

N.J.A.C. 10:2

NEW JERSEY ADMINISTRATIVE CODE
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*** New Jersey Register, Vol. 47, No. 15, August 3, 2015 ***

TITLE 10. HUMAN SERVICES
CHAPTER 2. COUNTY HUMAN SERVICES ADVISORY COUNCILS; THE STATE HUMAN SERVICES ADVISORY
COUNCIL; AND COMMISSIONER'S EXECUTIVE ADVISORY COMMITTEE

N.J.A.C. 10:2 (2015)

Title 10, Chapter 2 -- Chapter Notes

NOTES:

CHAPTER AUTHORITY:

N.J.S.A. 30:1-12.

CHAPTER SOURCE AND EFFECTIVE DATE:

Effective: February 19, 2015.

See: 47 N.J.R. 648(b).

CHAPTER EXPIRATION DATE:

Chapter 2, County Human Services Advisory Councils; The State Human Services Advisory Council; and
Commissioner's Executive Advisory Committee, expires on February 19, 2022.

CHAPTER HISTORICAL NOTE:

Chapter 2, County Human Services Advisory Councils and the State Human Services Advisory Council, became
effective January 5, 1987 as R.1987 d.17. See: 18 N.J.R. 1777(b), 18 N.J.R. 124(a).

Pursuant to Executive Order No. 66(1978), Chapter 2, County Human Services Advisory Councils and State
Human Services Advisory Council was readopted as R.1992 d.28, effective December 11, 1991. See: 23 N.J.R.
3259(a), 24 N.J.R. 95(a). Pursuant to Executive Order No. 66(1978), Chapter 2, County Human Services
Advisory Councils and the State Human Services Advisory Council, expired on December 11, 1996.

Chapter 2, County Human Services Advisory Councils and the State Human Services Advisory Council, was
adopted as new rules by R.1997 d.328, effective September 15, 1997. See: 29 N.J.R. 747(a), 29 N.J.R. 4125
(a).

Chapter 2, County Human Services Advisory Councils and the State Human Services Advisory Council, was
readopted as R.2002 d.296, effective August 14, 2002. As a part of R.2002 d.296, Chapter 2, County Human
Services Advisory Councils and the State Human Services Advisory Council, was renamed County Human
Services Advisory Councils; the State Human Services Council; and Commissioner's Executive Advisory
Committee; and Subchapter 3, Commissioner's Executive Advisory Committee, was adopted as new rules,
effective September 16, 2002. See: 34 N.J.R. 953(a), 34 N.J.R. 3264(b). Chapter 2, County Human Services
Advisory Councils; the State Human Services Council; and Commissioner's Executive Advisory Committee,
expired on February 10, 2008.

Chapter 2, County Human Services Advisory Councils; The State Human Services Advisory Council; and Commissioner's Executive Advisory Committee, was adopted as new rules by R.2008 d.83, effective April 7, 2008. As a part of R.2008 d.83, Subchapter 2, State Human Services Council, was renamed State Human Services Advisory Council. See: 39 N.J.R. 3864(a), 40 N.J.R. 1864(a).

In accordance with N.J.S.A. 52:14B-5.1b, Chapter 2, County Human Services Advisory Councils; The State Human Services Advisory Council; and Commissioner's Executive Advisory Committee, was scheduled to expire on April 7, 2015. See: 43 N.J.R. 1203(a).

Chapter 2, County Human Services Advisory Councils; The State Human Services Advisory Council; and Commissioner's Executive Advisory Committee, was readopted, effective February 19, 2015. See: Source and Effective Date.

N.J.A.C. 10:2-1.1

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SUBCHAPTER 1. COUNTY HUMAN SERVICES ADVISORY COUNCILS

N.J.A.C. 10:2-1.1 (2015)

§ 10:2-1.1 Mission, purpose and scope

(a) A County Human Services Advisory Council (CHSAC) is a county-based planning, advisory, and advocacy organization dedicated to meeting the human service needs of the local community. A CHSAC seeks to facilitate, coordinate and enhance the delivery of human services through collaborative relationships within the county, and among the counties and private and State agencies.

(b) County Human Services Advisory Councils are appointed by the government of each county to review county-level human service activities and to serve as the primary vehicle for making local recommendations to assist both county government and the New Jersey Department of Human Services' and New Jersey Department of Children and Families' decision making; to identify the high priority human service needs for their community; to coordinate and improve services to the Departments' target populations; to plan, coordinate, and implement Department initiatives at the county level; and to provide input to the Departments on funding priorities and allocations.

