

**CHAPTER 123**

**SOCIAL SERVICES PROGRAMS FOR INDIVIDUALS AND FAMILIES**

**Authority**

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

**Source and Effective Date**

R.2000 d.255, effective May 24, 2000  
See: 32 N.J.R. 640(a), 32 N.J.R. 2240(a).

**Executive Order No. 66(1978) Expiration Date**

Chapter 123, Social Services Programs for Individuals and Families, expires May 24, 2005.

**Chapter Historical Note**

Chapter 123, Social Services Programs for Individuals and Families, was adopted as R.1973 d.279, effective September 26, 1973. See: 5 N.J.R. 306(a), 5 N.J.R. 379(a).

Subchapter 2, Boarding Homes, was adopted as R.1979 d.350, effective August 31, 1979. See: 11 N.J.R. 132(a), 11 N.J.R. 519(a).

Pursuant to Executive Order No. 66(1978), Subchapter 2, Boarding Homes, was readopted as R.1980 d.371, effective August 15, 1980. See: 12 N.J.R. 415(a), 12 N.J.R. 586(c).

Subchapter 3, Personal Needs Allowance, was adopted as R.1980 d.358, effective August 27, 1980. See: 12 N.J.R. 536(e).

Subchapter 1, General Provisions, was repealed by R.1983 d.587, effective December 19, 1983. See: 15 N.J.R. 209(a), 15 N.J.R. 2125(a).

Pursuant to Executive Order No. 66(1978), Subchapter 2, Boarding Homes, was readopted as R.1984 d.417, effective August 29, 1984. See: 16 N.J.R. 1450(a), 16 N.J.R. 2444(a).

Pursuant to Executive Order No. 66(1978), Subchapter 3, Personal Needs Allowance, was readopted as R.1985 d.426, effective July 29, 1985. See: 17 N.J.R. 1526(b), 17 N.J.R. 2046(b).

Pursuant to Executive Order No. 66(1978), Chapter 123, Social Service Programs for Individuals and Families, was readopted as R.1990 d.388, effective July 13, 1990. Subchapter 4, Financial Eligibility, was adopted by R.1990 d.388, effective August 6, 1990. See: 22 N.J.R. 1520(a), 22 N.J.R. 2318(b).

Pursuant to Executive Order No. 66(1978), Chapter 123, Social Services Programs for Individuals and Families, was readopted as R.1995 d.361, effective June 12, 1995. See: 27 N.J.R. 1123(a), 27 N.J.R. 2616(b).

Pursuant to Executive Order No. 66(1978), Chapter 123, Social Services Programs for Individuals and Families, was readopted as R.2000 d.255, effective May 24, 2000. See: Source and Effective Date. See, also, section annotations.

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**SUBCHAPTER 1. SOCIAL SERVICES BLOCK GRANT PROVISIONS**

**10:123-1.1 Purpose and scope**

This subchapter contains the rules of the Division of Youth and Family Services regarding the social services programs for individuals and families which are supported by Federal Social Services Block Grant funds.

Amended by R.1990 d.388, effective August 6, 1990.  
See: 22 N.J.R. 1520(a), 22 N.J.R. 2318(b).

Text on financial eligibility and income schedule recodified to 4.1; purpose and scope added.

**10:123-1.2 Pre-Expenditure Report availability**

The Federal Omnibus Reconciliation Act of 1981, P.L. 97-35, which amended Title XX of the Social Security act to establish a Social Services Block Grant (SSBG), requires the State to submit a Pre-Expenditure Report which outlines how the State plans to expend funds allocated to it for the program to furnish social services to individuals and families in accordance with the provisions of the annual Pre-Expenditure Report, and with Title XX of the Social Security Act. The Division of Youth and Family Services' social services programs which are supported by Federal SSBG revenues are included in the Department of Human Services' annual Pre-Expenditure Report, which is available from the Department, PO Box 700, Trenton, New Jersey 08625.

New Rule, R.1990 d.388, effective August 8, 1990.  
See: 22 N.J.R. 1520(a), 22 N.J.R. 2318(b).  
Amended by R.2000 d.255, effective June 19, 2000.  
See: 32 N.J.R. 640(a), 32 N.J.R. 2240(a).

