

CHAPTER 128

**MANUAL OF REQUIREMENTS FOR
CHILDREN'S GROUP HOMES**

Authority

N.J.S.A. 30:1-14 and 15 and 30:4C-4.

Source and Effective Date

R.2006 d.433, effective November 17, 2006.
See: 38 N.J.R. 2610(a), 38 N.J.R. 5362(b).

Chapter Expiration Date

In accordance with N.J.S.A. 52:14B-5.1b, Chapter 128, Manual of Requirements for Children's Group Homes, expires on November 17, 2013. See: 43 N.J.R. 1203(a).

Chapter Historical Note

Chapter 128, Manual of Standards for Group Homes, was adopted as R.1977 d.287, effective August 9, 1977. See: 9 N.J.R. 277(c), 9 N.J.R. 433(b).

Chapter 128, Manual of Standards for Group Homes, was repealed, and a new Chapter 128, Manual of Requirements for Children's Group Homes, was adopted as R.1991 d.66, effective February 19, 1991. See: 22 N.J.R. 2916(a), 23 N.J.R. 476(a).

Public Notice: Annual certification of facility standards pursuant to the Keys Amendment to the Social Security Act. See: 24 N.J.R. 656(a).

Public Notice: Annual certification of facility standards pursuant to the Keys Amendment to the Social Security Act. See: 25 N.J.R. 603(a).

Pursuant to Executive Order No. 66(1978), Chapter 128, Manual of Requirements for Children's Group Homes, was readopted as R.1996 d.118, effective January 31, 1996. See: 27 N.J.R. 4266(a), 28 N.J.R. 1379(c).

Pursuant to Executive Order No. 66(1978), Chapter 128, Manual of Requirements for Children's Group Homes, expired on January 31, 2001.

Chapter 128, Manual of Requirements for Children's Group Homes, was adopted as new rules by R.2001 d.171, effective May 21, 2001. See: 33 N.J.R. 188(a), 33 N.J.R. 1612(a).

Chapter 128, Manual of Requirements for Children's Group Homes, was readopted as R.2006 d.433, effective November 17, 2006. See: Source and Effective Date. See, also, section annotations.

CHAPTER TABLE OF CONTENTS

SUBCHAPTER 1. GENERAL REQUIREMENTS

- 10:128-1.1 Legal authority
- 10:128-1.2 Definition and types of children's group homes
- 10:128-1.3 Definitions

SUBCHAPTER 2. APPROVAL PROCEDURES

- 10:128-2.1 Application for a certificate of approval
- 10:128-2.2 Issuance of a certificate of approval
- 10:128-2.3 Denying, suspending, revoking or refusing to renew a certificate of approval
- 10:128-2.4 Administrative hearings
- 10:128-2.5 Complaints
- 10:128-2.6 Public access to licensing records

SUBCHAPTER 3. ADMINISTRATION

- 10:128-3.1 Statement of purpose
- 10:128-3.2 Rights of children
- 10:128-3.3 Information to parents and staff members
- 10:128-3.4 Community participation
- 10:128-3.5 Conflict of interest
- 10:128-3.6 Intake and admissions
- 10:128-3.7 Reporting requirements
- 10:128-3.8 Records
- 10:128-3.9 Comprehensive general liability insurance
- 10:128-3.10 Quality assurance (QA) for psychiatric community homes for children

SUBCHAPTER 4. PHYSICAL FACILITY REQUIREMENTS

- 10:128-4.1 Physical facility initial approval requirements for all homes located in New Jersey
- 10:128-4.2 Physical facility initial approval requirements for all homes located outside of New Jersey
- 10:128-4.3 Maintenance and sanitation requirements for all homes
- 10:128-4.4 Additional maintenance and sanitation requirements for all homes located in New Jersey
- 10:128-4.5 Emergency evacuation instructions, medical emergencies, fire prevention, first aid and equipment
- 10:128-4.6 Prohibition on the use of tobacco products

SUBCHAPTER 5. STAFF REQUIREMENTS

- 10:128-5.1 General requirements for director and all staff members
- 10:128-5.2 Staff qualifications
- 10:128-5.3 Staff-to-child ratios
- 10:128-5.4 Staff training and development
- 10:128-5.5 Volunteers and student interns
- 10:128-5.6 Criminal History Record Information background checks
- 10:128-5.7 Child Abuse Record Information background checks
- 10:128-5.8 Background check procedures for New Jersey homes and agencies
- 10:128-5.9 Background check procedures for out-of-State homes and agencies

SUBCHAPTER 6. PROGRAM REQUIREMENTS

- 10:128-6.1 Treatment plan for children in group homes, psychiatric community homes for children, teaching family homes, treatment homes and alternative care homes
- 10:128-6.2 Discharge planning
- 10:128-6.3 Case management plan for children in supervised transitional living homes
- 10:128-6.4 Work and employment
- 10:128-6.5 Money and allowance
- 10:128-6.6 Visitation and communication
- 10:128-6.7 Education
- 10:128-6.8 Recreation
- 10:128-6.9 Religion
- 10:128-6.10 Rest, bedroom and sleep
- 10:128-6.11 Food and nutrition for children
- 10:128-6.12 Pets
- 10:128-6.13 Restrictive behavior management practices
- 10:128-6.14 Discipline and control
- 10:128-6.15 Search and seizure of weapons and contraband
- 10:128-6.16 Firearms and weapons
- 10:128-6.17 Clothing

