

3. Demonstrate that he or she has met the experience requirements by conducting activities in compliance with this chapter within the State of New Jersey, except as provided at (a)4 below, and has obtained a passing grade on the certification exams administered by an examination and CEP manager selected by the Department and required for the proper license class pursuant to Table 1 below. The New Jersey Regulations exam for the applicable license class shall have been taken no more than two years prior to submitting an application.

Table 1
(No change.)

(b)-(g) (No change.)

7:9D-1.9 Licensing examination application fees, licensing fees, and renewal requirements for all well driller licenses of the proper class, pump installer licenses, and establishment of special dedicated non-lapsing account

(a) (No change.)

(b) The initial and renewal fees for all licenses issued pursuant to this chapter and for late renewals are as follows:

1.-3. (No change.)

4. Late CEP administration fee \$500.00

(c) A licensee who fails to satisfy the CEP requirements specified at (e) or (f) below, as applicable, by April 1, or fails to renew his or her license prior to June 30, may have his or her license renewed by completing the following requirements. The licensee shall not continue to engage in well drilling and pump installing activities past the June 30 expiration of his or her current license until the license renewal requirements specified below are completed.

1. Licensees who fail to pay the appropriate renewal fee prior to June 30 must:

i. Pay the renewal fee required at (b)1 or 2 above, as appropriate;

ii. Pay the late payment fee required at (b)3 above;

iii. Submit both payments specified at (c)1i and ii above to the Department within six months of the expiration of the license; and

iv. Satisfy all other requirements of this section.

2. Licensees who fail to obtain the required CEPs prior to April 1 must:

i. Provide evidence to the Department's satisfaction that all CEPs were obtained;

ii. Pay the late CEP administration fee required at (b)4 above; and

iii. Pay the renewal fee prior to June 30 or comply with the requirements at (c)1 above.

3. Any CEPs earned after the April 1 deadline for the purposes of a license renewal subject to (c)2 above, shall not be credited to any other license cycle.

(d)-(f) (No change.)

(g) The Department shall review and approve the seminars, workshops, training courses, college courses, or other means designated to fulfill the continuing education point requirements set forth at (f) above as follows:

1. All requests for approval of a course shall be submitted to the Department at least 90 days prior to the start date of the course. The Department, in its discretion, may, on a case-by-case basis, decide to review a course that is submitted outside of this timeframe or that is submitted after the completion of the course, provided that a recommendation has been made by the Board pursuant to N.J.A.C. 7:9D-1.10(j) and all other information set forth at (g)4 below is submitted.

2.-3. (No change.)

4. Requests for course review shall be made in writing to the Department at the address set forth at N.J.A.C. 7:9D-1.17 and shall include the following information:

i.-vi. (No change.)

vii. A statement that the course provider will submit to the examination and CEP manager that administers the continuing education program, documentation related to the course and attendees in the format required, no later than the end of the continuing education period or 45 days following the completion of the course, whichever comes first;

viii.-ix. (No change.)

5.-6. (No change.)

(h) (No change.)

7:9D-1.10 State Well Drillers and Pump Installers Examining and Advisory Board

(a)-(e) (No change.)

(f) The duties of the Board shall include, but not be limited to, the following:

1.-3. (No change.)

4. Review and recommend courses that fulfill the continuing education point requirements set forth at N.J.A.C. 7:9D-1.9(f), in accordance with (j) below.

5.-8. (No change.)

(g)-(j) (No change.)

SUBCHAPTER 2. REQUIREMENTS AND PROCEDURES FOR THE CONSTRUCTION, INSTALLATION, OPERATION, AND MAINTENANCE OF WELLS

7:9D-2.2 General construction and maintenance requirements for all wells

(a) The following general construction requirements shall apply to the construction of all categories of wells pursuant to the Act:

1.-18. (No change.)

19. When permanent well pumping equipment is required for any well, all installation or replacement work shall be performed by a pump installer or master journeyman, or journeyman (Class B) well driller. All such work shall conform with the standards set forth at N.J.A.C. 5:23-3.16 and 13:31-3;

20. Any portion of a borehole that is drilled into a confining layer or through a confining layer where the deeper aquifer will not be used, or any portion of a borehole that will extend 20 feet or more below the bottom of the completed well, shall be considered abandoned and that portion of the borehole shall be decommissioned prior to the completion of the well in accordance with N.J.A.C. 7:9D-3; and

21. The State well permit number shall be prominently displayed and permanently affixed to each Category 1, 2, and 3 well, in addition to the site-specific well identification number set forth on the approved well permit application (for example, MW-1).

