

iii. The resource family parent, in conjunction with the Division or contract agency caseworker, shall ensure that a pediatric or family physician prescribes psychotropic medication for a child in placement only for Attention Deficit Hyperactivity Disorder; and]\*

**\*i. The resource family parent, in conjunction with the Division or contract agency caseworker, may utilize the services of the physicians identified in (a)1 above, a pediatric or family physician, or an advanced practice nurse certified in pediatric or family medicine or psychiatric/mental health, to complete an initial assessment, being conducted solely for the purpose of assessing Attention Deficit Hyperactivity Disorder and to determine the need for and the possible risks or side effects of the psychotropic medication.\***

\*[iv.]\* \*2.\* (No change in text.)

Recodify existing 2. and 3. as \*3. and 4.\* (No change in text.)

\*[4.]\* \*5.\* The resource family parent shall ensure that the child in placement receiving psychotropic medication is monitored in the following manner:

i. The resource family parent shall immediately report any observed side effects, which are identified in the assessment specified in (a)1 **\*and (a)1i\*** above, to the Division or contract agency caseworker and the prescriber.

ii. The resource family parent, in conjunction with the Division or contract agency caseworker, shall ensure that **\*[the prescriber reviews the child's status, behavior, well-being, progress, side effects and reason for continuing the medication every 30 days or as the prescriber deems necessary]\* **\*ongoing assessments, psychotropic medication monitoring, and resultant prescriptions for a child in placement only be conducted by a board-certified or board-eligible physician in one of the following areas of expertise: psychiatry, neurodevelopmental pediatrics, or pediatric neurology, or by an advanced practice nurse certified in psychiatric/mental health\*.****

iii. The resource family parent, in conjunction with the Division or contract agency caseworker, **\*[shall ensure that]\* **\*may utilize the services of the physicians or advanced practice nurses certified in psychiatric/mental health identified in (a)5ii above, or he or she may utilize the services of\* a pediatric or family physician \*[treating a child in placement for]\*\*, or an advanced practice nurse certified in pediatric or family medicine to complete the ongoing assessments, medication monitoring, and prescriptions, where ongoing assessments, medication monitoring, and prescriptions are solely for the treatment of\* Attention Deficit Hyperactivity Disorder \*[coordinates care for the child in placement who is also being treated for another psychiatric disorder by another prescriber]\*.****

**\*iv. The resource family parent, in conjunction with the Division or contract agency caseworker, shall ensure that the prescriber reviews the child's status, behavior, well-being, progress, side effects, and reason for continuing the medication every 30 days or as the prescriber deems necessary.**

**v. The resource family parent, in conjunction with the Division or contract agency caseworker, shall ensure that a pediatric or family physician or advanced practice nurse certified in pediatric or family medicine or psychiatric/mental health treating a child in placement for Attention Deficit Hyperactivity Disorder coordinates care for each child in placement who is also being treated for another psychiatric disorder by another prescriber.\***

(b) (No change.)

## (a)

### DIVISION OF YOUTH AND FAMILY SERVICES Division Utilization of Family Child Care Providers Readoption with Amendments: N.J.A.C. 10:126A

Proposed: February 22, 2011 at 43 N.J.R. 364(a).

Adopted: January 24, 2012 by Allison Blake, Ph.D, LSW,  
Commissioner, Department of Children and Families.

Filed: February 13, 2012 as R.2012 d.058, **without change.**

Authority: N.J.S.A. 30:4C-4(h).

Effective Dates: February 13, 2012, Readoption;  
March 19, 2012, Amendments.

Expiration Date: February 13, 2019.

Summary of Public Comment and the Agency Response:

**No comments were received.**

#### Federal Standards Statement

The rules readopted with amendments are not subject to Federal standards or requirements, and a Federal exceedance analysis is not required for this rulemaking.

**Full text** of the readopted rules can be found in the New Jersey Administrative Code at N.J.A.C. 10:126A.

**Full text** of the adoption follows:

#### CHAPTER 126A

#### DIVISION UTILIZATION OF FAMILY CHILD CARE PROVIDERS

#### SUBCHAPTER 1. GENERAL PROVISIONS

##### 10:126A-1.1 Purpose and scope

The purpose of this chapter is to outline the standards under which the Division of Youth and Family Services will authorize family child care services for a child receiving child welfare services, either directly or under a contract with a family child care provider. This chapter requires that any Division-authorized family child care services purchased by the Department of Human Services or its agents be provided by a family child care provider who meets the standards of and is registered in accordance with N.J.A.C. 10:126, Manual of Requirements for Family Child Care Registration. The standards set by this chapter are more stringent than those set by N.J.A.C. 10:126 for registered family child care providers in general because family child care is often utilized by the Division to relieve the effects of and prevent abuse or neglect or to provide supervision or relief needed by a child's family.

