

New Jersey

State Report – June 2024

Division of Developmental Disabilities

The Division of Developmental Disabilities (DDD) serves eligible New Jersey adults, age 21 and older, with intellectual and developmental disabilities (I/DD). Services are primarily provided through fee-for-service reimbursement to provider agencies, and include day and residential programs and family support in the community. DDD serves more than 24,000 individuals with I/DD in its two waiver programs, the Supports Program, and the Community Care Program. The Direct Support Professional (DSP) shortage continues to worsen, and there still exists a lengthy waiting list for services.

State Intermediate Care Facilities a.k.a. Developmental Centers

In addition to the state's two waiver programs, NJ operates five (5) Intermediate Care Facilities for Individuals with Intellectual Disabilities (ICFs/IID), termed Developmental Centers (DCs). These residential/habilitation centers offer and deliver the most comprehensive continuous (24/7) care and treatment in the state, and are subject to certification by CMS (Centers for Medicare and Medicaid). Funding is provided through state and federal dollars and individuals' contribution to care. Following the the closures of the North Jersey and Woodbridge DCs, in July 2014 and January 2015, respectively, there are no state-run ICFs remaining in the northern, and most densely-populated, part of the state. Currently, about 1,100 individuals reside in NJ's five DCs. NJ has closed three DCs, including two since 2014. The worsening DSP shortage has impacted recruitment and retention of DSPs in the DCs; informal communiques indicate that DDD is trying to address this issue.

NJ has one non-state-run ICF/IID

Spectrum for Living, a non-profit organization operates group homes, a medical group home, and supervised apartments as well as a 60-bed ICF which opened in 1983. This is the only non-state-operated ICF/IID in the state. Spectrum for Living also operates adult day programs and provides case management and respite services to people in the community.

NJ Governor's FY2025 Budget, Budget in Brief

The following excerpts (*in italics*) are directly quoted from NJ Gov. Philip Murphy's recommendations for FY 2025, found at: [FY2025 Final BIB.pdf \(d31hzhk6di2h5.cloudfront.net\)](https://d31hzhk6di2h5.cloudfront.net/FY2025_Final_BIB.pdf)

Disability Supports and Services

The Murphy Administration's vision for equity and inclusion drives efforts to elevate the lives of individuals with disabilities, improve access to services, and strengthen the workforce serving persons with disabilities. Over the last year, the Department of Human Services (DHS) continued to serve over 26,500 individuals with developmental disabilities. This budget proposes \$20.9 million to annualize the impact of wage increases approved in last year's budget for direct support professionals and supervisors, which were equivalent to about \$1.75 per hour, continuing the Governor's record investments in his first term to ensure that workers enter and remain in these important professions. It also provides nearly \$10 million for wage increases under the Personal Preference Program to match the change in the minimum wage. This year the Administration plans to invest in enhanced training for direct support professionals on topics including health and safety, effective communication, and trauma-informed care. These new training requirements are expected to improve client outcomes and reduce staff turnover. The FY2025 budget also includes an additional \$31.8 million, for a total of \$67.8 million for the WorkAbility program expansion, which allows people with disabilities to continue their Medicaid benefits as their income and wealth rises, knocking down barriers to employment and full participation in society. WorkAbility eliminated asset limits in April 2023 and will begin to allow people with incomes over 250 percent of the Federal Poverty Level to enroll starting in 2024.

New Jersey's Department of Human Services

New Jersey's Department of Human Services, Department of Children and Families, and Higher Education Student Assistance Authority recently announced the Home and Community-Based Services Provider Loan Redemption Program (HCBSP-LRP), a new initiative that will provide student loan redemption up to \$50,000 to certain licensed health care, behavioral health, and social services professionals in exchange for a year of service at an eligible HCBS provider agency.

