

NJ Department of Human Services Information Bulletin

To: Agency Providers, Distribution

From: Kathy Patrick, Director Office of Licensing

Date: 11.12.2025

Subject: **Necessity for Human Rights Committee Review**

Background

The Department seeks to clarify when a Human Rights Committee’s review is necessary in a licensed setting. Specifically, N.J.A.C. 10:44A-3.1(e) states that the licensee shall be responsible for using a Human Rights Committee, in accordance with N.J.A.C. 10:41A.

N.J.A.C. 10:41A-2.1(a) and (b) state the following:

- Human rights issues shall include, but are not limited to, those delineated in the "Rights of the Developmentally Disabled" as set forth in N.J.S.A. 30:6D-1 et seq.
- Individuals with developmental disabilities are entitled to exercise the same human and civil rights enjoyed by other citizens. These rights shall not be limited or modified unless the individual's disability limits the exercise of these rights. Staff shall make efforts to assure that the human and civil rights of individuals with developmental disabilities are protected and exercised.

This bulletin identifies the situations when the Human Rights Committee must review certain conditions.

Human Rights Committee (HRC) Guidance Developed by NJ DDD Care Management and Provider Support (CMPS) and the NJ DHS Office of Licensing (OOL)		
Topic and Reason for Use	HRC Review Required (Y/N)	Additional Information
Program Description	Yes	Restrictions included in a Program Description need to be reviewed by HRC for the individuals for whom they are in place.
Bed Shaker (medical)	No	When used for a medical reason, such as hearing impairment, and a physician’s order is present, HRC review is not required.
Bed Shaker (behavioral or other)	Yes	When used for behavioral reasons, HRC review is required. If used by choice of the

The licensing standards N.J.A.C. 10:44A, N.J.A.C. 10:44B and N.J.A.C. 10:44C are available at the Department of Human Services Administrative Rules and Regulations website at: <https://www.nj.gov/humanservices/providers/rulefees/regs/>

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Topic and Reason for Use	HRC Review Required (Y/N)	Additional Information
		individual, such as an alarm, and documented in the record, HRC review is not required.
Helmet (medical)	No	When used for a medical reason, such as a seizure disorder, and a physician's order is present, HRC review is not required.
Helmet (behavioral)	Yes	When used for behavioral reasons, no matter the use and/or level of a Behavior Support Plan, HRC review is required.
Chimes (security) on egress doors and/or windows	No	When used as part of a security system, such as ADT, this is considered normative and HRC review is not required. Documentation shall be kept in the home showing that the chimes are part of a security system.
Chimes (behavioral) on egress doors and/or windows	Yes	When used as a response to behavior, HRC review is required.
Chimes on interior doors (bathrooms/bedrooms)	Yes	When used for any reason, HRC review is required.
Locking of Items	Yes	The locking of general household items, such as knives, cleaning items and food needs to be reviewed by HRC.
Locking of Items (surplus)	No	The locking of surplus items, such as food or cleaning items, does not require HRC review.
Plexiglass on TV	No	As long as there is no restriction to TV access or the remote control, HRC review is not required. Planning Team review shall be documented for each individual.
Plexiglass on Windows (no impediment)	No	As long as the window can still operate as intended, HRC review is not required. Planning Team review shall be documented for each individual.
Window Limiters	Yes	HRC review is required. Please note, OOL also requires approval from the local fire official and the agency shall request a waiver.
Plexiglass on Mirrors (no impediment)	No	As long as the mirror can still be viewed and provide a reflection as intended, HRC review is not required. Planning Team review shall be documented for each individual.

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Topic and Reason for Use	HRC Review Required (Y/N)	Additional Information
Limitations of Common Bedroom Items	Yes	Any restriction to common bedroom items needs to be reviewed by HRC; unless desired by the individual served, which shall then be documented in their record.
Safety Glass Mirrors	No	As long as the safety glass mirror provides the same ability to view oneself as a standard mirror, HRC review is not required.
Audio/Video Monitors in Bedrooms	Yes	Any use of audio/visual monitoring in a bedroom requires review by HRC. Please note, OOL also requires a physician's order and the agency shall request a waiver.
Padding on Walls (medical)	No	When used for medical reasons, such as a seizure disorder, and a physician's order is present, HRC review is not required.
Padding on Walls (behavioral)	Yes	When used for behavioral reasons, HRC review is required.
Delayed Egress	Yes	Any use of a delayed egress requires HRC review. Please note, OOL also requires approval from the local fire official and the agency shall request a waiver.
Bed Rails (medical)	No	When used for medical reasons, such as a seizure disorder, and a physician's order is present, HRC review is not required.
Bed Rails (other use)	Yes and No	When full bed rails are used for other use, such as an unsteady gait, which bed rails do not directly assist with, HRC review is required. If half bed rails are used, and they do not limit an individual's movement in or out of bed HRC review is not required.
Buckle Boss	Yes	The DDD HRC has determined that the use of a Buckle Boss is restrictive in nature and requires review.

Note: Agencies can use an internal HRC. Division Circular 5 requires at least two (2) outside parties be included on internal HRCs. Contact DDD to assist with this. Minutes shall be submitted to DDD HRC, in accordance with the CCP waiver.