

**CHAPTER 40**

**DIVISION OF DEVELOPMENTAL DISABILITIES  
ORGANIZATIONAL RULES**

**Authority**

N.J.S.A. 30:1-9 et seq. and 52:14B-4(b).

**Source and Effective Date**

R.2009 d.142 effective March 27, 2009.  
See: 41 N.J.R. 2013(a).

**Chapter Expiration Date**

Chapter 40, Division of Developmental Disabilities Organizational Rules, expires on March 27, 2014.

**Chapter Historical Note**

Chapter 40, Division of Mental Retardation Organizational Rule, was adopted as R.1984 d.93, effective March 15, 1984. See: 16 N.J.R. 725(b). Pursuant to Executive Order No. 66(1978), Chapter 40 expired on March 15, 1989.

Chapter 40, Division of Developmental Disabilities Organizational Rule, was adopted as new rules by R.1989 d.301, effective May 11, 1989. See: 21 N.J.R. 1572(b).

Pursuant to Executive Order No. 66(1978), Chapter 40, Division of Developmental Disabilities Organizational Rule, was readopted as R.1994 d.249, effective April 25, 1994. See: 26 N.J.R. 2098(b).

Pursuant to Executive Order No. 66(1978), Chapter 40, Division of Developmental Disabilities Organizational Rules, was readopted as R.1999 d.159, effective April 23, 1999. See: 31 N.J.R. 1334(c).

Chapter 40, Division of Developmental Disabilities Organizational Rules, was readopted as R.2004 d.167, effective March 29, 2004. See: 36 N.J.R. 2241(a).

Chapter 40, Division of Developmental Disabilities Organizational Rules, was readopted as R.2009 d.142, effective March 27, 2009. As a part of R.2009 d.142, Subchapter 3, Public Information, was adopted as new rules, effective March 27, 2009. See: Source and Effective Date. See, also, section annotations.

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**SUBCHAPTER 1. GOALS AND RESPONSIBILITIES**

**10:40-1.1 Goals of the Division of Developmental Disabilities**

(a) The goals of the Division of Developmental Disabilities (Division) are as follows:

1. To provide evaluations and functional services to Division eligible individuals;
2. To ensure and advocate for the rights of individuals served, to provide for their health, safety and welfare, and to protect individuals served from abuse, neglect and exploitation;
3. To develop an individualized habilitation plan for each individual admitted to ongoing services;
4. To provide prompt, effective and individually appropriate care, treatment, training and habilitation to eligible individuals served;
5. To establish and implement procedures for determination of eligibility for services of the Division;
6. To develop an array of services to enable eligible individuals to be sustained in their own home or other living arrangements as may be most appropriate for the individual and to offer options for self directed support and service delivery for individuals to live as independently as possible;
7. To help the families of eligible individuals to develop an understanding and acceptance of both the capabilities and needs of their relatives;
8. To establish standards for services, whether provided or purchased on behalf of eligible individuals. Such standards shall address the scope and quality of the services, as well as recognize unique needs. The Division strives to offer individualized choices, flexibility in planning and family participation whenever possible;
9. Through continual assessment of the Division's programs, to ensure that the individual's needs are met and that established program standards are maintained;
10. To provide consultation to organizations and committees (public or private) which work toward improving opportunities for individuals with developmental disabilities;
11. Through research and public education, to contribute to an increased understanding of developmental disabilities and its preventable causes;
12. To integrate and maximize the use of Federal, State, local and private resources in providing essential services to eligible individuals and their families;
13. To develop and sustain working relationships with other public and private agencies to ensure a continuum of services;
14. To provide effective management of the Division's programs and services within the appropriation; and
15. To promote positive employee relations through adherence to policies of non-discrimination, fair employment

practices, promotional opportunities and good work environments.

Amended by R.1994 d.249, effective April 25, 1994.

See: 26 N.J.R. 2098(b).

Amended by R.1999 d.159, effective April 23, 1999.

See: 31 N.J.R. 1334(c).

In (a), substituted a reference to persons for a reference to eligible persons in 3, and substituted a reference to individual's needs for a reference to client's needs in 10.

Amended by R.2004 d.167, effective May 3, 2004.

See: 36 N.J.R. 2241(a).

In (a)11, substituted "individuals with developmental disabilities" for "persons who are developmentally disabled"; substituted "individual" and "individuals" for "person" and "persons" throughout.

Amended by R.2009 d.142, effective March 27, 2009.

See: 41 N.J.R. 2013(a).

In the introductory paragraph of (a), inserted "(Division)"; in (a)1, substituted "evaluations and" for "evaluation," and "individuals" for "persons"; deleted "and guardianship" following "functional", and inserted "Division"; in (a)4, substituted "individuals served" for "persons"; rewrote (a)6; deleted former (a)8; recodified former (a)9 through (a)16 as (a)8 through (a)15; in (a)8, inserted a comma following "services" and inserted the last sentence; in (a)11, inserted "and its preventable causes"; and in (a)12, substituted "individuals" for "persons".

## SUBCHAPTER 2. COMPOSITION OF THE DIVISION

### 10:40-2.1 Organization for the provision of mandated services

(a) The Division of Developmental Disabilities (Division) operates as an integral part of the Department of Human Services.

(b) Programs and services of the Division are administered by an Assistant Commissioner, who is appointed by the Commissioner, Department of Human Services.

(c) A Chief of Staff of Operations administers the Division's support services for all components of the Division including, but not limited to, quality management and planning, legal, administrative practices, communication, fiscal, budget, information technology, building administration and human resources.

(d) A Chief of Staff of Direct Services administers the Division's community-based services including, but not limited to, residential services, day programs for individuals over age 21, supported employment programs, case management and referral services. Community-based services are provided in the Division's four regions under the direction of a Regional Assistant Director of the northern half of the State and one for the southern half of the State. The Chief of Staff of Direct Services administers the service delivery to the Division's seven developmental centers, each of which is operated under the direction of a Chief Executive Officer.

Amended by R.1994 d.249, effective April 25, 1994.

See: 26 N.J.R. 2098(b).

Amended by R.1999 d.159, effective April 23, 1999.

See: 31 N.J.R. 1334(c).

Rewrote the section.

Amended by R.2004 d.167, effective May 3, 2004.

See: 36 N.J.R. 2241(a).

In (b), inserted ", three Assistant Directors" following "Deputy Director"; in (e), substituted "Administrator" for "Supervisor"; in (f), deleted ", Research, Grants and Foster Grandparents" following "Vocational/Employment Programs"; added new (g) and (h); recodified former (g) as (i).

Amended by R.2009 d.142, effective March 27, 2009.

See: 41 N.J.R. 2013(a).

In (a), inserted "(Division)"; in (b), substituted "an Assistant Commissioner" for "a Director" and deleted ", a Deputy Director, three Assistant Directors and two Regional Assistant Directors" from the end; rewrote (c) and (d); and deleted (e) through (i).

Administrative correction.

See: 41 N.J.R. 2484(a).

## SUBCHAPTER 3. PUBLIC INFORMATION

### 10:40-3.1 Accessing information

The Division of Developmental Disabilities (Division) has posted information regarding the Division on its website. Available resources, contact information and additional information about the Division can be accessed on its website at: <http://www.state.nj.us/humanservices/ddd/>.