

1 NEW JERSEY DEPARTMENT OF HEALTH
2 PROPOSED NEW RULES
3 NJAC 8:17-19.1, 19.2, 19.3 AND 19.4
4 GENERAL PROCEDURES FOR PUBLIC NOTICE,
5 PUBLIC COMMENT AND PUBLIC HEARING
6
7

8 Location: 55 North Willow Street
9 Trenton, NJ 08625

10 Date: Tuesday, September 9, 2025
11 Commencing At 3:00 P.M.
12

13 B E F O R E:

14 ALVINA SETO, J.D., Regulatory Officer
15

16 TRANSCRIBED BY: DONNA BRUNCK, CCR
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1 MS. SETO: Good afternoon. I'm
2 calling this public hearing to order. My name is
3 Alvina Seto. I'm a regulatory officer with the New
4 Jersey Department of Health who will be serving as
5 the hearing officer for today's hearing on the
6 proposed new rules at New Jersey Administrative Code
7 8:17-19, which was published in the New Jersey
8 Register on August 4, 2025.

9 This hearing is being conducted in
10 accordance with New Jersey Administrative Procedures
11 Act N.J.S.A. 52:14B-1, et seq. The purpose of this
12 hearing is to receive public comment on the New
13 Jersey Department of Health's proposed new rule at
14 New Jersey Administrative Code 8:17-19 concerning
15 rules to establish procedures for public notice,
16 public comment, and public hearing for the New
17 Jersey Early Intervention System. Therefore, all
18 comments today must be limited to the proposed rule.

19 Any comments collected today and
20 collected from the public through written comments
21 will be reviewed and considered by the Department.
22 The public comments collected will be summarized in
23 the notice of adoption, which will be included --
24 which will include the reasons for adopting the
25 public comments accepted and the reason for the

1 rejection of the public comments. Written
2 statements may be submitted today or any time until
3 the close of the written comment period on October
4 3, 2025.

5 This hearing was properly noticed in
6 the New Jersey Register on August 4. The proposal
7 is available on the Department's website and in
8 print at the Office of Administrative Law. The
9 public hearing is being held today at 55 North
10 Willow Street, and members of the public are also
11 able to participate remotely via Microsoft Teams.

12 Anyone wishing to speak this
13 afternoon has been asked to sign in on the speaker
14 sheet at the entrance of this conference room.
15 Individuals who are participating remotely who wish
16 to speak have been asked to type their name in the
17 chat.

18 I will now begin today's hearing by
19 explaining how today's proceeding will proceed
20 followed by a summary of the proposed new rules that
21 are the subject of today's hearing.

22 Oral comments will be accepted in the
23 order by which speakers signed in to 55 North Willow
24 Street. After the speakers at 55 North Willow
25 Street have spoken, I will then open the floor to

1 oral comments to speakers who are participating
2 remotely in order in which the speaker typed their
3 names in the chat.

4 Prior to speaking, each speaker will
5 be asked to provide their full name and spell it for
6 the record. If the speaker belongs to an
7 organization, kindly state the organization which
8 you are affiliated. To allow everyone an
9 opportunity to speak, each individual will be
10 limited to five minutes, and you will be told when
11 your five minutes are up, so we respectfully request
12 that the speaker stop speaking to be fair to other
13 speakers that follow.

14 All comments must be relevant to the
15 rules under consideration in this notice proposal
16 and must be provided respectfully and within the
17 allotted time. If your comment is longer than five
18 minutes, please submit a written comment. As a
19 reminder, again, written comments on the proposal
20 must be submitted electronically by October 3,
21 2025 to Kimberly Jenkins, director, Office of Legal
22 and Regulatory Compliance.

23 Please note that this is not a
24 question-and-answer session or debate. The
25 Department's here to listen and record comments

1 pertaining to the proposed new rule.

2 A verbatim transcript is being made
3 and will become part of the official rule-making
4 record as required by law. Additionally, for those
5 attending remotely, please be advised you are being
6 recorded via Teams.

7 With that, I will now provide a brief
8 overview of the proposed new rules at New Jersey
9 Administrative Code 8:17-19. The Department of
10 Health, through the public health service branch,
11 Division of Family Health Services, is proposing new
12 rules to the Early Intervention System under new
13 subchapter 19. This proposed new subchapter will
14 outline policies and procedures for providing public
15 notice, accepting public comment and conducting
16 public hearings for the New Jersey Early
17 Intervention System. These proposed rules are
18 required under part C of the Individuals With
19 Disabilities Education Act and the federal
20 implementing regulations at 34 CFR 303.208(a) and
21 (b) .