**10:123-1.3 Agreement with Federal requirements**

The Department of Human Services, Division of Youth and Family Services, hereby agrees to administer the Social Services Block Grant Program to furnish social services to individuals and families in accordance with the provisions of the annual Pre-Expenditure Report, and with Title XX of the Social Security Act and all applicable Federal regulations.

New Rule, R.1990 d.388, effective August 8, 1990.  
See: 22 N.J.R. 1520(a), 22 N.J.R. 2318(b).

**SUBCHAPTER 2. BOARDING HOMES****10:123-2.1 Purpose and scope**

(a) The purpose of this subchapter is to delineate the responsibility of the Division of Youth and Family Services and the County Welfare Agencies in accordance with P.L. 1979, c.496, the Rooming and Boarding House Act of 1979.

(b) The purpose of the law is to:

1. Provide for the health, safety and welfare of all those who reside in rooming houses, boarding houses, and residential health care facilities in this State;
2. Ensure that all agencies of this State work in unison for the protection and care of the residents of rooming houses, boarding houses and residential health care facilities;
3. Ensure that needed social and remedial services are made available to the residents of such facilities through the efforts of County Welfare Agencies; and
4. Promote the growth and continued improvement of residential health care facilities.

(c) The provisions of this subchapter apply to all rooming houses, boarding houses and residential health care facilities in the State of New Jersey, and all the residents of such facilities.

As amended by R.1984 d.417, effective September 17, 1984.

See: 16 N.J.R. 1450(a), 16 N.J.R. 2444(a).

Deleted (b)2; changed 3-4. to 2-3.; added new 4.

Amended by R.1990 d.388, effective August 6, 1990.

See: 22 N.J.R. 1520(a), 22 N.J.R. 2318(b).

Scope added at (c).

Amended by R.2000 d.255, effective June 19, 2000.

See: 32 N.J.R. 640(a), 32 N.J.R. 2240(a).

**10:123-2.2 Authority**

(a) All provisions of this subchapter, unless otherwise expressly noted, were adopted pursuant to authority of Section 3 of P.L. 1973, c.256 (c.44:7-87) and Title 30 of the Revised Statutes as amended and supplemented by the Rooming and Boarding House Act of 1979 (P.L. 1979, c.496).

(b) The Commissioner of the Department of Human Services hereby authorizes and directs the Division of Youth and Family Services to act on behalf of the Department with all the authority thereof, as the official designated lead agency in taking the necessary and appropriate action in accord with the provisions of Section 3 of P.L. 1973, c.256 (c.44:7-87) and Title 30 of the Revised Statutes as amended and supplemented by the Rooming and Boarding House Act of 1979 (P.L. 1979, c.496, effective September 1, 1980), Sections 34, 35, and 36, except for Subsection (d)4. Section 35(d)4 pertains to the provision of mental health and mental retardation services.

(c) The Division of Youth and Family Services is thus specifically authorized and directed to assist and supervise the County Welfare Agencies in their provision of services to eligible residents of rooming houses, boarding houses, and residential health care facilities.

**10:123-2.3 Definitions**

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

“Abuse” means the willful infliction of physical pain, injury or mental anguish, unreasonable confinement, or the willful deprivation of services which are necessary to maintain a person’s physical or mental health.

“Boarding house” means any building, together with any related structure, accessory building, any land appurtenant thereto, and any part thereof, which contains two or more units of dwelling space arranged or intended for single-room occupancy, exclusive of any such unit occupied by an owner or operator, and wherein personal or financial services are provided to the residents, including any residential hotel or congregate living arrangement, but excluding any hotel, motel, or established guest house wherein a minimum of 85 percent of the units of dwelling space are offered for limited tenure only, any foster home as defined in N.J.S.A. 30:4C-26.1, and community residence for the developmentally disabled as defined in N.J.S.A. 30:11B-2, any dormitory owned or operated on behalf of any nonprofit institution of primary, secondary, or higher education for the use of its students, any building arranged for single-room occupancy wherein the units of dwelling space are occupied exclusively by students enrolled in a full-time course of study at an institution of higher education approved by the Commission on Higher Education, and any facility or living arrangement operated by, or under contract with, any State department or agency, upon the written authorization of the Commissioner of the Department of Community Affairs.

“Department” means the Department of Human Services.