

**CHAPTER 37A**

**COMMUNITY RESIDENCES FOR  
MENTALLY ILL ADULTS**

**Authority**

N.J.S.A. 30:11B-1 et seq., specifically 30:11B-4.

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**CHAPTER TABLE OF CONTENTS**

**SUBCHAPTER 1. GENERAL PROVISIONS**

- 10:37A-1.1 Scope and purpose
- 10:37A-1.2 Definitions

**SUBCHAPTER 2. LICENSING, SITE REVIEW AND  
WAIVERS**

- 10:37A-2.1 Initial licensing process
- 10:37A-2.2 Licensing of group homes
- 10:37A-2.3 Licensing PA apartments
- 10:37A-2.4 Licensing family care homes
- 10:37A-2.5 Provisional license
- 10:37A-2.6 Waiver of standards
- 10:37A-2.7 License renewal
- 10:37A-2.8 Evaluation and monitoring
- 10:37A-2.9 Appeal of the Division's findings
- 10:37A-2.10 Administrative sanction
- 10:37A-2.11 Review of administrative sanctions
- 10:37A-2.12 Administrative hearing of appeal
- 10:37A-2.13 Emergency situation

**SUBCHAPTER 3. POLICIES AND PROCEDURES;  
CONFIDENTIALITY**

- 10:37A-3.1 Written policies and procedures
- 10:37A-3.2 Confidentiality

**SUBCHAPTER 4. CLIENT SERVICES**

- 10:37A-4.1 Population/admission priorities
- 10:37A-4.2 Services to be provided
- 10:37A-4.3 Settings to provide residential programs
- 10:37A-4.4 Client service agreements
- 10:37A-4.5 Recordkeeping

**SUBCHAPTER 5. STAFF**

- 10:37A-5.1 Staffing requirements
- 10:37A-5.2 Residential counselor requirements, qualifications and duties
- 10:37A-5.3 Senior residential counselor requirements, qualifications and duties
- 10:37A-5.4 Residential specialist requirements, qualifications and duties
- 10:37A-5.5 Residential program coordinator requirements, qualifications and duties

**SUBCHAPTER 6. FACILITY**

- 10:37A-6.1 Physical plant requirements

- 10:37A-6.2 Water supply
- 10:37A-6.3 Residences
- 10:37A-6.4 Garbage and rubbish disposal
- 10:37A-6.5 Electrical system
- 10:37A-6.6 Lighting
- 10:37A-6.7 Ventilation
- 10:37A-6.8 Heating
- 10:37A-6.9 Structural safety and maintenance
- 10:37A-6.10 Kitchen facilities
- 10:37A-6.11 Occupancy and use of space
- 10:37A-6.12 Uniform Fire Code
- 10:37A-6.13 Group homes with five or less residents not in multiple unit dwellings
- 10:37A-6.14 Group homes with six to 15 residents not in multiple unit dwellings
- 10:37A-6.15 Group homes in multiple unit dwellings
- 10:37A-6.16 Family care homes
- 10:37A-6.17 PA apartments
- 10:37A-6.18 Smoke detectors
- 10:37A-6.19 Fire drills in group homes
- 10:37A-6.20 Kerosene heaters
- 10:37A-6.21 Fireplaces
- 10:37A-6.22 Variances

**SUBCHAPTER 7. HEARINGS, APPEALS, COMPLAINTS**

- 10:37A-7.1 Administrative hearings
- 10:37A-7.2 Development of residential complaint procedures
- 10:37A-7.3 Appeal process; ombudsman
- 10:37A-7.4 Client protection

**SUBCHAPTER 8. QUALITY ASSURANCE**

- 10:37A-8.1 Quality assurance

**SUBCHAPTER 9. ADMISSION AND DISCHARGE**

- 10:37A-9.1 Criteria for admission
- 10:37A-9.2 Additional criteria for admissions
- 10:37A-9.3 Procedures for admission
- 10:37A-9.4 General rule regarding the discharge of clients
- 10:37A-9.5 Conditions permitting discharge
- 10:37A-9.6 Discharge procedures
- 10:37A-9.7 Miscellaneous provisions regarding the discharge of clients

**APPENDIX A STATEMENT OF CLIENTS' RIGHTS**

**SUBCHAPTER 1. GENERAL PROVISIONS**

**10:37A-1.1 Scope and purpose**

(a) Provider agencies (PA) operating community residences for mentally ill adults shall comply with the physical and program standards contained within this subchapter. These residences include group homes serving a maximum of 15 persons, PA apartments, and family care homes serving five or fewer persons with a services agreement with the PA. These residences shall be approved for a purchase of service contract pursuant to this chapter and Department contract rules, including N.J.A.C. 10:4, and shall not be considered health care facilities within the meaning of N.J.S.A. 26:2H-1 et seq.