1. The Board of Chosen Freeholders or County Executive can appoint its HSAC within county government or select a private non-profit agency to fulfill this function. If the county government does not establish an HSAC, the New Jersey Department of Human Services and the New Jersey Department of Children and Families may establish a substitute committee for an Advisory Council within the county, at the discretion of the Commissioner, when the Commissioner determines that there is a need for input into the Department on planning, policy and spending in that county. The County Human Services Advisory Council may appoint another planning body or commission to perform the functions required by the Department of Children and Families.

(c) County Human Services Advisory Councils' activities include, but are not limited to:

1. Facilitation and coordination of the New Jersey Department of Human Services' and the New Jersey Department of Children and Families' annual public budget review process in each county;
2. Review and comment on the Departments' proposals;
3. Preparation of allocation, reduction, or reallocation plans, including those required for the Social Services Block Grant (including formula funds), State appropriations for the homeless, and other funding streams as required by the Department of Human Services and the Department of Children and Families;
4. Review or monitor existing contracts and their relevance to county service priorities;
5. Review of relevant plans from other funding sources and service systems which impact on the target populations;
6. Coordination, consolidation and integration of the local human services delivery systems;

7. Development and implementation of a county human services plan, which recommends services and funding priorities to meet the local needs;

8. Designation of appropriate representation for participation on the State Human Services Advisory Council; and

9. The Council shall disseminate information as determined by the Council and the Departments. The Departments shall advise and consult with the Councils on how and when information shall be disseminated. The Councils may determine the dissemination process based on local needs and interests.

(d) County Human Services Advisory Councils shall be comprised of provider representatives, consumers of human services, and other concerned individuals and shall be generally reflective of the demographic characteristics of their respective county populations.

HISTORY:

Amended by R.1992 d.28, effective January 6, 1992.

See: 23 N.J.R. 3259(a), 24 N.J.R. 95(a).

Added (b)1, 6 and 7; in (b)3, added Social Services Block Grant, appropriations for homeless, Peer Grouping and other funding; and deleted (d).

Amended by R.2002 d.296, effective September 16, 2002.

See: 34 N.J.R. 953(a), 34 N.J.R. 3264(b).

Added a new (a); recodified former (a) as (b) and rewrote the introductory paragraph; recodified former (b) as (c), rewrote 4, substituted "from" for "for" in 5 and deleted "Advisory" preceding "Council" in 8; recodified former (c) as (d).

Amended by R.2008 d.83, effective April 7, 2008.

See: 39 N.J.R. 3864(a), 40 N.J.R. 1864(a).

Rewrote (a), the introductory paragraph of (b) and (b)1; in (c)1, inserted "New Jersey" and "and the New Jersey Department of Children and Families"; in (c)2, substituted "the Departments' " for "human services"; in (c)3, inserted a comma following "plans" and inserted "and the Department of Children and Families"; in (c) 6, substituted a comma for "and" following "coordination" and inserted "and integration"; in (c)7, deleted "and" from the end; in (c)8, inserted "Advisory" and substituted "; and" for a period at the end; and added (c) 9.



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SUBCHAPTER 1. COUNTY HUMAN SERVICES ADVISORY COUNCILS

N.J.A.C. 10:2-1.2 (2015)

§ 10:2-1.2 Definitions

The following words and terms, when used in this chapter, shall have the following meanings, unless the context clearly indicates otherwise.

"Commissioner" means the Commissioner of the New Jersey Department of Human Services and the Department of Children and Families.

"Consumer" means a person who is, or has been, a recipient of public or private human services; or a consumer advocate (that is, a volunteer or member of an advocate group or a person representing the interests of specific consumer groups). A family member, as defined below, is also a consumer. A consumer member of a provider Board will be considered a "consumer," and a volunteer in that agency will be considered a consumer advocate, as long as that provider agency does not hold a seat on the CHSAC.

"Contracting process" means the action by which the New Jersey Department of Human Services or New Jersey Department of Children and Families enters into a written agreement with the chief executive officer of county government, where applicable, the Board of Chosen Freeholders, where applicable, or the board of directors of an organization designated as a CHSAC to perform specific levels of service and planning objectives, and to receive funding as set forth by the Departments.

"Departments" means the New Jersey Department of Human Services and the New Jersey Department of Children and Families.

"Family member" means a spouse, significant other, child, parent, sibling, guardian, or a caregiving relative of a person who is, or has been, a recipient of public or private human services.

