and those provided in cooperation with community agencies or outside individuals;
4. Procedures for implementing those services; and
5. Criteria for successful completion of the program.

(b) The residence shall give this statement of purpose to the parents of the youth applying for services, to all staff members and to all persons who request this information.

(c) The residence shall secure and shall maintain on file a record of a parent or legal guardian and staff members' signatures attesting to their receipt of the statement of purpose.

10:37B-3.2 Management

The residences shall comply with all applicable management standards as promulgated by the Division, in accordance with the Administrative Procedure Act, N.J.S.A. 52:14B-1 et seq., and the rules regarding agency rulemaking, N.J.A.C. 1:30.

10:37B-3.3 Rights of youth

(a) The residence shall prepare a list of youth's rights and shall post it in a prominent location in each residence or give it to the youth and document such in each youth's record. In either case these rights shall be explained to the youth to the extent the youth is capable of understanding them, including by appropriate means to youth whose primary language is not English or who have a communication handicap. At a minimum, the list shall specify the youth's right to:

1. Receive prompt medical treatment;
2. Have access to an appropriate education;
3. Live in a safe, clean and healthy environment;
4. Be free of physical or sexual harassment or abuse or corporal punishment;
5. Attend religious services of their choice;
6. Have unimpeded communication to DYFS in order to report allegations of physical abuse, physical neglect, or sexual abuse; and
7. In the case of youth placed into these residences pursuant to the authority of DYFS, the provisions of N.J.S.A. 9:6B-1 et seq. shall also apply.

(b) The residence shall give this list of youth's rights to a parent or legal guardian of the youth applying for admission, all staff members, and all persons who request this information.

(c) The residence shall secure and maintain on file a record of a parent or legal guardian and staff members' signatures attesting to their receipt of the list of youth's rights.

(d) The residence shall prepare, post, or give to all staff members and youth a written grievance procedure governing how the youth may raise questions about or voice disagreements with and concerns about procedures, care, and specific incidents. The residence shall not take, or threaten to take, retaliatory or disciplinary action of any kind against a youth who uses the grievance procedure or files a grievance. The residence shall provide a procedure to explain the above to youth in a manner in which they can understand their rights.

10:37B-3.4 Information to be provided to parent, legal guardians and staff members

(a) The residence shall provide and explain to every parent, within five working days of his or her youth's placement, and to every person upon becoming a staff member, including the provision, by appropriate means, to individuals whose primary language is not English or who have a communication handicap, a written document indicating that the residence is required to:

1. Comply with all applicable provisions of this chapter;
2. Retain a current copy of this chapter and make it available for review by parents or legal guardians of resident youth;
3. Make available for review any Department reports reviewing program compliance with this chapter;
4. Indicate how parents or legal guardians may secure a copy of this chapter by contacting the Office of Children's Services, Division of Mental Health and Hospitals, CN 727, Trenton, New Jersey 08625-0727;
5. Afford parents or legal guardians the opportunity and time to review and discuss with the residence director any questions or concerns about policies, requirements, provisions, or alleged violations of this chapter;
6. Advise parents or the legal guardian that if they believe or suspect that the residence is in violation of any provision of this chapter, they may report such alleged violations to the Division;
7. Make available, upon request, for parents' or legal guardian's review, any Inspection Violation and Complaint Reports on the residence, as well as any letters of enforcement or other actions taken against the residence during the previous two-year period;
8. Inform parents or legal guardians that they may request a copy of the residence's or agency's behavior management policy, including policies for searches, as specified in this chapter.

9. Inform parents or legal guardian that the residence or agency is required to provide the youth's parent or legal guardian with copies of the residence's or agency's visitation and communication policies, a copy of the procedure for expressing concern or registering complaints regarding their youth's placement, and a description of its religious policies, including a statement that the youth has a right to practice his or her religion;

10. Indicate through this document that any person who has reasonable cause to believe that a youth residing in the residence has been or is being subjected to any form of hitting, corporal punishment, abusive language, ridicule, or harsh, humiliating, or frightening treatment, or any other kind of youth abuse, neglect or exploitation by any person, whether working at the residence or not, is required by State law to report such allegations to the DYFS Institutional Abuse Investigation Unit, TOLL FREE at 1-800-215-6853, Monday through Friday between 9:00 A.M. and 5:00 P.M. or, at other times, any local DYFS District Office immediately, and indicate that such reports may be made anonymously;

11. Indicate through this document how parents or legal guardians and staff members may secure information about the prevention and reporting of child abuse and neglect by contacting the DYFS District Office;

12. Inform parents or legal guardians that the residence or agency must secure written consent from the youth's parents or guardians before the residence or agency may involve the youth in fund raising, publicity, or audiovisual activities related to the residence or agency; and

13. Inform parents or legal guardian that the residence will develop a visitation schedule for parents or legal guardians and youth, as specified in this chapter.

(b) The residence or agency shall comply with the requirements specified in (a) above by:

1. Securing the parent's or guardian's and staff member's signature on a record attesting to receipt of the document, and maintaining the record on file; or

2. Documenting in the record the attempts made to secure the parent's or guardian's signature.

10:37B-3.5 Community participation

(a) The residence shall establish policies and procedures that encourage, enhance, and ensure good community relations.

(b) The director of the residence shall ensure that community activities have been scheduled or completed and shall provide updates on community involvement to the governing board on a quarterly basis.