(b) (No change.)

7:9D-2.4 Requirements for the construction and maintenance of all Category 3 and 4 wells

(a) In addition to the well permitting requirements at N.J.A.C. 7:9D-1 and the general construction specifications at N.J.A.C. 7:9D-2.2, the following specific requirements shall apply to all Category 3 and 4 wells:
Recodify existing 2.-8. as 1.-7. (No change in text.)

(b)-(f) (No change.)

HUMAN SERVICES

(a)

THE COMMISSIONER

Notice of Readoption

Rules of Practice; Petition for Rulemaking

Readoption with Technical Changes: N.J.A.C. 10:1

Authority: N.J.S.A. 30:1-12 and 52:14B-1 et seq.

Authorized By: Sarah Adelman, Acting Commissioner, Department of Human Services.

Effective Dates: August 3, 2021, Readoption;
September 7, 2021, Technical Changes.

New Expiration Date: August 3, 2028.

Take notice that pursuant to N.J.S.A. 52:14B-5.1, the rules at N.J.A.C. 10:1, Rules of Practice; Petition for Rulemaking, were scheduled to expire on May 30, 2021. Pursuant to Executive Order Nos. 127 (2020) and 244 (2021) and P.L. 2021, c. 103, any chapter of the New Jersey Administrative Code that would otherwise have expired during the Public Health Emergency originally declared in Executive Order No. 103 (2020)

is extended through January 1, 2022. Therefore, this chapter has not yet expired and the 30-day filing date pursuant to N.J.S.A. 52:14B-5.1.c has not yet occurred, therefore, pursuant to Executive Order No. 244 (2021), and P.L. 2021, c. 103, this notice of readoption is timely filed.

The chapter contains four subchapters: Subchapter 1 is reserved; Subchapter 2, Public Notice and Public Comments Regarding Department Rules; Rulemaking Calendars; Subchapter 3, Additional Opportunity to Be Heard Upon Showing of Sufficient Public Interest; and Subchapter 4, Petitions for Rulemaking Regarding Department Rulemaking.

Technical changes are proposed at Subchapters 2 and 4 to revise Office of Legal and Regulatory Liaison to Office of Legal and Regulatory Affairs in the contact information references for individuals to submit public comments regarding existing rules and petitions for Department rulemaking.

The Department of Human Services has reviewed the chapter and finds that it should be readopted with technical changes as described above, because the rules in the chapter are necessary, adequate, reasonable, efficient, understandable, and responsive to the purposes for which they were originally promulgated and shall remain in effect for a seven-year period in accordance with N.J.S.A. 52:14B-5.1.c(1).

Full text of the technical changes follows (additions indicated in boldface **thus**; deletions indicated in brackets [thus]):

SUBCHAPTER 2. PUBLIC NOTICE AND PUBLIC COMMENTS REGARDING DEPARTMENT RULES; RULEMAKING CALENDARS

- 10:1-2.2 Public Comments regarding existing rules and proposed rulemaking
 - (a)-(b) (No change.)
 - (c) Public comments regarding existing rules should be submitted in writing and addressed to:
 - Department of Human Services
 - Office of Legal and Regulatory [Liaison] **Affairs**
 - PO Box 700
 - Trenton, NJ 08625-0700
 - (d) (No change.)

SUBCHAPTER 4. PETITIONS FOR RULEMAKING REGARDING DEPARTMENT RULEMAKING

- 10:1-4.2 Public petitions process and requirements
 - (a)-(b) (No change.)
 - (c) Petitions shall be addressed to either the specific relevant Division of the Department or the Department Central Headquarters at:
 - Department of Human Services
 - Office of Legal and Regulatory [Liaison] **Affairs**
 - PO Box 700
 - Trenton, New Jersey 08625-0700

(a)

OFFICE OF LICENSING
Notice of Readoption
Standards for Private Licensed Facilities for Persons with Developmental Disabilities
Readoption: N.J.A.C. 10:47

Authority: N.J.S.A. 30:1-12, 30:1-15, 30:1-15.1, and 30:6D-1 et seq.
 Authorized By: Sarah Adelman, Acting Commissioner, Department of Human Services.
 Effective Date: August 4, 2021.
 New Expiration Date: August 4, 2028.

