

CHAPTER 36

STANDARDS FOR LICENSURE OF ASSISTED LIVING RESIDENCES, COMPREHENSIVE PERSONAL CARE HOMES, AND ASSISTED LIVING PROGRAMS

Authority

N.J.S.A. 26:2H-1 et seq., specifically 26:2H-5.

Source and Effective Date

R.1999 d.396, effective November 15, 1999.
See: 31 N.J.R. 269(a), 31 N.J.R. 3763(a).

Chapter Expiration Date

In accordance with N.J.S.A. 52:14B-5.1d, the expiration date of Chapter 36, Standards for Licensure of Assisted Living Residences, Comprehensive Personal Care Homes, and Assisted Living Programs, was extended by gubernatorial directive from May 15, 2006 to November 15, 2006. See: 38 N.J.R. 2499(a).

Chapter Historical Note

Chapter 36, Standards for Licensure of Intermediate Dialysis Facilities, was adopted as R.1973, d.363, effective January 1, 1974. See: 5 N.J.R. 372(b), 6 N.J.R. 11(b).

Chapter 36, Standards for Licensure of Intermediate Dialysis Facilities, was repealed by R.1980 d.39, effective January 17, 1980. See: 11 N.J.R. 620(b), 12 N.J.R. 76(c).

Chapter 36, Standards for Licensure of Assisted Living Residences and Comprehensive Personal Care Homes, was adopted as R.1993 d.672, effective December 20, 1993. See: 25 N.J.R. 3734(a), 25 N.J.R. 6037(a). Chapter 36, Standards for Licensure of Assisted Living Residences and Comprehensive Personal Care Homes, was renamed Standards for Licensure of Assisted Living Residences, Comprehensive Personal Care Homes, and Assisted Living Programs, by R.1997 d.42, effective January 21, 1997. See: 28 N.J.R. 4185(a), 29 N.J.R. 329 (a). Pursuant to Executive Order No. 66(1978), Chapter 36 expired on December 20, 1998.

Chapter 36, Standards for Licensure of Assisted Living Residences, Comprehensive Personal Care Homes, and Assisted Living Programs, was adopted as new rules by R.1999 d.396, effective November 15, 1999. See: 31 N.J.R. 269(a), 31 N.J.R. 3763(a).

In accordance with N.J.S.A. 52:14B-5.1d, Chapter 36, Standards for Licensure of Assisted Living Residences, Comprehensive Personal Care Homes, and Assisted Living Programs, expiration date was extended by gubernatorial directive from November 15, 2004 to May 15, 2005. See: 36 N.J.R. 5129(a).

In accordance with N.J.S.A. 52:14B-5.1d, the expiration date of Chapter 36, Standards for Licensure of Assisted Living Residences, Comprehensive Personal Care Homes, and Assisted Living Programs, was extended by gubernatorial directive from May 15, 2005 to May 15, 2006. See: 37 N.J.R. 774(c).

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SUBCHAPTER 1. DEFINITIONS AND QUALIFICATIONS

8:36-1.1 Scope

(a) The rules in this chapter pertain to all facilities which provide assisted living services. These rules constitute the basis for the licensure of assisted living residences, comprehensive personal care homes, and assisted living programs by the New Jersey State Department of Health and Senior Services.

(b) Assisted living residences shall comply with N.J.A.C. 8:36-1 through 16; comprehensive personal care homes shall comply with N.J.A.C. 8:36-1 through 16, where applicable, and 17; and assisted living programs shall comply with N.J.A.C. 8:36-1 through 17, where applicable, and 18.

8:36-1.2 Purpose

(a) The purpose of these rules is to establish standards for assisted living residences, comprehensive personal care homes (which may be collectively referenced as assisted living facilities) and assisted living programs which are intended to promote "aging in place" in a homelike setting for frail elderly and disabled persons, including persons who require formal long-term care. Assisted living residences and comprehensive personal care homes and assisted living programs assure that residents receive supportive health and social services as they are needed to enable them to maintain their independence, individuality, privacy, and dignity in an apartment-style living unit or, in the case of assisted living programs, a living unit in publicly subsidized housing. The assisted living environment actively encourages and supports these values through effective methods of service delivery and facility or program operation and promotes resident self direction and personal decision-making while protecting residents' health and safety.