

State of New Jersey



NJ DEPARTMENT OF HUMAN SERVICES

DIVISION OF DEVELOPMENTAL DISABILITIES

Division Update for Individuals, Families, and Providers

November 15, 2022

Agenda

- Upcoming Webinars
- DDD COVID-19 Dashboard Frequency Update
- COVID-19 Statistics
- Update to Residential and Day Program Screening Policy
- Reminders for Service Providers on the HCBS Settings Final Rule
- New Jersey Minimum Wage
- Resources

DDD Update Webinar Schedule for Remainder of 2022

- December Update Webinar:
 - Thursday, December 15, 2022 – 10:30 am.
 - [Register for the December Webinar.](#)



DDD Update Webinar Schedule for 2023

- January Update Webinar
 - Thursday, January 26, 2023 at 10:30 AM
 - [Register for the January Webinar](#)
- February Update Webinar
 - Thursday, February 23, 2023 at 10:30 AM
 - [Register for the February Webinar](#)
- March Update Webinar
 - Thursday, March 23, 2023 at 10:30 AM
 - [Register for the March Webinar](#)
- Additional 2023 dates and registration information can be found on the Division's [Public Update Meetings](#) website.



New Jersey COVID-19 Current Statistics*



State of New Jersey	
Positive	2,381,329
Deaths	31,870

**This update is as of November 14, 2022.*

For regular updates: <https://covid19.nj.gov/>.

Consider downloading COVID Alert NJ on your Apple or Android smartphone: <https://covid19.nj.gov/pages/app>.

DDD COVID-19 Dashboard Frequency Update



- The publication of the DDD Specific COVID-19 statistics is **changing** from a weekly to a monthly publication.
- The statistics will be updated on or around the first Wednesday of the month.
- Data was last published November 2, 2022 containing data for the week ending October 30, 2022.
- The next update will be published on or around December 7, 2022 containing data for the week ending December 4, 2022.

DDD Specific COVID-19 Statistics*



	Community		Developmental Centers	Total
	Licensed	Own Home		
Positive	4,778	2,642	896	8,316
Deaths	136	88	43	267

**Dataset is for the week ending October 30, 2022. DDD-specific statistics are updated monthly. Community data includes individuals actively under DDD services in settings such as group homes, supervised apartments, out of state, and own-home settings.*

Full detail, including data for individuals not under services for whom reporting is voluntary and provided for informational purposes only, can be found at [NJ Department of Human Services COVID-19 Information](#).

Update to Residential and Day Program Screening Policy

- The DDD [Residential and Day Program Screening Policy](#) has been updated.
- It was released on November 9, 2022 with an Effective Date of November 16, 2022.



Update to Residential and Day Program Screening Policy

- Updated Policy Includes:
 - Regardless of vaccination status, asymptomatic staff who only report being a close contact (defined as ≥ 15 cumulative minutes within 24-hours of someone who has recently tested positive for COVID-19) in the past 10 days can continue to work but must wear a mask.



Update to Residential and Day Program Screening Policy

- Updated Policy Includes:
 - Regardless of vaccination status, asymptomatic individuals served who report being a close contact (defined as ≥ 15 cumulative minutes within 24-hours of someone who has recently tested positive for COVID-19) in the past 10 days should **not** be restricted from work/program but should wear a mask based on their ability/as tolerated.

Update to Residential and Day Program Screening Policy

- Updated Policy Includes:
 - Regardless of vaccination status, providers should ensure that staff, visitors, and persons served wear a mask and socially distance **based on their personal preference and informed by their personal level of risk.**
 - This means that masking and social distancing is no longer required except for staff during transportation.

Update to Residential and Day Program Screening Policy

- Updated Policy Includes:
 - All persons, especially those who are immunocompromised or at [high risk for severe illness](#) due to COVID-19, are encouraged to speak with their healthcare provider to determine recommendations on masking and social distancing. This may include wearing surgical masks or respirators (i.e., N95) and social distancing while indoors and on a vehicle.

Update to Residential and Day Program Screening Policy

- Updated Policy Includes:
 - Transportation
 - Regardless of vaccination status and to reduce the risk of COVID-19 transmission during transportation, providers shall require staff to wear a well-fitted mask while on the vehicle and increase ventilation through the opening of windows and use of vehicle HVAC systems to circulate fresh air, if safely permitted.



Update to Residential and Day Program Screening Policy

- Updated Policy Includes:
 - Transportation
 - Regardless of vaccination status and to reduce the risk of COVID-19 transmission during transportation, all participants who are able should wear a well-fitted mask while on the vehicle.
 - Individual/guardian/family shall be informed that social distancing on a vehicle may not be possible when traveling to and from program, as well as during community outings.

Update to Residential and Day Program Screening Policy

- Updated Policy Includes:
 - The CDC COVID-19 Community and/or Transmission Level does not indicate a directive to providers to cease community outings.



Update to Residential and Day Program Screening Policy

- Updated Policy Includes:
 - Regardless of their vaccination status, if a participant **tests positive**, or **is symptomatic** for COVID-19 and either was not tested or is awaiting test results, they cannot return to program until:
 - For participants who are unable to consistently wear a well-fitting mask while at program:
 - 10 days have passed (day 0 is the first day of symptoms or the day of the positive viral test for asymptomatic persons);
 - For participants who are able to consistently wear a well-fitting mask while at program:
 - 5 days have passed (day 0 is the first day of symptoms or the day of the positive viral test for asymptomatic persons) followed by an additional 5 days of consistently wearing a well-fitting mask while at day program; and
 - 24 hours have passed since resolution of fever without the use of fever-reducing medication, as applicable; and
 - Symptoms have improved, as applicable. This can be as long as 20 days for participants with severe or critical illness.

