

STATE OF NEW JERSEY

Department of Children and Families

NOTICE OF RULE WAIVER/MODIFICATION/SUSPENSION

PURSUANT TO EXECUTIVE ORDER NO. 103 (MURPHY)(MARCH 9, 2020)

COVID-19 STATE OF EMERGENCY

Temporary Rule Waiver adopted by Christine Norbut Beyer, Commissioner, Department of Children and Families

Date: March 22, 2020

Authority: N.J.S.A. App.A.9-45 & App. A:9-47; Executive Order No. 103 (Murphy)(“EO 103”)

Effective Date: March 22, 2020

Expiration Date: 30 days from the Commissioner’s signature unless otherwise modified or extended.

This is an emergency adoption of a temporary rule waiver of the Department’s rules at N.J.A.C. 3A:12-1.1 et seq.; 3A:12-2.1; and 3A:15-1.1 et seq. Section 6 of EO 103, issued in response to the COVID-19 pandemic, authorizes agency heads to waive/suspend/modify any existing rule, where the enforcement of the rule would be detrimental to the public welfare during the emergency, notwithstanding the provisions of the Administrative Procedure Act or any law to the contrary. Pursuant to that authority, and with the approval of the Governor and in consultation with the State Director of Emergency Management and the Commissioner of the Department of Health, the Department of Children and Families is waiving certain rules as follows:

In order to: (1) facilitate social distancing and other virus mitigation strategies while continuing essential functions to ensure the safety of children and families; and (2) create flexibility to add or realign staff to address virus related personnel shortages, the Department is taking the following action:

N.J.A.C. 3A:12.1.1 et seq. requiring specific timeframes for CP&P staff to complete case plans for children and families on in-home and out-of-home placement is waived.

N.J.A.C. 3A:12-2.1 et seq. requiring in-person visits between the caseworker and family/child on various reoccurring timeframes is waived.

N.J.A.C. 3A:15-1.1 et seq. requiring visitation facilitated by CP&P for children in out of home placement, transportation for such visits, and sibling visitation is waived.

I find that waiver of the rules above is necessary because enforcement of the existing rules would be detrimental to the public welfare during this emergency.

Christine Beyer

Date: March 22, 2020

Christine Norbut Beyer, MSW
Commissioner