22 The purpose of the proposed new rule
23 is to ensure that families, providers and other
24 interested members of the public have a clear,
25 consistent process for participating in rule making

1 related to the Early Intervention System.

2 Let the record reflect that it is now
3 3:04 p.m. and I will now begin receiving public
4 comments. Do we have our first registered speaker
5 in the room?

6 MS. SMITH: Nobody.

7 MS. SETO: Let the record reflect
8 that there are no speakers in the room right now at
9 55 North Willow, so therefore, I will proceed with
10 accepting public comment from the individual who has
11 typed in their name from -- in the chat. I think
12 it's David Holmes.

13 Mr. Holmes, would you please state
14 your name and spell it for the record and also your
15 affiliation with any organization you may be
16 speaking on behalf of.

17 MR. HOLMES: Certainly. My name is
18 David Holmes, H-o-l-m-e-s, and I am a management
19 consultant hired by the Alliance for Betterment of
20 Citizens with Disabilities, early intervention
21 provider association to assist them --

22 MS. SETO: We're going to take a
23 two-minute recess. I apologize. It's 3:06 right
24 now. We are trying to figure out how to broadcast
25 this a little louder so the reporter can hear you.

1 (A brief recess is taken.)

2 MS. SETO: It is now 3:07 and we are
3 ready to proceed with David Holmes' comment. Thank
4 you for your patience.

5 MR. HOLMES: Again, my name is David
6 Holmes, H-o-l-m-e-s. I am a management consultant
7 hired by the Alliance for Betterment of Citizens
8 with Disabilities, an early intervention provider
9 association. We are very grateful for the
10 opportunity to be able to present to you.
11 Everything is positive, we are very happy to say.
12 The early intervention provider association of ABCD
13 appreciates this opportunity and supports in total
14 the adoption of the following: That's N.J.A.C.
15 8:17-19.1, 19.2, 19.3 and 19.4.

16 In addition, EIPA's reviewed the
17 required impact statements. And there are
18 approximately ten of them. I won't describe each
19 one of them, and, again, we find those all
20 acceptable in terms of the interpretation that was
21 described by the Department.

22 Once again, thank you very much. I
23 told you I'd be brief, and it is brief. Thank you,
24 appreciate the time.

25 MS. SETO: Thank you for your

1 comment.

2 We will now proceed to the second
3 speaker, I believe it's Adara Heilmann? I apologize
4 if I'm not pronouncing it correctly. Could you
5 please state your name and spell it for the record.

6 MS. HEILMANN: Sure, Adara Heilmann,
7 and it's A-d-a-r-a last name is Heilmann,
8 H-e-i-l-m-a-n-n, and I'm from the Arc of New Jersey.

9 Just to start off, on behalf of the
10 Arc of New Jersey, I wanted to extend my gratitude
11 for the opportunity to present our testimony as a
12 recommendation for the Department of Health fiscal
13 year 2026 budget. As the largest advocacy
14 organization in the state for individuals with IDD
15 and their families, we are dedicated to supporting
16 these communities across all 21 counties, including
17 those served by our local chapters and provide early
18 intervention services.

19 We, just like David, we also think
20 everybody is positive. We agree with everything
21 that the Department of Health has done to continue
22 the efforts to enhance the lives of New Jersey
23 residents, particularly those with IDD in their
24 families.

25 Among the many important programs

1 overseen by the Department, the New Jersey Early
2 Intervention System is indispensable to this
3 population. This service assists children with IDD
4 to meet their essential milestones in language
5 growth and fine motor skills, cognition, behavior
6 and social emotional developments, and additionally
7 it provides invaluable support for families through
8 social work services and parent coaching, ensuring
9 the benefits of these services that will extend far
10 beyond the age of three.

11 So we really truly appreciate you
12 adding more language into the 2026 budget. I wanted
13 to keep it brief as well. Everything was positive.
14 Thank you very much.

15 MS. SETO: Thank you, Ms. Heilmann.
16 I believe we have Ms. Richards, Jena Richards. If
17 you'd like to speak, please spell your name and
18 state your name for the record and your political --
19 not political affiliation, your organizational
20 affiliation. Ms. Richards? I'll let the record
21 reflect that Ms. Richards is not submitting a
22 comment.

23 Let the record reflect that there is
24 nobody present at 55 North Willow presently that has
25 requested to speak as well. So with that said, we

1 are just going to wait and see. I will be placing
2 myself off camera until I see somebody type in their
3 name in the chat requesting to speak or somebody
4 entering 55 North Willow.