#### SUBCHAPTER 2. DYFS-AUTHORIZED FAMILY CHILD CARE SERVICES PROGRAM REQUIREMENTS

##### 10:126A-2.1 Eligible providers of DYFS-authorized family child care services funded by the Department of Human Services or its agents

The Division shall utilize the services of only those family child care providers who meet the requirements of and are registered in accordance with the provisions of N.J.A.C. 10:126, Manual of Requirements for Family Child Care Registration.

##### 10:126A-2.2 Maximum number of children

For any family child care provider who receives payment from the Department of Human Services or its agents, either directly or through contract, for family child care services for one or more children, as authorized by the Division, the maximum number of children cared for by the family child care provider shall not exceed five children at a time, regardless of fee-paying or non-fee-paying status. The total of five children shall include the provider's foster children and own children, only if the foster children or own children are age five or younger. No more than two of the total number of children cared for by the family child care provider shall be age 23 months or younger.

##### 10:126A-2.3 Exception to maximum number of children

(a) The Director or designee may approve, in writing, the care of additional children over the maximum, by a family child care provider who receives payment from the Department of Human Services or its agents, as authorized by the Division, provided all of the following conditions are met:

1.-2. (No change.)

3. The approval, in writing, of the Director or designee has been obtained prior to the expansion beyond the limits set by this chapter, of the number of children receiving family child care who are authorized by the Division and funded by the Department of Human Services or its agents.

10:126A-2.4 Use of family child care provider when child abuse or neglect is substantiated

(a) The Division shall stop using, and the Department of Human Services or its agents shall suspend payment to, a family child care provider for each child under the Division's supervision when the Department of Children and Families' child protection investigator:

1. (No change.)

2. Makes a finding of substantiated in accordance with N.J.A.C. 10:129-5.3(a).

(b) When a family child care provider appeals the finding of substantiated, the Division shall not authorize use of the family child care provider for any child supervised by the Division until:

1.-2. (No change.)

## LAW AND PUBLIC SAFETY

### (a)

#### DIVISION OF GAMING ENFORCEMENT

#### Gaming Operation Accounting Controls and Standards

#### Adopted Repeal: N.J.A.C. 19:45

#### Adopted New Rules: N.J.A.C. 13:69D

Proposed: November 7, 2011 at 43 N.J.R. 2735(a).

Adopted: February 8, 2012 by David Rebuck, Director, Division of Gaming Enforcement.

Filed: February 24, 2012 as R.2012 d.059, with substantial and technical changes not requiring additional public notice or comment (see N.J.A.C. 1:30-6.3).

Authority: N.J.S.A. 5:12-69, 70, 76, and 144.

Effective Date: March 19, 2012.

Expiration Date: March 19, 2019, N.J.A.C. 13:69D.

#### Summary of Public Comments and Agency Responses:

The Division received comments from the following parties: The Council on Compulsive Gambling of New Jersey, Inc. and International Game Technology.

COMMENT 1: The Council on Compulsive Gambling of New Jersey, Inc. (CCGNJ) seeks to supplement proposed N.J.A.C. 13:69D-1.9, which provides procedures and required internal controls for the issuance of complimentary, to require a casino licensee to verify that a patron who requests or is offered a complimentary service or item is not on the list of self-excluded persons. CCGNJ is nonetheless supportive of the requirements in proposed N.J.A.C. 13:69D-1.11 which address detection and timely reporting of self-excluded persons.

RESPONSE: N.J.A.C. 13:69G-2.4 delineates the duties of a casino licensee with respect to self-exclusion. Among them is the duty to establish procedures that are designed to "deny casino credit, check cashing privileges, player club membership, complimentary goods and services, junket participation and other similar privileges and benefits to any self-excluded person." See N.J.A.C. 13:69G-2.4(a)3.