(b) The PAs shall provide a residential care program to all enrolled clients. Such a program shall consist of the services described in this chapter and shall be provided in facilities owned or leased by the PA, or through services agreements with private operators.

(c) The major goal of the community residence program for mentally ill adults shall be to support and encourage the development of life skills required to sustain successful living within the community. Residential housing and services shall be organized around the principle of client responsibility and participation.

(d) The residential care program shall have a rehabilitation focus designed to develop and improve skills necessary for successful community integration. Programming shall focus on empowering the client's use of generic community supports to meet physical, psychological and social needs as a means to promote an improved quality of life and emotional well-being. Clients shall live in the most normalized, least restrictive environment possible to promote individual growth and safety.

### 10:37A-1.2 Definitions

The following words and terms, when used in this chapter, shall have the following meanings, unless the context clearly indicate otherwise.

"Assessment and evaluation" means activities that will analyze an individual client's desires, functioning, strengths, needs and environment to determine appropriate interventions. An opportunity will be given for the client to provide a self assessment and for any family member or significant other of the client's choice to provide an assessment of the client as well.

"Client" means a person suffering from a mental illness who is a resident of a community residence for mentally ill adults.

"Client service agreement" means a written agreement between the PA and client which includes responsibilities of both the PA and the client.

"Community residence for the mentally ill" (residence) means any community residential facility approved by the Division which provides food, shelter, and personal guidance under such supervision as required, to not more than 15 mentally ill persons who require assistance, temporarily or permanently, in order to live independently in the community. Community residences for the mentally ill have an approved purchase of service contract pursuant to the Department's contract rules and this chapter. These residences do not house persons who have been assigned to a State psychiatric hospital after having been found not guilty of a crime by reason of insanity or unfit to be tried on a criminal charge. These residences are not considered health care facilities, within the meaning of the "Health Care Facilities Planning Act", P.L. 1971, c.136 (N.J.S.A. 26:2H-1 et seq.) and include, but are not limited to, group homes, supervised apartment living arrangements, family care homes and hostels.

"Comprehensive service plan" (CSP) means the periodic formulation of goals, objectives, and interventions for residential services based on a functional assessment which shall include treatment recommendations and may include: psychological, medical, developmental, family, educational, social, cultural, environmental, recreational and vocational components.

"Crisis intervention counseling" means an attempt to facilitate crisis stabilization through the use of specific, time-limited counseling techniques. Crisis intervention counseling focuses on the present, providing pragmatic solutions to identified problems.

"Crisis intervention services" means the implementation of the PA's written emergency policies and procedures focusing primarily on client and staff safety. Examples include provision of residential counseling, crisis intervention counseling, behavior management techniques, and request for outside assistance. Behavioral management techniques exclude physical and chemical restraint, aversive conditioning and punishment. Crisis intervention services can be documented via crisis reports, for example, and can be supported by such policies which reflect adequate responses to emergent situations.

"Department" means the Department of Human Services.

"Division" means the Division of Mental Health and Hospitals, within the Department of Human Services.

"Education" means instruction for clients in basic skills, including academics, and increasing learning capabilities, in the areas of psychoeducation and health.

"Family care home" means a private home or apartment in which an individual resides and provides services to as many as five clients who also reside in the home. The PA provides mental health services to the client and consultation to this individual, based on a services agreement.

"Group home" means any leased or owned single family residence or any structure containing three or more dwelling units, all of which are utilized for the provision of residential care services wherein staff reside or are stationed either on-site or in immediate close proximity and for which a contract exists with the Division. Group homes do not include family care homes nor apartment facilities where individuals may receive regular or periodic staff supervision and/or training visits, except where such apartment facilities include those contained in a structure of two or more units and all units are operated under contract with the Division.

"Individual services coordination" means those staff activities which are aimed at linking the client to the mental health and social service system and the arranging of the provision of appropriate services. Coordination activities include intake and referral, admission and acceptance, placement, termination and follow-up, individual services planning and treatment reviews, advocacy with non-mental health systems, and documentation of services provided.