5 (A brief recess is taken.)

6 MS. SETO: I just saw, is it Juana
7 Camacho? If you'd like to speak, please state your
8 name and spell it for the record. It is 3:13.

9 Sorry, I was muted. It is 3:13 and I
10 seen that Juana Camacho has signed in in the chat,
11 so if you would like to speak, please take the time
12 to state your name and spell your name for the
13 record.

14 MS. CAMACHO: Hello, my name is Juana
15 Camacho, occupational therapist.

16 MS. SETO: Yes, hi. Would you like
17 to submit a comment?

18 MS. CAMACHO: Yes. I actually don't
19 -- I do have one, but I'm still -- I'd like to wait
20 and hold off a little bit if you're still -- yeah,
21 thanks.

22 MS. SETO: Sure. I am going to mute
23 and put myself off camera until I see another
24 individual either in this room or online indicating
25 their wish to comment.

1 (A brief recess is taken.)

2 MS. SETO: Are you ready to speak?

3 It's 3:18.

4 MS. CAMACHO: I have a statement.

5 Dear Director Jenkins and members of the Department
6 of Health. My name is Juana Camacho. I am a
7 neurodivergent occupational therapist with level one
8 autism, and I'm a certified stroke specialist and a
9 certified lymphedema therapist working in the New
10 Jersey early intervention system as a self-employed
11 independent contractor.

12 I am submitting this testimony
13 regarding the proposed rules for public notice,
14 hearing and comment procedures. I also first want
15 to state I was not made aware of this and also many
16 families were not made aware of this until today,
17 including multiple agencies that I work with.

18 First, I want to commend the
19 Department for formalizing this process in the
20 public arena. Clear standards for notification and
21 participation will strengthen transparency and
22 ensure the families, clinicians, teachers, EI
23 employees and providing agencies have an active
24 voice in shaping the future of early intervention in
25 New Jersey.

1 MS. SETO: Excuse me, Ms. Richards,
2 the stenographer has asked that you slow down a
3 little bit only because she's having difficulty
4 hearing, and if you could just speak a little
5 slower, we'd really appreciate it. Thank you.

6 MS. CAMACHO: Okay, sorry. I will
7 speak slower. This is Juana Camacho speaking.

8 As a New Jersey State licensed
9 medical professional who works directly with
10 infants, toddlers and their families in homes and
11 daycares, I would like to offer the following points
12 for consideration. Number one, successful
13 communication and transparency for clinicians for
14 personal professional health and safety. As a
15 self-employed independent contractor, I'm
16 required -- it would be helpful to have required
17 notices of any health and safety risk to clinician,
18 including domestic violence households and supports
19 for domestic violence homes, children with
20 life-threatening serious self-injurious behavior
21 such as head banging --

22 MS. SETO: Excuse me, Ms. Camacho. I
23 have to stop you only because the purpose of this
24 hearing is to provide comment on the rules itself on
25 public notice. Public notice being that you, as the

1 public, are given notice of these type of hearings
2 for the possibility of commenting on policies, on
3 new policies and procedures, so I would ask that you
4 limit your statement to the applicable rules itself.

5 MS. CAMACHO: Okay. I will move on
6 to accessible communication for families. Notices
7 and applications should always be available in plain
8 language and translate into New Jersey's most common
9 languages. I'm a trilingual specialist therapist,
10 so I work with many families that are Spanish
11 speaking, Portuguese speaking, who do not have the
12 information in their languages, and that goes for
13 also all the languages and different languages
14 people speak.

15 Families often struggle with
16 technical and legal language --

17 MS. SETO: Again, Ms. Richards -- Ms.
18 Camacho, I have to interrupt you. Again, the
19 purpose of these rules is for you to comment on
20 public notice and public comment and the public
21 hearing process, not for you to comment on the Early
22 Intervention System itself. It's just on the rules
23 itself.

24 MS. CAMACHO: Okay, cool. This is
25 for the rules, you know, for hopes that this is

1 modified with flexible hearing comments and options.
2 So exactly what I'm speaking to you about, this is
3 what, you know, I'm letting you know this is what
4 we're advocating for.

5 Also full transparency and inclusion
6 of providers' perspectives, you know. Clinicians in
7 EI have medical and educational expertise in this
8 setting, so we are also wanting our voice to be
9 heard for that transparency in these procedures to
10 even be notified of these procedures, because I'm
11 the only early interventionist I know that even was
12 aware of this, so I would have liked to also have an
13 email. Families would have liked to have emails, as
14 the only way I knew about this was going to the DOH
15 website.