Take notice that pursuant to N.J.S.A. 52:14B-5.1, the rules at N.J.A.C. 10:47, Standards for Private Licensed Facilities for Persons with Developmental Disabilities, were scheduled to expire on July 25, 2021. Pursuant to Executive Order Nos. 127 (2020) and 244 (2021) and P.L.

2021, c. 103, any chapter of the New Jersey Administrative Code that would otherwise have expired during the Public Health Emergency originally declared in Executive Order No. 103 (2020) is extended through January 1, 2022. Therefore, this chapter has not yet expired and the 30-day filing date pursuant to N.J.S.A. 52:14B-5.1.c has not yet occurred, therefore, pursuant to Executive Order No. 244 (2021), and P.L. 2021, c. 103, this notice of readoption is timely filed.

The Standards for Private Licensed Facilities for Persons with Developmental Disabilities rules address all aspects of the facilities' operations. The purpose of the chapter is to protect the health, safety, welfare, and human rights of the individuals who live in these residential facilities in the State of New Jersey.

Take further notice that the Department of Human Services has reviewed these rules and found them reasonable, necessary, and proper for the purpose for which they were originally promulgated. The use of the Standards for Private Licensed Facilities for Persons with Developmental Disabilities has declined precipitously since the rules were last amended. Increasingly, individuals are choosing community-based settings and often choosing to transition from institutional settings in order to more fully integrate into community life. When the chapter was last amended, there had been four such facilities offering services to hundreds of service recipients. Today, there is a single facility offering services to fewer than three dozen individuals. In order to ensure protection and stability in the services provided to these individuals, the Department proposes to continue the rules that are currently in place. The Department will continue to monitor the delivery of services through these facilities and is prepared to promulgate further amendments to this rule; if deemed necessary, such amendments will be proposed in the future.

The Department of Human Services has reviewed the rules and has determined them to be necessary, reasonable, and proper for the purpose for which they were originally promulgated. Therefore, pursuant to N.J.S.A. 30:4D-1 et seq., and 30:4J-8 et seq., and in accordance with N.J.S.A. 52:14B-5.1.c(1), these rules should be readopted and continue in effect for a seven-year period.

(b)

DIVISION OF MEDICAL ASSISTANCE AND HEALTH SERVICES

Notice of Readoption
Psychiatric Adult Acute Partial Hospital and Partial Hospital Services

Readoption: N.J.A.C. 10:52A

Authority: N.J.S.A. 30:4D-1 et seq., and 30:4J-8 et seq.
 Authorized By: Sarah Adelman, Acting Commissioner, Department of Human Services.
 Agency Control Number: 21-A-13.
 Effective Date: July 29, 2021.
 New Expiration Date: July 29, 2028.

Take notice that pursuant to N.J.S.A. 52:14B-5.1, the rules at N.J.A.C. 10:52A, Psychiatric Adult Acute Partial Hospital and Partial Hospital Services, were scheduled to expire on June 17, 2021. Pursuant to Executive Order Nos. 127 (2020) and 244 (2021) and P.L. 2021, c. 103, any chapter of the New Jersey Administrative Code that would otherwise have expired during the Public Health Emergency originally declared in Executive Order No. 103 (2020) is extended through January 1, 2022. Therefore, this chapter has not yet expired and the 30-day filing date pursuant to N.J.S.A. 52:14B-5.1.c has not yet occurred, therefore, pursuant to Executive Order No. 244 (2021), and P.L. 2021, c. 103, this notice of readoption is timely filed. The rules set forth requirements for the provision of psychiatric adult acute partial hospital and partial hospital services to Medicaid/NJ FamilyCare beneficiaries.

The Department of Human Services has reviewed the rules and has determined them to be necessary, reasonable, and proper for the purpose for which they were originally promulgated. Therefore, pursuant to N.J.S.A. 30:4D-1 et seq., and 30:4J-8 et seq., and in accordance with