This duty is consistently carried out in approved casino licensee security submissions. Further, casino licensees frequently engage in internal audits of their computer systems to ensure that persons who are on the self-exclusion list are flagged for the issuance of credit and complimentary. While over the years there may have been isolated incidents of the issuance of a complimentary to a self-excluded person, the Division believes that, as a whole, the casino industry effectively polices itself in this area.

COMMENT 2: International Game Technology (IGT) suggests that the definition of "denomination" in proposed N.J.A.C. 13:69D-1.1 is limited compared to its usage.

RESPONSE: "Denomination" at N.J.A.C. 13:69D-1.1 means a unit of wager "when used in conjunction with or in reference to a slot machine." This definition does not preclude other meanings where the context clearly indicates otherwise.

COMMENT 3: IGT requests clarification on the definition of "electronic account based wagering system" in proposed N.J.A.C. 13:69D-1.1 in understanding the difference between a "controlled computer system" and an "approved independent computer system."

RESPONSE: To clarify on adoption, the proposed definition of "electronic account based wagering system" cross-references the definition of "controlled computer system" set forth in Subchapter 2 where the latter term appears extensively. An "approved independent computer system," as used in the definition of "electronic account based wagering system," refers to a separate system ancillary to a controlled computer system.

COMMENT 4: IGT notes that the terms "electronic funds deposit" and "electronic funds withdrawal" are defined at proposed N.J.A.C. 13:69D-1.1 but are nowhere further referenced in the proposed rules.

RESPONSE: These referenced terms are conformed on adoption in proposed N.J.A.C. 13:69D-1.43A.

COMMENT 5: IGT notes an inconsistency with the definitions of "slot machine drop" and "electronic account based wagering system" in proposed N.J.A.C. 13:69D-1.1 in that the former does not include electronic credits withdrawn by players from temporary anonymous accounts.

RESPONSE: The definition is changed on adoption to include "anonymous accounts."

COMMENT 6: IGT requests that proposed N.J.A.C. 13:69D-1.39A(h)5, which addresses requirements for the computer monitoring room entry log, allow for the use of an unalterable electronic log or "e-logging."

RESPONSE: N.J.A.C. 13:69D-1.39A(h)5 is modified on adoption to accommodate the use of an unalterable entry log for the monitoring room, by permitting the log to be maintained in an electronic format as approved by the Division.

COMMENT 7: IGT, in lieu of the requirement at proposed N.J.A.C. 13:69D-1.40B(b) to establish and maintain a trust to administer large jackpot payouts in the form of an annuity elected by a winning patron, suggests the Division adopt rules requiring the payer (casino licensee or slot system operator) to maintain "financial coverage." IGT believes the trust requirement to be "extremely onerous."

RESPONSE: A player's election of an annuity payout for which a trust would be required is a rare occurrence as the vast majority of jackpot winners elect the cash option. Since 2005, winning patrons of 195 qualifying jackpots elected an annuity payout a total of eight times, representing only 4.10 percent of the jackpots. The trust requirement is intended to safeguard the present value of a jackpot for future payments, without regard to the future financial solvency of the casino licensee or slot system operator. The Division sees no reason to change the proposed rule.

COMMENT 8: IGT seeks clarification of proposed N.J.A.C. 13:69D-1.54(h) as to whether "presentation" of a gaming voucher for redemption only applies to gaming voucher redemption with a cashier.

RESPONSE: Gaming vouchers may be redeemed at a cashiering location, slot machine, or electronic table game if connected to a computerized gaming voucher system. See proposed N.J.A.C. 13:69D-1.54(a). Subsection (h) details the procedure for scanning the gaming voucher into the system once presented by a patron for redemption. The system verifies the validity of the voucher, cancels the voucher if valid, and permits the redemption for the value printed on the voucher. Subsection (i) details the procedure when the system is unable to verify the validity of the voucher, in which case redemption is permitted at a cashiering cage with the voucher in "pending" status for purposes of the voucher system. See proposed N.J.A.C. 13:69E-1.40(i)5. The procedure makes no distinction between voucher redemptions at a cashier's cage, a slot machine, or an electronic table game.

#### Summary of Agency-Initiated Changes:

The Division made several minor changes to N.J.A.C. 13:69D on adoption.

1. For a signature exemplar in establishing a patron identification file to be used by a casino licensee, proposed N.J.A.C. 13:69D-1.5A(b) requires a casino employee to compare a photograph and description on an identification credential to the person's general physical