16 Also as far as focus on service,
17 quality and equity, when regarding funding
18 applications or policy changes, families -- it's
19 important to consider how they will impact access
20 for underserved communities, so that's something
21 also families have informed me that they would like
22 to be notified of any changes regarding billing,
23 funding, access, and that should also be made
24 transparent through emails instead of having to go
25 to the DOH website.

1 I believe these proposed rules are an
2 important step forward by ensuring that the voices
3 of both families and professionals are consistently
4 heard.

5 I thank you for your time, and I
6 appreciate your commitment to transparency and to
7 the children and families we serve.

8 MS. SETO: Thank you, Ms. Camacho.

9 MS. CAMACHO: Thank you.

10 MS. SETO: I saw Ms. Richards typing,
11 and I wanted to see if you were having difficulty
12 participating through, I guess, unmuting? If you'd
13 like to participate and you're having problems and
14 you can't actually speak, could you please type in
15 the chat that you're having difficulty, and we will
16 make arrangements for you to participate.

17 MS. RICHARDS: Hi, no, I'm not having
18 difficulties. I was just waiting for Ms. Camacho to
19 finish her statement.

20 MS. SETO: Thank you very much. You
21 can state your name and spell it for the record and
22 any organization you may be affiliated with.

23 MS. RICHARDS: My name is Jena
24 Richards, J-e-n-a R-i-c-h-a-r-d-s. I'm a parent
25 receiving early intervention services for my son,

1 and I just wanted to state that I also found it very
2 strange and frustrating that this hearing was not
3 reaching more people. I have one therapist who was
4 made aware of it and able to make me aware of it.
5 It just -- I'm actually surprised at the low number
6 of attendees even here, you know, being that this is
7 about public notice and transparency.

8 I mean, nobody knows what's going on,
9 and I think that is a huge issue. I think that
10 Ms. Camacho mentioned emails. I feel like even an
11 opt-in text service would be great, because hearings
12 like this are very important. If they are not being
13 put out to everybody, I mean, none of us have a
14 check mark on our to-do list to check the DOH
15 website. So I think that that really needs to be
16 changed. Thank you.

17 MS. SETO: Thank you for your
18 comment, Ms. Richards.

19 MS. RICHARDS: Thank you.

20 MS. SETO: Right now I do not see
21 anybody either here at 55 North Willow or online
22 that has expressed an interest to speak, so I will
23 mute my mic and turn myself off camera. It is 3:25,
24 and I will come back once there's additional
25 individuals wishing to comment.

1 (A brief recess is taken.)

2 MS. SETO: So it's 3:35 and presently
3 there is nobody who has entered their name in the
4 chat that has expressed a wish to speak, to comment,
5 and there's nobody at 55 North Willow here that has
6 signed in to speak as well, so we are going to give
7 it another five minutes and we will be adjourning at
8 3:40, and I will come back on at 3:40 if nobody else
9 is present here or in the chat wishing to speak.

10 (A brief recess is taken.)

11 MS. SETO: So the time is now 3:40.
12 There's nobody at 55 North Willow or those who are
13 participating remotely have all spoken. If there's
14 anybody who would like to speak, they could speak
15 right now. Otherwise, I will be adjourning this
16 hearing.

17 Let the record reflect that there are
18 no additional comments and this hearing was
19 scheduled from 3:00 to 5:00 p.m., and as of 3:40, no
20 additional members of the public have appeared at
21 this location or on Teams. Therefore, the hearing
22 is being adjourned early, and as I indicated
23 earlier, written comments can still be submitted.
24 The official comment deadline is October 3, 2025.

25 The Department thanks you for your

1 time. Thank you.

2 (Whereupon the proceedings were
3 concluded at 3:41 p.m.)

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C E R T I F I C A T E

I, DONNA BRUNCK, a Certified Court Reporter of the State of New Jersey, authorized to administer oaths pursuant to R.S.41:2-2, do hereby certify that the foregoing is a true and accurate transcript of the public hearing that was taken stenographically by and before me at the time, place and on the date herein before set forth.

I DO FURTHER CERTIFY that I am neither a relative nor employee nor attorney nor counsel of any of the parties or attorneys to this action, and that I am not financially interested in the action.

I DO FURTHER CERTIFY that the within transcript format complies with Rule NJ ADC 13:43-5.9.

Donna Brunck, CCR

License No. 30XI00148700

Dated: September 24, 2025

A			
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