

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

Chapter 128, Manual of Requirements for Children's Group Homes, expires on November 17, 2011.

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Chapter 128, Manual of Standards for Group Homes, was repealed, and a new Chapter 128, Manual of Requirements for Children's Group Homes, was adopted by R.1991 d.66, effective February 19, 1991.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.

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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.