

CHAPTER 6
DIVISION OF VETERANS SERVICES

Authority

N.J.S.A. 38A:3-2a. and 38A:3-6o; and P.L. 1988, c. 444.

Source and Effective Date

R.2010 d.252, effective October 7, 2010.
See: 42 N.J.R. 1648(a), 42 N.J.R. 2609(a).

Chapter Expiration Date

In accordance with N.J.S.A. 52:14B-5.1b, Chapter 6, Division of Veterans Services, expires on October 7, 2017. See: 43 N.J.R. 1203(a).

Chapter Historical Note

Chapter 6, Division of Veterans' Loans, Grants and Services, was adopted as R.1994 d.295, effective June 20, 1994. See: 26 N.J.R. 530(a), 26 N.J.R. 2572(b). Pursuant to Executive Order No. 66(1978), Chapter 6 expired on June 20, 1999.

Chapter 6, Veterans' Loans, Grants and Services, was adopted as new rules by R.1999 d.273, effective August 16, 1999. See: 31 N.J.R. 1469(a), 31 N.J.R. 2334(a). Pursuant to Executive Order No. 66(1978), Chapter 6 expired on August 16, 2004.

Chapter 6, Division of Veterans Programs, was adopted as new rules by R.2005 d.105, effective April 4, 2005. See: 36 N.J.R. 5606(a), 37 N.J.R. 1017(a).

Pursuant to Executive Order No. 1(2010), the chapter expiration date was extended from April 4, 2010 until the completion of the review of administrative regulations and rules by the Red Tape Review Group, and until such time as the extended regulation or rule was readopted pursuant to the Administrative Procedure Act, N.J.S.A. 52:14B-1 et seq. See: 42 N.J.R. 1648(a).

Chapter 6, Division of Veterans Programs, was readopted as R.2010 d.252, effective October 7, 2010. As a part of R.2010 d.252, Chapter 6 was renamed Division of Veterans Services, effective November 1, 2010. See: Source and Effective Date. See, also, section annotations.

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SUBCHAPTER 1. GENERAL PROVISIONS

5A:6-1.1 Scope

(a) This chapter is applicable to all residents of the State who are veterans of the Armed Services of the United States of America and their families when appropriate as further identified herein.

(b) This chapter does not refer to the policies and procedures involved in the admission to and operation of the Department's three veterans memorial homes and Veterans Haven nor does it cover burial entitlements at the B.G. William C. Doyle Veterans' Memorial Cemetery.

5A:6-1.2 Purpose

The purpose of this chapter is to outline, identify and establish the eligibility requirements, policies and procedures for the entitlement programs and services authorized for provision to New Jersey resident veterans by the State.

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SUBCHAPTER 2. POST-TRAUMATIC STRESS
DISORDER/READJUSTMENT COUNSELING
PROGRAM

5A:6-2.1 Scope

The New Jersey Post-Traumatic Stress Disorder/Readjustment Counseling Program (PTSD/R) has been established to provide assistance in the form of clinical counseling and continuity of care to veterans discharged other than dishonorably from the Armed Forces of the United States and their families. The New Jersey program is intended as a supplement to similar United States Department of Veterans Affairs or other government sponsored programs or when such assistance is exhausted.

5A:6-2.2 Eligibility

Eligibility for the PTSD/R Program is limited to New Jersey resident veterans who have an other than dishonorable discharge from the Armed Forces of the United States and who suffer mental or emotional disorders as a result of combat related experiences. Family members of such veterans whose problems date to the veteran's emotional/mental disorder are also eligible.

5A:6-2.3 Definitions

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

"Client" means a veteran or family member with a veteran participating in the PTSD/R Program.

"Family member" means the veteran's immediate family and includes significant others.

"Resident" means a veteran living in New Jersey as verified by a current:

1. New Jersey driver's license;
2. New Jersey property tax bill or New Jersey resident income tax return;
3. Utility bill with the veteran's name and New Jersey address appearing thereon;
4. A New Jersey Voter's Registration Card; or
5. A Photo ID card issued by the New Jersey Motor Vehicle Commission.

"Significant other" means a person who is cohabiting with the veteran in the manner of a spouse as defined by current New Jersey statute.

5A:6-2.4 Scope of service

(a) The PTSD/R Program consists of an initial evaluation period covering four visits after which the provider will recommend the level of additional services. Additional services will be based on a quarterly evaluation and determination will be made by the provider.

(b) Services will be provided for a period of two years. After two years, fees paid to contract clinicians by the Department for client counseling sessions will be reduced on an annual basis until at the end of six years the clinicians will be compensated at a rate of five percent of the standard cost per hourly session.

5A:6-2.5 Procedures

(a) Application for services will be made directly to a State Veteran Service Officer (VSO) of the Division of Veterans Services (DVS). The VSO shall conduct an interview and make an initial evaluation of eligibility.

(b) If the applicant meets the criteria established in N.J.A.C. 5A:6-2.2, the VSO shall contact the DVS Program Manager, to determine current status of the program.

(c) Referral to a provider shall be made on DMAVA Form 50, Contract Services Authorization (CSA) (see Appendix A incorporated herein by reference), which is filled out by the VSO. The VSO shall give the form to the DVS Program Manager. The VSO shall give copies of the form to the provider and the individual. One copy shall be retained by the VSO for the individual's file.

(d) All individuals applying for services must be seen by a State VSO. Providers shall not assume the responsibility of taking on clients under the auspices of this program without following the procedures outlined in N.J.A.C. 5A:6-2.6. Any clients accepted by a provider without proper referral shall be the responsibility of the provider.

(e) A veteran shall exhaust all avenues of counseling through the Federal system before making an application to the Department of Military and Veterans' Affairs program. However, the DVS Program Manager, upon recommendation of the VSO, may make exceptions when the DVS Program Manager feels that it is in the best interest of the veteran.

Amended by R.2010 d.252, effective November 1, 2010.

See: 42 N.J.R. 1648(a), 42 N.J.R. 2609(a).

In (a) and (d), inserted "State"; in (a), substituted "Services (DVS)" for "Programs (DVP)"; in (b), (c) and (e), substituted "DVS" for "DVP" throughout; and in (c), inserted "(CSA)" and inserted a comma preceding "which".