

CORRECTIONS

THE COMMISSIONER

Substance Use Disorder Treatment Programs

Readoption with Amendments: N.J.A.C. 10A:24

Proposed: September 2, 2014, at 46 N.J.R. 1855(a).

Adopted: January 22, 2015, by Gary M. Lanigan, Commissioner,
Department of Corrections.

Filed: January 22, 2015, as R.2015 d.030, **without change**.

Authority: N.J.S.A. 30:1B-6 and 30:1B-10; and *Carl K. Hampton v. Department of Corrections*, 336
N.J.Super. 520 (App. Div. 2001).

Effective Dates: January 22, 2015, Readoption;
February 17, 2015, Amendments.

Expiration Date: January 22, 2022.

Summary of Public Comments and Agency Responses:

Comments were submitted in a timely fashion by the New Jersey Association of Mental Health and
Addiction Agencies, Inc. (NJAMHAA), by Debra L. Wentz, PhD, Chief Executive Officer.

1. COMMENT: NJAMHAA expressed support for “[t]he reduction of corrections and parole
restrictions that will help create more opportunities for inmates with substance use disorders after
their release from jail or prison.” However, NJAMHAA states that “the implications of these
proposed amendments is that DOC clients who are identified as being appropriate for substance

abuse treatment will not be referred to treatment programs licensed by DMHAS (as is the current practice) and will instead be referred to TC programs which exist outside of the current framework for treatment.”

RESPONSE: The Department acknowledges the concern of the commenter and emphasizes that the “Therapeutic Community” (T.C.) referred to in N.J.A.C. 10A:24 is a self-contained treatment unit within a correctional facility. Treatment in a T.C. is available only to inmates while in custody. The T.C.s in the Department’s rules are not intended to replace or otherwise detrimentally impact programs or services available following inmate release or parole, such as long-term or halfway house treatment programs available outside of a correctional facility.

2. COMMENT: Regarding the change in the name of the Office of Drug Programs to the Office of Substance Abuse Programming and Drug Programs, NJAMHAA recommends “that the rules include a statement of the DOC’s commitment to begin developing screening and programming for individuals with compulsive gambling disorders.”

RESPONSE: While the DOC appreciates the input received from NJAMHAA, it is not possible to take action on this suggestion because it is outside the scope of this proposal. DOC rule actions are not the proper venue to make statements of potential future activities, commitments, intentions, or positions.

Federal Standards Statement

The rules readopted with amendments are promulgated under the authority of the rulemaking requirements of the Department of Corrections as established at N.J.S.A. 30:1B-6 and 30:1B-10. The rules readopted with amendments are not subject to any Federal statutes,

requirements, or standards; therefore, a Federal standards analysis is not required.

Full text of the readopted rules can be found in the New Jersey Administrative Code at N.J.A.C. 10A:24.

Full text of the adopted amendments follows:

TEXT