SUBCHAPTER 7. HEALTH REQUIREMENTS

- 10:128-7.1 Comprehensive health plan for children
- 10:128-7.2 Health care and medical treatment for children
- 10:128-7.3 General medical practices

- 10:128-7.4 Medication other than psychotropic medication
- 10:128-7.5 Psychotropic medication
- 10:128-7.6 Health education and physical care for children
- 10:128-7.7 Health requirements for staff
- 10:128-7.8 Environmental sanitation and staff hygiene

SUBCHAPTER 8. TRANSPORTATION REQUIREMENTS

- 10:128-8.1 General requirements
- 10:128-8.2 Vehicle insurance requirements
- 10:128-8.3 Additional requirements for transporting physically handicapped, non-ambulatory children
- 10:128-8.4 Record requirements

SUBCHAPTER 9. ADVENTURE ACTIVITIES

- 10:128-9.1 General requirements
- 10:128-9.2 Plans for emergency evacuation and search and rescue
- 10:128-9.3 Reporting requirements
- 10:128-9.4 Biking
- 10:128-9.5 Canoeing, kayaking and tubing
- 10:128-9.6 Caving
- 10:128-9.7 Hiking
- 10:128-9.8 Horseback riding
- 10:128-9.9 Ropes initiatives and rock climbing
- 10:128-9.10 Sailing and boating
- 10:128-9.11 Snow skiing, cross country skiing, snow boarding and snow tubing
- 10:128-9.12 Solo (solitary activities)
- 10:128-9.13 Swimming
- 10:128-9.14 Water skiing
- 10:128-9.15 Camping
- 10:128-9.16 Requirements for wagon trains
- 10:128-9.17 Health and sanitary practices
- 10:128-9.18 Qualifications for staff supervising adventure activities
- 10:128-9.19 Staff to child ratio requirements
- 10:128-9.20 Special requirements for communication and visiting

SUBCHAPTER 10. SERVICES FOR PREGNANT AND PARENTING ADOLESCENTS

- 10:128-10.1 General requirements
- 10:128-10.2 Staff and staff ratio requirements
- 10:128-10.3 Staff development and training
- 10:128-10.4 Case management requirements
- 10:128-10.5 Discharge planning requirements
- 10:128-10.6 Services regarding paternal involvement
- 10:128-10.7 Services to the adolescent's family
- 10:128-10.8 Parenting education
- 10:128-10.9 Infant stimulation
- 10:128-10.10 Infant toys and equipment
- 10:128-10.11 Recreation
- 10:128-10.12 Money and allowance
- 10:128-10.13 Visiting and communication
- 10:128-10.14 Behavior management
- 10:128-10.15 Comprehensive health plan for pregnant adolescents
- 10:128-10.16 Comprehensive health plan for infants
- 10:128-10.17 Comprehensive health care for adolescent mothers who are not pregnant
- 10:128-10.18 Care of sick infants
- 10:128-10.19 General medical practices
- 10:128-10.20 Medication
- 10:128-10.21 Environmental sanitation requirements for disinfecting
- 10:128-10.22 Personal hygiene requirements
- 10:128-10.23 Health education and physical care for adolescents and infants
- 10:128-10.24 Food and nutrition for infants
- 10:128-10.25 Life skills development

SUBCHAPTER 1. GENERAL REQUIREMENTS

10:128-1.1 Legal authority

(a) This manual is promulgated pursuant to N.J.S.A. 30:1-14 and 15, 30:4C-4 and 30:11B-4.

(b) Under N.J.S.A. 30:1-14, 30:4C-4 and 30:11B-4, the Department of Children and Families is authorized to inspect, evaluate and approve publicly or privately operated homes that provide board, lodging, care and treatment services for children who are placed and/or financed by the Division of Youth and Family Services or any other New Jersey State agency.

(c) Under N.J.S.A. 30:1-14 and 30:11B-4, the following homes shall be subject to inspection, evaluation and approval by the Department of Children and Families:

1. New Jersey-based children's group homes, as defined in this manual, except homes that are licensed, approved or regulated pursuant to State law by the State Department of Health and Senior Services, by the State Department of Education, by the State Department of Corrections, by the State Department of Human Services or by any other New Jersey State agency; and

2. Out-of-State children's group homes, as defined in this manual, that serve children under the supervision of the Division of Youth and Family Services. As a condition of approval by the Department, such group homes shall be licensed, certified, or otherwise approved to operate in the state where the home is located.

(d) In order to be approved, a children's group home shall demonstrate to the satisfaction of the Department of Children and Families or its duly authorized agent that it complies with all applicable provisions of this manual.

(e) Responsibility for ensuring that these homes comply with the provisions of the statutes cited in (a) above and of this manual is assigned by the Department of Children and Families to the Office of Licensing. The Office is authorized to visit and inspect such homes, as described in N.J.A.C. 10:128-1.2(a) and (b), to determine the extent of their compliance with such provisions.

(f) Under N.J.S.A. 30:1-15, the Department of Children and Families is also authorized to visit and inspect publicly or privately maintained institutions or other institutions and non-institutional agencies that:

1. Provide board, lodging or care for children who are not placed or financed by the Department of Children and Families or any other New Jersey State agency; and

2. Are not subject to licensing or regulation by any New Jersey State agency.