

“Maintenance bill” means a billing, by year, reflecting the number of days a client was present at the agency, multiplied by the daily State Board of Human Services rate for those years. From this charge, all payments and recoveries realized from the client and/or LRR are deducted.

“No settlement” means a client who does not have State or county settlement and is charged to the State pending his or her removal to the place where he/she has legal settlement, if any. (N.J.S.A. 30:4-52)

“Notice of Commitment Hearing” means a written document giving the time and place of the commitment hearing. The form of notice served upon the client and his or her counsel or guardian *ad litem* shall include a copy of the temporary court order, a statement of the client’s rights at the hearing and the screening or clinical certificates and supporting documents. (Civil Practice Rules 4:74-7(c)(4))

“Order of Commitment” means a document signed by either a municipal court judge or a superior court judge which orders a client to be detained in or transferred to a short-term care facility, a psychiatric facility, or a special psychiatric hospital and contains all the terms mandated in the Civil Practice Rules 4:74-7(c)4.

“Order of Settlement and Support” means a superior court order establishing legal settlement and financial obligations for institutional care. The order determines the extent of county, State, client and LRR liability.

“Petition for Settlement and Maintenance” means a document by which the county adjuster petitions the court for the designation of the client’s legal settlement and provision for payment of the expenses of the client’s care and treatment. The petitions shall be accompanied by a report stating the results of the county adjuster’s investigation and his or her recommendations. (Civil Practice Rules 4:74-7(i)(1))

“Power of attorney” means a legal document authorizing an individual to represent another.

“Private rate” means the full per capita rate as set by the State Board of Human Services for State agencies and the county governing body or a proper committee thereof for the county psychiatric facilities.

“Psychiatric facility” means a State psychiatric hospital listed in N.J.S.A. 30:1-7, a county psychiatric hospital, or a psychiatric unit of a county hospital. (N.J.S.A. 30:4-27.2u)

“Recovery” means any money received on behalf of a client to offset accumulated maintenance charges for care and treatment in a State or county facility or community program. Sources of recoveries may include: regularly recurring income such as wages, pensions, interest, annuity benefits and Social Security benefits; inheritances; judgments; voluntary contributions; LRR contributions; and Medicare and other third-party insurance coverage.

“Release of property from lien” means to preserve a lien on a client/LRR while removing certain property from its effect. (N.J.S.A. 30:4-80.4)

“Representative payee” means an individual or agency receiving federal annuity benefits for another person. A representative payee is necessary whenever a client is incapable of managing funds.

“Short-term care facility” means an inpatient, community based mental health treatment facility which provides acute care and assessment services to a mentally ill person whose mental illness causes the person to be dangerous to self or dangerous to others or property. A short-term care facility is so designated by the Commissioner and is authorized by the Commissioner to serve persons from a specified geographic area. A short-term care facility may be a part of a general hospital or other appropriate health care facility and shall meet certificate of need requirements and shall be licensed and inspected by the Department of Health pursuant to P.L. 1971, c.136 (N.J.S.A. 26:2H-1 et seq.) and in accordance with standards developed jointly with the Commissioner of Human Services. (N.J.S.A. 30:4-27.2bb; N.J.A.C. 8:43E-3.3)

“Special psychiatric hospital” means a public or private hospital licensed by the Department of Health to provide voluntary and involuntary mental health services, including assessment, care, supervision, treatment and rehabilitation services to persons who are mentally ill. (N.J.S.A. 30:4-27.2cc)

“State House Commission” means commission empowered by the State Legislature to establish the yearly per capita costs to counties for client maintenance in county psychiatric facilities and in specific State funded programs in the Department of Human Services.