Update to Residential and Day Program Screening Policy

- Updated Policy Includes:
 - Should a symptomatic participant's test result come back negative they may return to program when they pass screening.
 - The Travel question has been removed.



Reminders for Service Providers on the HCBS Settings Final Rule

- March 2023 is the deadline for compliance with HCBS Settings Final Rule.
- The Division of Medical Assistance and Health Services (DMAHS) released the final version of the Statewide Transition Plan (STP) on October 3, 2022 for public comment. The closing date for public comment was November 7, 2022.
- All Addendums if the STP can be found on the [DMAHS STP Website](#).



Reminders for Service Providers on the HCBS Settings Final Rule

- Verification activities demonstrate that some policies and procedures submitted by providers are outdated, particularly with respect to door locks, privacy and visitor policies.
- These policies and procedures will need to be updated to ensure compliance. In these circumstances, providers will also need to describe how they will ensure staff are trained in the updated areas.
- Impacted providers received an email on or about October 31, 2022 identifying what areas require remediation. The email noted that Corrective Action Plans for non-compliant areas are due within 30 days of receipt of the email notice. Providers are instructed to email the Corrective Action Plan to DDD.HCBShelpdesk@dhs.nj.gov.



Reminders for Service Providers on the HCBS Settings Final Rule

- Notable dates:
 - November 30, 2022 is the deadline by which providers and Support Coordinators must have any person specific restriction pertaining to food access, door locks, etc. not already approved by the Planning Team (including Human Rights Committee approval as applicable) documented in the service plan. The provider must alert the individual's Support Coordinator immediately to ensure this process is completed by the deadline.
 - December 1, 2022 is the deadline for providers to be in compliance with the Licensing Bulletin [Privacy in Residential Living Spaces](#).
 - Please feel free to direct any questions to the DDD.HCBShelpdesk@dhs.nj.gov.



Reminders for Service Providers on the HCBS Settings Final Rule

- Support Coordinators:
 - Assist individuals to choose their services and supports, and who provides them.
 - Communicate settings options to the individual, minimally at the annual Planning Team Meeting, including opportunities for a non-disability specific setting and the option for a private unit in a residential setting. The setting options must be identified and documented in the person-centered service plan and based on the individual's needs, preferences, and, for residential settings, resources available for room and board.
 - As applicable, ensure that for an individual residing in a group home, supervised apartment or attending a day habilitation program, prevocational program, or group supported employment program have any restriction supported by a specific assessed need and justified in the person-centered service plan (i.e. ISP) by November 30, 2022.

Reminders for Service Providers on the HCBS Settings Final Rule

- Documentation for HCBS Modifications must include:
 - Identification of the specific and individualized assessed need; That positive interventions/less intrusive methods have been tried without success; That the description of the modification is clear and directly proportionate to the assessed need; That it is required to keep the individual safe; That there is regular collection/review of data to measure the effectiveness of the modification; That the need for continued use of the modification is regularly reviewed; That the individual/guardian is included in the process.
- Please see section 11.7 *Home and Community Based Services (HCBS) Settings Compliance* in the CCP or SP Manual for more detail.

Reminders for Service Providers on the HCBS Settings Final Rule

- Helpful information for Service Providers:
 - [A Provider's Guide to the Home and Community Based Services Final Settings Rule](#)
 - This guide assists service providers with information, best practices, and examples to assist in HCBS compliance.
- Helpful information for individuals and families:
 - [Community Life Video Series](#)
 - The Boggs Center's Community Life Video Series highlights why community life and aspects of the Rule that support it are important to people with disabilities.
 - [DDD's NJ Statewide Transition Plan "At a Glance"](#)
- Additional information can be found at:
 - [Division of Medical Assistance and Health Services Statewide Transition Plan Website](#)
 - [Division's HCBS Statewide Transition Plan Website.](#)

New Jersey Minimum Wage

In February 2019, Governor Murphy signed [New Jersey's Minimum Wage Law](#) which requires a minimum hourly wage of \$15 to be implemented statewide by January 1, 2024. Under the law, each year, the minimum wage increases by \$1 per hour – or more if warranted because of significant increases in the Consumer Price Index (CPI), as happened this year. The next incremental increase of \$1.13 takes effect on January 1, 2023.

EFFECTIVE DATE:	NJ MINIMUM WAGE INCREASES TO:
Jan. 1, 2023	\$14.13 per hour
Jan. 1, 2024	\$15 per hour

New Jersey Minimum Wage

- This law will impact DDD-funded provider agencies and may impact some individuals who receive DDD-funded services from Self-Directed Employees (SDEs):
 - Provider agencies should familiarize themselves with the law and implement necessary wage adjustments to be in compliance.
 - Individuals who receive DDD-funded services from a **Self-Directed Employee** will need to make sure they comply with the new law by ensuring the hourly wage for any service provided is **at least \$14.13 by January 1, 2023**.
 - To increase a self-directed employee's hourly wage, individuals must contact their Support Coordinator to initiate the process.
 - Please note that Fiscal Intermediaries are prohibited by law from compensating Self-Directed Employees for any amount less than \$14.13 per hour beginning January 1, 2023.

Important Resources

- [Disability Rights New Jersey](#)
 - 1-800-922-7233 (toll-free in New Jersey only)
- [Ombudsman for Individuals with Developmental Disabilities and their Families](#)
 - 1-609-984-7764
- [New Jersey Council on Developmental Disabilities](#)
 - 1-800-792-8858



Important Resources

- For assistance during this time:
 - For issues, call the Division Community Services office for your county or 1 (800) 832-9173.
 - For routine questions: DDD.FeeForService@dhs.nj.gov
 - For COVID-related questions: DDD.COVID-19@dhs.nj.gov
 - To report suspected abuse, neglect or exploitation: call 1 (800) 832-9173, then press 1.