

(c)-(f) (No change.)

(g) The originals of the completed form for the Application for Temporary Commitment, Clinical/Screening Certificate of Involuntary Commitment of Mentally Ill Adults, and Temporary Order for Commitment shall be turned over to the Forensic Psychiatric Hospital upon inmate admission and the psychiatric facility shall file these documents for the final hearing. The correctional facility shall maintain a copy of all these completed documents in the inmate's MRF.

#### SUBCHAPTER 15. KEEP ON PERSON (KOP) MEDICATION

##### 10A:16-15.2 Distribution of and instructions for inmate use of KOP medication

(a) Prior to distributing a KOP medication to an inmate, the responsible health authority shall determine whether the inmate has the necessary stability, ability, and skill to handle independent self-administration of the medication and make a recommendation to the Administrator or designee. When independent, self-administration of the medication is disapproved, the reason(s) shall be documented in the EHR by the responsible health authority or designee.

(b)-(c) (No change.)

##### 10A:16-15.3 Inmate responsibility and compliance associated with KOP medication

(a)-(c) (No change.)

(d) Inmates determined to be unable to comply with, or to be non-compliant with, requirements for the use, handling, possession, maintenance, or requests for refill of KOP medication shall be subject to the immediate removal of the KOP medication and, upon removal, shall receive medications via directly observed therapy (DOT). Inmates misusing KOP medication or non-compliant with related requirements shall be subject to disciplinary action in accordance with N.J.A.C. 10A:4, Inmate Discipline.

(e) An inability to comply with, or refusal to comply with, requirements for the use, handling, possession, maintenance, or requests for refill of KOP medication, and any finding of guilt to a KOP medication related prohibited act shall be documented in the EHR by the responsible health care provider.

##### 10A:16-15.4 KOP medication spot checks

(a) (No change.)

(b) KOP medication that is being misused, or is unauthorized for the inmate's possession, shall be handled as contraband in accordance with N.J.A.C. 10A:3-6, Contraband and Disposition of Contraband, and shall subject the inmate to disciplinary action as set forth in N.J.A.C. 10A:4-4.1, Prohibited acts.

(c)-(d) (No change.)

##### 10A:16-15.5 Searches

(a) (No change.)

(b) KOP medication that is being misused, or is unauthorized for the inmate's possession, shall be handled as contraband in accordance with N.J.A.C. 10A:3-6, Contraband and Disposition of Contraband, and shall subject the inmate to disciplinary action as set forth in N.J.A.C. 10A:4-4.1, Prohibited acts.

##### 10A:16-15.8 KOP records and compliance requirements

The responsible health authority and health care provider staff shall be responsible for documenting KOP medication related data in the EHR and for compliance with the rules set forth in this subchapter and related internal management procedures.

## INSURANCE

(a)

### DEPARTMENT OF BANKING AND INSURANCE OFFICE OF LIFE AND HEALTH

#### Life/Health/Annuity Forms

##### Adopted Amendment: N.J.A.C. 11:4-40.2

Proposed: January 3, 2017 at 49 N.J.R. 49(a).

Adopted: July 14, 2017, by Richard J. Badolato, Commissioner, Department of Banking and Insurance.

Filed: July 17, 2017 as R.2017, d.151, **without change**.

Authority: N.J.S.A. 17:1-8.1, 17:1-15.e, and 17B:25-18 et seq.

Effective Date: August 21, 2017.

Expiration Date: September 28, 2018.

#### Summary of Public Comment and Agency Response:

The Department of Banking and Insurance timely received a written comment from The Self-Insurance Institute of America.

COMMENT: The commenter expressed support for the proposed amendment.

RESPONSE: The Department appreciates the support of its proposal.

#### Federal Standards Statement

A Federal standards analysis is not required because the adopted amendment is not subject to any Federal requirements or standards.

Full text of the adoption follows:

#### SUBCHAPTER 40. LIFE/HEALTH/ANNUITY FORMS

##### 11:4-40.2 Definitions

The following words and terms, as used in this subchapter, shall have the following meanings, unless the context clearly indicates otherwise:

...  
 "Stop loss or excess risk insurance," unless a small employer subject to the stop loss or excess risk insurance definition at N.J.S.A. 17B:27A-17, means insurance designed to reimburse a self-funded arrangement for catastrophic and unexpected expenses exceeding specified per person retention limits of no less than \$20,000 per year and/or aggregate retention limits of no less than 110 percent of expected claims per year, wherein neither the employees nor other individuals are third-party beneficiaries under the policy, contract or plan.  
 ...

## LAW AND PUBLIC SAFETY

(b)

### NEW JERSEY RACING COMMISSION

#### Self-Exclusion List

##### Readoption: N.J.A.C. 13:74A

Proposed: May 1, 2017, at 49 N.J.R. 1013(a).

Adopted: July 20, 2017, by the New Jersey Racing Commission, Frank Zanzuccki, Executive Director.

Filed: July 20, 2017, as R.2017 d.156, **without change**.

Authority: N.J.S.A. 5:5-30, 5:5-65.1, and 5:5-65.2.

Effective Date: July 20, 2017.

Expiration Date: July 20, 2024.

#### Summary of Public Comment and Agency Response:

The following is a summary of the comments received and the New Jersey Racing Commission's (Commission) responses. The Commission received one comment from a member of the public who identifies herself as "Jean Public." The written comment was received via e-mail.

1. COMMENT: The commenter feels that renewing the self-exclusion list is "ok," but feels that there should be a fee of \$50.00 or

\$100.00 for the service of government intervention that this program is offering.

RESPONSE: The Commission thanks the commenter but declines to make any amendments because the maintenance of a self-exclusion list is mandated by statute without cost to the participants. The regulatory costs related to the self-exclusion list are de minimus.