"Provider representative" means an employee, board member, or other volunteer of an entity which holds a contract with the Departments.

"Target populations" means those populations currently under the purview of the New Jersey Department of Human Services and the Department of Children and Families, such as children, adults and families in need of services, child welfare, prevention services, and protective services, seriously emotionally disturbed children, individuals who are severely/persistently mentally ill, have developmental disabilities, are blind or visually impaired, are deaf or hard of hearing, have other disabilities, individuals with substance abuse issues, or who need child care, those who earn low wages, receive public assistance, or are living in poverty, the homeless, individuals who receive Medical Assistance, and any other populations requiring services from the Departments.

HISTORY:

Amended by R.1992 d.28, effective January 6, 1992.

See: 23 N.J.R. 3259(a), 24 N.J.R. 95(a).

Added "Family member" and amended "Consumer", "Minority interest representative" and "Target populations".

Amended by R.2002 d.296, effective September 16, 2002.

See: 34 N.J.R. 953(a), 34 N.J.R. 3264(b).

Added "Commissioner"; rewrote "Consumer" and "Family member"; deleted "Minority interest representative"; in "Provider representative", substituted "holds" for "is eligible to hold" following "entity which"; rewrote "Target populations".

Amended by R.2008 d.83, effective April 7, 2008.

See: 39 N.J.R. 3864(a), 40 N.J.R. 1864(a).

In definition "Commissioner", inserted "and the Department of Children and Families"; in definition "Consumer", substituted "on" for "in" following "seat"; in definition "Contracting process", inserted "or New Jersey Department of Children and Families", substituted "and" for a comma following "service" and substituted "Departments" for "Department"; substituted definition "Departments" for definition "Department"; in definition "Provider representative", substituted "Departments" for "Department"; and rewrote definition "Target populations".



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N.J.A.C. 10:2-1.3 (2015)

§ 10:2-1.3 Membership

(a) To receive and maintain the Departments' approval, County Human Services Advisory Councils shall contain the required membership delineated in (a)1 through 3 below. The categories of membership in (a)4 through 7 below are strongly recommended. All categories of membership may be included as voting members with the exceptions noted below.

1. Public and private provider representation shall be comprised of both public and private human services provider representatives. Provider representation shall include employees, board members, or volunteers of an entity, which holds a contract with the Departments. Provider representative membership shall represent as many target populations and service areas encompassed by the Departments as possible and it shall not exceed 49 percent of the total membership. Representation shall include:

- i. The County Freeholder or County Executive, or a designee, as an ex-officio, voting or non-voting member (county choice);
- ii. The county welfare agency (or its county equivalent) Director or designee;
- iii. The Departments' representatives assigned to the county to oversee/monitor CHSAC contracted activities, as ex-officio, non-voting members;
- iv. Representatives from various Divisions of the Departments, as ex-officio, non-voting members; and
- v. A representative from the Workforce Investment Board;

2. Consumer, consumer advocate and family member representation shall be at least 25 percent of the total council membership. Consumer, consumer advocates and family members shall represent a cross-section of the local human services community and target populations, as defined in N.J.A.C. 10:2-1.2. A consumer member of a provider Board will be considered a "consumer," as long as that provider does not hold a seat on the CHSAC. No provider agency shall have more than one vote on a CHSAC;

3. Voting members shall reflect the county's ethnic and racial populations as determined by the latest census data and service population;

4. Representation may include voluntary sectors, such as private planning councils, faith-based organizations and major donors or funders of local human services and major geographic subdivisions;

5. Representation for youth concerns is strongly recommended to include representatives of boards and commissions, which represent the needs of at-risk children and youth (such as the County Youth Services Commissions, the County Inter-Agency Coordinating Councils (CIACCs), Children's Behavioral Health Service System-Care Management Organization (CMO), County Commissions on Child Abuse and Missing Children or representatives of youth organizations;

6. Representatives from other county-level advisory boards and commissions; and

7. Non-New Jersey Department of Human Services' service network representation may include a local public housing agency representative and may include the areas of employment, aging (area agency on aging), health (county and local health offices), substance abuse, education, community action and community development organizations, legal aid and vocational rehabilitation. Other representation may include those who the county believes would provide a valuable contribution to human services planning (for example: labor unions, private businesses, and foundations).

(b) Only voting members of the CHSAC shall be counted in the determination of the demographic composition of the Council.