“State settlement” means when there is no continuous residency in any county for a period of five years or more immediately preceding the date of admission/commitment and there is continuous residence in the State for one year. There are no county charges. (N.J.S.A. 30:4-51)

“Treasury formula” means the method of determining the financial ability to pay for care and maintenance by a client and/or LRR(s). (N.J.S.A. 30:4-60)

“Voluntary admission—adult” means an admission of an adult who is mentally ill, whose mental illness causes the person to be dangerous to self or dangerous to others or property and is willing to be admitted to a facility voluntarily for care, needs care at a short-term care or psychiatric facility because other facilities or services are not appropriate or available to meet the person’s mental health care needs. A person may also be voluntarily admitted to a

psychiatric facility if his or her mental illness presents a substantial likelihood of rapid deterioration in functioning in the near future, there are no appropriate community alternatives available and the psychiatric facility can admit the person and remain within its rated capacity. (N.J.S.A. 30:4-27.2ee)

“Voluntary admission—minor” means any minor 14 years of age or over may request his or her admission to an institution for psychiatric treatment provided the court, on a finding that the minor’s request is voluntary, enters an order approving the admission. If an order approving a voluntary admission of a minor is entered, the minor may discharge himself or herself from the institution in the same manner as an adult who has voluntarily admitted himself or herself. (Civil Practice Rules 4:74-7(k))

“Warrant to Enter Satisfaction” means the legal document by which the satisfaction of liens are authorized. They are signed by the chief executive officer or equivalent at the State agency or county psychiatric facility making the claim. (N.J.S.A. 30:4-4.80.6)

SUBCHAPTER 3. COMMITMENTS/ADMISSIONS/ REVIEWS/DISCHARGES

10:7-3.1 Procedures for commitments/admissions/reviews/discharges

(a) The county adjuster shall be responsible for commitment, admission, reviews and discharges of persons receiving DDD services and DMH & H services (including county psychiatric facilities).

(b) The county adjuster’s responsibilities for commitments/admissions to DMH & H services (including county psychiatric facilities) are as follows:

1. Regarding voluntary admissions, the county adjuster shall arrange for a hearing at short-term care facilities, psychiatric facilities or special psychiatric hospitals for all involuntary clients converting to voluntary status within 20 days of conversion. The county adjuster shall arrange for hearings within 20 days of admission to short-term care facilities and psychiatric facilities for voluntary admitted clients from screening centers. The county adjuster shall make certain that the client is represented by counsel at the hearing. The county adjuster shall review the notification of voluntary admission documentation for sufficiency and completeness. The county adjuster shall conduct an investigation to determine the client’s/LRR’s ability to pay for the cost of care and maintenance per N.J.A.C. 10:7-4.

2. Regarding involuntary commitments, the county adjuster shall receive commitment papers for clients committed to Federal facilities, short-term care facilities, psychiatric facilities or special psychiatric hospitals. The county adjuster shall review the involuntary admission documents for sufficiency and completeness and shall forward the involuntary admission documents to the court for its consideration and possible issuance of a temporary commitment order, except when the hospital/facility seeks a temporary commitment order on an emergent basis during non-business hours. The county adjuster shall arrange for a commitment hearing to be held in accordance with Civil Practice Rules 4:74.7, Civil Commitment. The county adjuster shall include, in the form of the notice of commitment hearing served upon the client and his or her counsel or guardian ad litem, a copy of the temporary court order, a statement of the client’s rights at the hearing and the screening or clinical certificates and supporting documents. The county adjuster, as directed by the court, shall make certain that the client is represented by counsel at the hearing.

3. The county adjuster shall arrange for the conduct of review hearings, as directed by the court. The county adjuster shall make certain that the client is represented by counsel at the review hearing. The county adjuster shall prepare and submit for the court’s action the appropriate order.

4. The county adjuster shall complete reports to the Administrative Office of the Courts (AOC) each month, as directed by the court. These reports include information utilized to track all involuntary and voluntary psychiatric commitments/admissions through the court system.

(c) Regarding admissions to DDD services, the county adjuster shall receive the DDD admissions documentation once eligibility and placement are determined. The county adjuster shall review the DDD admissions documentation for sufficiency and completeness.

(d) If the county adjuster is licensed to practice law in this State, the county adjuster shall present the case for the client’s involuntary commitment to the court. The county adjuster shall be available to advise the court of the appropriate Federal and State laws and regulations pertaining to commitment and review hearings.

(e) The county adjuster, for those counties with Medicaid-certified county psychiatric facilities, shall make certain that a Medicaid application has been submitted for each potentially eligible client.

(f) The county adjuster shall process the necessary documentation for the payment of legal representation and/or interpreters utilized by clients at their hearings, where necessary.