**Federal Standards Statement**

A Federal standards analysis is not required as there are no Federal standards or requirements applicable to the readopted rules. The Racing Commission readopts this chapter pursuant to the rulemaking authority set forth at N.J.S.A. 5:5-30 and 5:5-65.1.

Full text of the readopted rules can be found in the New Jersey Administrative Code at N.J.A.C. 13:74A.

**(a)**

**OFFICE OF HIGHWAY TRAFFIC SAFETY**

**Notice of Readoption**

**Drunk Driving Enforcement Fund**

**Readoption: N.J.A.C. 13:86**

Authority: N.J.S.A. 27:5F-35, 39:4-50.8, 52:17B-4, and 52:17B-27; and Reorganization Plan No. 004-1992.

Authorized By: Office of Highway Traffic Safety, Gary Poedubicky, Acting Director.

Effective Date: July 20, 2017.

New Expiration Date: July 20, 2024.

Take notice that pursuant to N.J.S.A. 52:14B-5.1, N.J.A.C. 13:86 was scheduled to expire on September 29, 2017. The Drunk Driving Enforcement Fund (DDEF) is established pursuant to N.J.S.A. 39:4-50.8. The rules at N.J.A.C. 13:86 establish the administration of the DDEF and set forth the requirements for grant awards from the Fund. The Office of Highway Traffic Safety has reviewed the rules and has determined them to be necessary, reasonable, and proper for the purpose for which they were originally promulgated, as required by Executive Order No. 66 (1978).

The DDEF statute provides, that, upon conviction for violation of the State's drunk driving statute, N.J.S.A. 39:4-50, or for violation of the State's chemical breath test statute, N.J.S.A. 39:4-50.4a, the court collects a \$100.00 surcharge from the defendant and forwards it to the New Jersey Motor Vehicle Commission. Ninety-five dollars of the \$100.00 surcharge is deposited into the DDEF and the remaining \$5.00 is used for administrative purposes. Additionally, two-thirds of the monies deposited into the Alcohol Education, Rehabilitation and Enforcement Fund in the Department of Health, N.J.S.A. 26:2B-32, for enforcement purposes, is deposited into the DDEF in two yearly installments. Therefore, pursuant to N.J.S.A. 27:5F-35 and in accordance with N.J.S.A. 52:14B-5.1.c(1), these rules are readopted without amendments and shall continue in effect for a seven-year period.

**TREASURY—GENERAL**

**(b)**

**RESIDENTIAL HOUSING MANAGEMENT BOARD**

**Procedural Guide for Occupying and Vacating Employee Housing Units**

**Readoption: N.J.A.C. 17:17**

Proposed: May 15, 2017, at 49 N.J.R. 1180(a).

Adopted: July 17, 2017, by the Residential Housing Management Board, Cindy Bussell, Secretary.

Filed: July 19, 2017, as R.2017 d.154, **without change**.

Authority: N.J.S.A. 52:31-25.

Effective Date: July 19, 2017.

Expiration Date: July 19, 2024.

**Summary of Public Comment and Agency Response:**

The Residential Housing Management Board (Board) received timely written comments from Jean Publiee.

COMMENT: The commenter expresses concern that there is not a website for the public to view information about the name of the State employees that receive residential housing, the location of the housing, and the costs of the housing, so that the public can make an "intelligent statement" about the continued use of taxpayer dollars for such housing. The commenter is also concerned that the housing benefits "could be used for corrupt purposes." Additionally, the commenter states that "the public should be entitled to know who is considered so vital to the State that "they get housing at reduced prices."

RESPONSE: The comments submitted do not relate to or address the provisions of this current readoption, but question the underlying employment policies and procedures of the various departments/agencies that provide information to the Board in order to administer the readopted rules. The Board has no regulatory authority over the employment policies and procedures of the various departments/agencies. Furthermore, the Board is not required by law to have a website for the public to view the requested information. The law and rules establishing the Board are set forth at N.J.S.A. 52:31-23 et seq., and N.J.A.C. 17:17. The Board thanks the commenter for the comments.

**Federal Standards Statement**

No Federal standards analysis is required because the rules are not being readopted under the authority of, or in order to implement, comply with or participate in any program established under, Federal law or a State law that incorporates or refers to Federal law, standards, or requirements.

Full text of the readopted rules can be found in the New Jersey Administrative Code at N.J.A.C. 17:17.

**TREASURY—TAXATION**

**(c)**

**DIVISION OF TAXATION**

**Motor Fuel Tax**

**Readoption with Amendments: N.J.A.C. 18:18**

**Adopted Repeals: N.J.A.C. 18:18-3.20, 3.22, 3.23, 3.24, 4.1, 4.2, 4.4, 4.5, 4.7, 4.9, 4.10, 5, 7.2, 7.4, 7.5, 7.10, 9, 12.6, 12.8, 12.16 through 12.19, 14, 15.1, 15.2, and 15.10**

**Adopted Repeal and New Rule: N.J.A.C. 18:18-3.3**

Proposed: March 6, 2017, at 49 N.J.R. 402(a).

Adopted: July 24, 2017, by John J. Ficara, Acting Director, Division of Taxation.

Filed: July 26, 2017, as R.2017 d.158, **without change**.

Authority: N.J.S.A. 56:7-31.

Effective Dates: July 26, 2017, Readoption;  
August 21, 2017, Amendments, New Rule, and Repeals.

Expiration Date: July 26, 2024.

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

The Division of Taxation (Division) received two written comments on the notice of proposal from Eric DeGesero, of the Fuel Merchants Association of New Jersey (FMA). The comments are summarized as follows:

COMMENT: The FMA asked whether the Director could exercise the authority granted under N.J.S.A. 54:39-148(h) (which authorizes the Director to co-collect the motor fuel tax and the petroleum products