

ADOPTION SECTION

**HUMAN SERVICES**

**DIVISION OF FAMILY DEVELOPMENT**

**Notice of Administrative Change and Corrections**

**Work First New Jersey/General Assistance Rate in Residential Health Care Facilities**

**N.J.A.C. 10:90-3.17**

**Take notice** that, in accordance with N.J.A.C. 10:90-3.17(a)1, the Department of Human Services announces that the rate to be paid for Work First New Jersey/General Assistance individuals in Residential Health Care Facilities has been increased to \$920.05 monthly. This change was effective January 1, 2013 and is the same in both the amount and effective date as the change in the rate for the same services paid to recipients under the Federal program of Supplemental Security Income.

**Take further notice** that the reference at N.J.A.C. 10:90-3.17(a)1 to “a residential health care facility (licensed by the New Jersey Department of Health and Senior Services for purposes other than the care or treatment of drug or alcohol abuse)” is being changed to reflect that such licensing is done by the Department of Community Affairs, in accordance with Reorganizational Plan No. 002-2005.

**Take further notice that** effective March 7, 2011, then existing paragraph (a)3 was deleted and paragraph (a)4 was recodified as paragraph (a)3. (See 42 N.J.R. 2561(b) and 43 N.J.R. 630(a).) Existing paragraph (a)2 cross-referenced paragraph (a)4, and such cross-reference was not updated at that time and is being updated through this notice of administrative change and corrections.

**Take further notice** that the Division of Addiction Services, responsible for the licensure of residential centers for the treatment of substance abuse disorders, was transferred from the Department of Health and Senior Services to the Department of Human Services by Reorganization Plan No. 002-2004. Therefore, the reference to licensure of a residential treatment center for the treatment of alcohol or drug abuse by the Department of Health and Senior Services in the first sentence of N.J.A.C. 10:90-3.17(a)3 is corrected to reference the Department of Human Services. In addition, in the “Note” at the end of N.J.A.C. 10:90-3.17(a)3, the reference to licensure of a center as a medical institution by the Department of Health and Senior Services is corrected to reflect redesignation of that Department as the Department of Health, pursuant to section 93 of P.L. 2012, c. 17.

The administrative corrections in this notice are published pursuant to N.J.A.C. 1:30-2.7

**Full text** of the changed and corrected rule follows (addition indicated in boldface **thus**; deletions indicated in brackets [thus]):

10:90-3.17 WFNJ/GA special payment provisions for other living arrangements

(a) When an individual is purchasing a room and board living arrangement, the following shall apply:

1. When an individual who is in need of extensive personal services on a regular and continuous basis is purchasing a room and board living arrangement in a residential health care facility (licensed by the New Jersey Department of [Health and Senior Services] **Community Affairs** for purposes other than the care or treatment of drug or alcohol abuse), the monthly assistance payment (~~[\$908.05]~~ **\$920.05**) including a personal allowance, shall not exceed the rate approved by the New Jersey Department of the Treasury, less any countable income. When a rate increase is approved, a notice of administrative change to that effect will be published in the New Jersey Register. Information about the current rate may also be obtained by contacting the DFD. However, the cost of purchasing such living arrangement shall not exceed the minimum amount which the establishment customarily charges to or for other guests not dependent on public assistance, for the same accommodations and/or services.
  
2. When an individual is purchasing room and board in a group facility or a boarding home (including a private home) other than a residential health care facility as in (a)1 above, or a center for treatment of drug or alcohol abuse as in (a)[4]**3** below, the total monthly benefit payment shall be the maximum benefit payment amount

for a single adult as given in Schedule IV or Schedule V at N.J.A.C. 10:90-3.5 and 3.6, as appropriate, less any countable income.

i. (No change.)

3. When an individual is receiving room and board in a residential center for the treatment of drug or alcohol abuse, whether or not the center is licensed by the New Jersey Department of [Health and Senior Services] **Human Services**, the total allowance shall not exceed the amount to which the individual would be entitled as an eligible unit of one as given in Schedule IV or Schedule V at N.J.A.C. 10:90-3.5 and 3.6, as appropriate. Of that amount, \$25.00 shall be considered as an allowance for personal incidentals and the remainder as the room and board payment to the center. (Note: Licensure of the center by the New Jersey Department of Health [and Senior Services] as a medical institution will not affect the payment rate.)