(c) CHSACs shall establish staggered terms for members, including a provision to ensure that no member subject to term limits holds more than two consecutive three-year terms. After serving six years, a member can be re-appointed after a period of one year has elapsed. Term limits shall not apply to the following categories: County Freeholder or County Executive, county welfare agency (CWA) Director or equivalent, Department Representative, or Departments' Division representatives. Consumers, consumer advocates and family members may also be exempted from term limits (county choice).

HISTORY:

Amended by R.1992 d.28, effective January 6, 1992.

See: 23 N.J.R. 3259(a), 24 N.J.R. 95(a).

In (a)1, added provider representation membership shall represent as many target populations and service areas as possible. Deleted iv and v; added 2, 7 and 11.

Amended by R.2002 d.296, effective September 16, 2002.

See: 34 N.J.R. 953(a), 34 N.J.R. 3264(b).

Rewrote (a); added (b) and (c).

Amended by R.2008 d.83, effective April 7, 2008.

See: 39 N.J.R. 3864(a), 40 N.J.R. 1864(a).

In the introductory paragraph of (a), substituted "the Departments' " for "Department" and "7" for "9"; in (a) 1, inserted a comma following "entity" and substituted "Departments" for "Department" twice; in (a)1iii, substituted "Departments' representatives" for "Departments representative"; in (a)1iv, substituted "Departments" for "Department" and inserted "and" at the end; deleted former (a)1v; recodified former (a)1vi as (a)1v; in (a)2, substituted " 'consumer,' " for " 'consumer' " and substituted "in" for "on" twice; in (a)3, deleted "generally" following "shall" and inserted "and service population"; deleted former (a)4; recodified former (a)5 as (a)4; rewrote (a)4; deleted former (a)6; recodified former (a)7 through (a)9 as (a)5 through (a)7; in (a)5, substituted "is strongly recommended to" for "shall", inserted a comma following "commissions", inserted "Behavioral Health Service", deleted "of Care Initiative" following "System" and inserted ", County Commissions on Child Abuse and Missing Children"; and in (c), substituted "or Departments' " for "Department" and deleted ", Division of Youth and Family Services District Office Manager, or their designees" following "representatives".

N.J.A.C. 10:2-1.4

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N.J.A.C. 10:2-1.4 (2015)

§ 10:2-1.4 Relationship to other county advisory groups

In its relationship to other county advisory groups, the County Human Services Advisory Council, because of its mission and comprehensive scope of activities, shall be the principal human services advisory body to the Departments and to the county. As such, it shall maintain a liaison with other related planning and/or advisory groups in the county.

HISTORY:

Amended by R.1992 d.28, effective January 6, 1992.

See: 23 N.J.R. 3259(a), 24 N.J.R. 95(a).

Added "should maintain liaison with other planning and advisory groups".

Amended by R.2002 d.296, effective September 16, 2002.

See: 34 N.J.R. 953(a), 34 N.J.R. 3264(b).

Rewrote the section.

Amended by R.2008 d.83, effective April 7, 2008.

See: 39 N.J.R. 3864(a), 40 N.J.R. 1864(a).

Substituted "Departments" for "Department".



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N.J.A.C. 10:2-1.5 (2015)

§ 10:2-1.5 Required committees and functions

(a) Each CHSAC shall:

1. Periodically develop, update, and monitor local planning activities, under each Department's guidance and priorities, addressing the needs of the Departments and local community. The council shall conduct/secure needs assessments of target populations, and address the development of service priorities to meet those needs. The needs assessment shall identify the availability and need for culturally and linguistically competent services. The Council shall also be required to plan, coordinate and develop a continuum of housing, ranging from prevention of homelessness to permanent housing;
2. Be responsible for recruitment, recommendation for appointment, and orientation of new members;
3. Prepare plans for new and on-going State funding allocations, increases, reductions or reallocation of available funding. Funding decisions must strictly adhere to conflict of interest procedural requirements as defined in N.J.A.C. 10:2-1.6 and review and make recommendations on the renewal of existing purchase of service contracts;
4. Support Work First NJ efforts by working cooperatively with Workforce Investment Boards and community-based organizations involved in moving individuals from welfare to work;
5. Conduct appeals hearings, as needed, from service providers affected by CHSAC decisions. An Appeal Committee must be a separate committee, composed of members devoid of conflict of interest as defined in N.J.A.C. 10:2-1.6; and
6. On an on-going basis, assess the impact of all Federal, State, and local budget increases and reductions on the county's human services delivery system.

HISTORY:

Amended by R.1992 d.28, effective January 6, 1992.

