



**State of New Jersey  
Executive Order #40**

**Acting Governor Richard J. Codey**

WHEREAS, Executive Order No. 1 (2004) created a Governor's Task Force on Mental Health (hereinafter the "Task Force") to undertake a comprehensive review of New Jersey's mental health system, and to make recommendations to the Governor and the Legislature concerning legislative, regulatory and administrative changes that are needed to improve the delivery of and access to mental health services in New Jersey; and

WHEREAS, on March 31, 2005, the Task Force issued its Final Report that identified priority recommendations to achieve immediate relief for an overburdened and under-funded infrastructure and that provided a blueprint for developing quality, consumer and family directed care and systems while including longer-term recommendations; and

WHEREAS, certain of the Task Force's recommendations require legislative action while others can be implemented more quickly through administrative direction; and

WHEREAS, some of the recommendations have already been pursued, including the filing and subsequent adoption of Reorganization Plan 002-2005, moving the responsibility for monitoring and inspecting residential health care facilities from the Department of Health and Senior Services to the Department of Community Affairs, and the inclusion in the FY 2006 budget proposal of an additional \$40 million to recast the State's mental health system to provide services that are comprehensive, accessible and consumer-driven; and

WHEREAS, it is critical that the State of New Jersey and its governmental agencies foster the movement of New Jersey's mental health system away from a status quo characterized by stigma and isolation, towards a Treatment, Wellness and Recovery model, in as expeditious a manner as possible;

NOW, THEREFORE, I, RICHARD J. CODEY, Acting Governor of the State of New Jersey, by virtue of the authority vested in me by the Constitution and by the Statutes of this State, do hereby ORDER and DIRECT:

1. Utilizing existing resources, the Department of Human Services shall expand its existing 800-number and shall establish a statewide information and referral system.
2. The Department of Community Affairs and the New Jersey Housing and Mortgage Finance Agency shall review their existing regulations, policies and

- enabling legislation specific to housing for special needs individual and shall promulgate new or revised rules and recommend such legislative amendments as are necessary to foster the process of creating the 10,000 housing opportunities envisioned in the Task Force report. These recommendations shall include allowing access to new housing in the community, prioritizing rental assistance for people with disabilities, and changes to Council on Affordable Housing regulations.
3. The Department of Human Services shall take all necessary action to ensure that County Mental Health Boards operate consistent with the provisions of N.J.A.C. 10:37-1 et seq., in regard to all of the Boards' duties for both the adult and children's mental health system, especially in regard to local planning and monitoring.
  4. The Commissioner of Human Services shall take the necessary steps to elevate the position of Director, Division of Mental Health Services to a Special Assistant Commissioner for Mental Health Services, reporting directly to the Commissioner of Human Services. This action will elevate the profile of mental health within New Jersey State government.
  5. The State shall clearly outline the requirements for protecting privacy in compliance with the requirements of the federal Health Insurance Portability and Accountability Act of 1996 (HIPAA). Where consistent with federal requirements, the State shall streamline the process of obtaining consent from individuals to share essential information, gain access to services, transfer essential information for the provision of high-quality of care and enroll or verify enrollment in necessary entitlement programs. The State shall further distribute that information to consumers, family members and providers. The Department of Human Services is directed to work with the Community Health Law Project to develop, print and distribute a user-friendly pamphlet explaining these requirements.
  6. This Order shall take effect immediately.

GIVEN, under my hand and seal this 2nd day of June in the Year of Our Lord, Two Thousand and Five, and of the Independence of the United States, the Two Hundred and Twenty-Ninth.

Richard J. Codey  
Acting Governor

Attest:

Mark J. Fleming

Deputy Chief Counsel to the Governor