5. The name, address, and telephone number of father, mother, or foster parent(s), or legal guardian(s), if different from above;

6. The name, address, and telephone number of the case manager of the placing agency or other agencies involved in the case;

7. The name, address, and telephone number of the person to notify in an emergency;

8. The name of siblings, their ages, and gender;

9. Medicaid card and, if applicable, insurance numbers;

10. School(s) attended, grade level, and employer, if any;

11. In those cases where the birth certificate and immunization records are unavailable, documentation that the referral source has requested the same should be forwarded to the residence;

12. Progress summary to include the progress of treatment and stabilization that occurred while the youth was hospitalized or in an intensive psychiatric treatment program; and

13. A discharge plan, to include a review of the circumstances that precipitated prior psychiatric placement or hospitalization, a review of the youth's needs, current health, medical history, current medications, side effects, reason for referring the youth to program, and a contact person.

SUBCHAPTER 4. PROGRAM REQUIREMENTS

10:37B-4.1 Affiliation agreements

Each agency operating a residence shall negotiate affiliation agreements with child-serving agencies and providers. This shall include, but not be limited to, CCIS, children's partial care programs, and other inpatient psychiatric facilities approved for referral by the Division.

10:37B-4.2 Criteria for admission

(a) The program shall develop written inclusionary and exclusionary admission criteria.

(b) Except as approved in writing by the Division, in accordance with N.J.A.C. 10:37B-2.5, admission policies of the PA shall restrict admissions to youth who have received acute inpatient care in an inpatient facility and require psychiatric treatment in a community residence setting prior to returning home or placement in a longer term residential facility, or youth who may be at risk for receiving acute inpatient care.

(c) All admission criteria and admissions procedures shall be stated in the affiliation agreements with referral sources.

10:37B-4.3 Admission information

(a) The agency or residence shall develop procedures with the referral source to obtain written information on each youth prior to admission to the program. This will be negotiated as part of the affiliation agreement. Information will include, but not be limited to:

1. The reason for referral to the residence;
2. The reason for admission;
3. The youth's full name, nicknames, if any, gender, date of birth, religion, race, and social security number if available;
4. The name, address, telephone number and relationship to the youth of the person(s) with whom the youth was living at the time of admission;

10:37B-4.5 Admission

(a) Upon admission, the PA shall possess such information it determines to be necessary to provide treatment.

(b) The PA or residence shall obtain consent from a parent or legal guardian for emergency medical and surgical care, semi-annual dental care and annual physical examinations for the youth.

(c) A release of information from the parent or legal guardian for all agencies having provided services for the youth admitted shall be requested. Subsequent requests for information shall be documented.

(d) The youth shall be given a secure place to store valuables and shall have explained to him or her house rules, youth's rights, the discipline policy, and the search and seizure policy, if any. Any search and seizure policy employed by the PA shall comply with applicable Federal and State law. The youth shall also be oriented in emergency and evacuation procedures.

(e) Within 72 hours of admission, a brief assessment—initial service plan shall be completed. This assessment—service plan shall include, at a minimum:

1. A face-to-face interview by the clinical staff member;
2. Consideration of the information supplied by the referring agency;
3. Consideration of needs in the following critical areas: physical health, psychiatric status, family, recreational, social, academic, behavioral, legal and psychological;
4. Specific needs to be addressed by the initial treatment plan;
5. Goals and strategies that relate to assessed needs, reasons for admission, reasons for discharge, and referral to the residence; and
6. Interventions to be implemented in the first two weeks.

10:37B-4.6 Treatment planning

(a) The residence shall develop, implement, and maintain on file a written individual master treatment plan for each youth.

(b) The residence shall form a multi-disciplinary treatment team that is responsible for the development of a treatment plan for each youth. Youth shall be allowed to participate in the development of their treatment plan to the extent that their clinical condition permits. The multi-disciplinary treatment team shall include, but not be limited to, the following members:

1. Representatives from the psychiatric community residences programs;
2. Representatives of DYFS;
3. Representatives of youth case management;
4. Representatives from the youth's responsible school district and current school district, if appropriate; and
5. The youth's parents, designated representative or legal guardian, shall be included in the treatment team unless clinically contraindicated and justified in writing.

(c) The residence shall document in the youth's record that the DYFS case manager or other placing agency, the youth's therapist, parents, or legal guardian and the youth's responsible school district and current school district, if appropriate, were invited to participate as members of the treatment team and assist in the development of the treatment plan and all subsequent revisions.

(d) The residence shall develop and implement the master treatment plan within 10 working days following a youth's admission, and review or revise the treatment plan at least every month thereafter.

(e) The master treatment plan and revisions shall be based on a comprehensive assessment that includes the following:

1. A current psychosocial history and update;
2. A psychiatric evaluation that has been completed within the last 60 days;
3. A psychological evaluation, as indicated;
4. A current report card, as available;
5. A current history of immunization;
6. A current youth study team evaluation and individual education plan;
7. A physical and medical evaluation;
8. Information received from prior service providers;
9. A socialization and activity evaluation;
10. Other psychological, social, recreational, vocational and behavioral needs; and
11. Statements that integrate the assessment information to include findings and recommendations.

(f) The master treatment plan shall include the following:

1. Goals based on the assessments;
2. Objectives related to the goals;
3. A description of how the goals and objectives are operationalized, that is, strategies and interventions;
4. Services provided outside the facility to minimally include a listing of such services and the contact person of such services;
5. Signatures of each of the professionals participating in the development of the master treatment plan, the youth, if appropriate, and a parent or legal guardian; and
6. Criteria for discharge or reduction in service.

10:37B-4.7 Treatment services

(a) The therapeutic program, including the environment, shall be based on a clear written statement of philosophy that reflects the needs of the client population.

(b) The residence shall provide individualized treatment sessions to meet the clinical needs of each youth. Each treatment session shall be documented in the youth's clinical record.

(c) The residence shall possess the capacity to provide individual and group counseling with the intensity and frequency necessary to meet the youth's needs and in conformance with the master treatment plan.