See: 23 N.J.R. 3259(a), 24 N.J.R. 95(a).

In (a)1, added other planning documents as required by the Department; rewrote (a)3; and added (a) 3 through 6 and (b).

Amended by R.2002 d.296, effective September 16, 2002.

See: 34 N.J.R. 953(a), 34 N.J.R. 3264(b).

Rewrote the section.

Amended by R.2008 d.83, effective April 7, 2008.

See: 39 N.J.R. 3864(a), 40 N.J.R. 1864(a).

Section was "Required committees". In the introductory paragraph of (a), deleted "establish the following committees" following "shall"; rewrote (a)1; added new (a)2; recodified former (a)2 as new (a)3; rewrote (a)3; deleted former (a)3; deleted the former introductory paragraph of (b) and (b)1; recodified former (b)2 through (b)4 as (a)4 through (a)6; rewrote (a)4; and deleted (c).

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N.J.A.C. 10:2-1.6 (2015)

§ 10:2-1.6 Procedural requirements

(a) County Human Services Advisory Councils shall:

1. Maintain a clearly identified structure and operational procedures specified in the by-laws;
2. Maintain an allocation process for increases, reductions or reallocation of available funding, which, at a minimum, includes a request for proposals process (in accordance with N.J.A.C. 10:3-3), a proposal review process, an appeals process, and a conflict of interest policy. These processes should be documented in writing, and be available to the public in accordance with N.J.S.A. 47:1A-2:
 - i. The appeals process shall, at a minimum, be sent to each applicant agency responding to a CHSAC's Request for Proposal for Department of Human Services' and Department of Children and Families' funding. The appeals committee shall consist of membership that is devoid of conflict of interest;
 - ii. The conflict of interest policy shall, at a minimum, preclude CHSAC members from participating in their official capacity in discussions and/or decision making regarding funding or monitoring of, programs for which they are employed, serve as a board member or as a volunteer, have family ties or have a financial interest. Members should review the potential for conflict on an annual basis and, as needed, provide full disclosure pertaining to ties to service providers relative to themselves and family members; and
3. Maintain a contract review policy for all renewals of purchase-of-service contracts funded through the CHSAC allocation recommendation process, to determine continued compliance with the County Human Services Plan priorities, to assess qualitative aspects of the contracts, and to ensure that the services are still being directed toward the target populations. Renewal recommendations shall be submitted to the appropriate contracting Division and, when appropriate, to the County Freeholder Director or County Executive. State Law (N.J.S.A. 30:4-24.3) concerning confidentiality of client records shall determine their accessibility to the CHSACs for the purposes of contract review.

(b) Membership requirements may be waived by the Departments. Waiver requests shall be presented in writing from the County Human Services Advisory Council to a Department representative. Waiver requests, which violate the policy goal of protection of the interests of at risk, disabled and minority populations or provisions of this chapter shall not be approved. Waivers shall apply for a term of one year.

HISTORY:

Amended by R.1992 d.28, effective January 6, 1992.

See: 23 N.J.R. 3259(a), 24 N.J.R. 95(a).

Added (a) 2 and 3, (b) and (c).

Recodified from N.J.A.C. 10:2-1.7 and amended by R.2002 d.296, effective September 16, 2002.

See: 34 N.J.R. 953(a), 34 N.J.R. 3264(b).

In (a), substituted "shall," for "should" in 2i, rewrote 2ii, deleted former 3, recodified former 4 as 3 and rewrote the paragraph. Former N.J.A.C. 10:2-1.6, Membership waiver requests, repealed.

Amended by R.2008 d.83, effective April 7, 2008.

See: 39 N.J.R. 3864(a), 40 N.J.R. 1864(a).

In (a)1, inserted "the"; in the introductory paragraph of (a)2, inserted a comma following "funding"; in (a)2i, inserted "and Department of Children and Families' " and substituted a semicolon for a period at the end; in (a)2ii, substituted "; and" for a period at the end; in (a)3, substituted "ensure" for "insure" and "toward" for "towards", and deleted commas following "(N.J.S.A. 30:4-24.3)" and "records"; and added (b).

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N.J.A.C. 10:2-1.7 (2015)

§ 10:2-1.7 (Reserved)

HISTORY:

Recodified to N.J.A.C. 10:2-1.6 by R.2002 d.296, effective September 16, 2002.

See: 34 New Jersey Register 953(a), 34 New Jersey Register 3264(b).

Section was "Procedural requirements".



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