[LISTSERV - DDD COMMUNICATIONS Archives - LISTSERV.DHS.STATE.NJ.US](#)

NJ State Ombudsman for Individuals with I/DD and Their Families

Paul S. Aronsohn is NJ's Ombudsman for Individuals with Intellectual or Developmental Disabilities and Their Families. He has authored several annual reports that accurately describe the circumstances of families and individuals with IDs and autism in NJ; his 2021 report received the annual Notable Document Award given jointly by the National Conference of State Legislatures and the Legislative Research Librarians Staff Association.

[Ombudsman for Individuals with Intellectual or Developmental Disabilities and Their Families \(nj.gov\)](#)

Below are some key excerpts (*in italics*) from the Ombudsman's last published report (2022). They are included again in this year's NJ report because not much has changed, except that Disability Rights NJ has finally publicly acknowledged that people with ID are being inappropriately placed in nursing homes when they are most likely not the appropriate placement.

[NJ disabilities group says hundreds wrongly put into nursing homes \(northjersey.com\)](#)

Workforce Shortage in Perspective To provide direct care staff, many State-licensed provider agencies receive a lot of Medicaid funding through the NJ Division of Developmental Disabilities. In fact, some home health agencies are paid more than \$55 per hour per client. Some residential provider agencies are paid more than \$43 per hour per resident. Yet, these agencies generally pay their direct care staff only \$16-20 per hour – a wage comparable to the starting salary in many supermarkets and retail stores. Hence, in New Jersey, the estimated Direct Support Professional turnover rate is at least 44% and the vacancy rate is at least 20%.

Autism in Perspective New Jersey's autism prevalence is 1 in 34 children – one of the highest rates in the world. More specifically, an estimated 220,000 New Jerseyans have autism, including 60,000 children, according to Autism New Jersey. And it is estimated 1 in 3 children with autism engage in self-injurious behavior, meaning an estimated 20,000 New Jersey children have likely banged their own head against a wall, punched themselves in the face, bitten themselves or engaged in some other self-injurious aggression – often as a pattern of ongoing behavior.

Complex Medical Needs in Perspective Over the past 4.3 years, individuals with intellectual or developmental disabilities have been admitted to New Jersey nursing homes on at least 2,268 occasions - about 1,587 (70%) of these occasions have involved long-term stays; - about 1,255 (55%) have involved people under the age of 63 years. And there are currently more than 1,000 New Jerseyans living in the State's 6 Intermediate Care Facilities, including the 5 Developmental Centers

The following crucial observation, from the 2021 NJ State Ombudsman's Annual Report, continues to be substantively unaddressed:

*Moreover, despite all the talk about “de-institutionalization” over the years – including efforts to close down the Developmental Centers – the State has (inadvertently) **fostered a “re-institutionalization”** by effectively forcing many people with complex medical needs – children as well as adults – into hospitals and nursing homes.*

Mr. Aronsohn recently wrote an Op Ed about the 25th Anniversary of Olmstead decision that emphasizes the importance of people with disabilities' and their families' representation on staffs, and their being heard, in all policy decision-making affecting them, which in practice means involvement in all governmental policy-making. He quoted from the late Justice Ruth Bader Ginsberg's opinion for the majority in Olmstead, which makes clear that the choice of setting, within certain parameters, should be the individual's, not the state's.

Link: [Ridgewood News \(nj.gov\)](#)

Section 14c Certificate Program

Section 14(c) of the Fair Labor Standards Act (FLSA) certifies programs that are highly regulated and overseen by the Wage & Hour Division of the U.S. Dept. of Labor and that benefit a very specific cohort of individuals on the I/DD spectrum -- those developing skills and/or who desire to work and/or enjoy or benefit from interacting with peers, but who may not be likely candidates for competitive employment. These individuals benefit from working in a supervised environment with job coaches who also understand their challenges and are prepared to address them.

NJ currently has about 31 such facilities with about 1,300+ participants. The reference for these data and that for all other states is the US Department of Labor and can be found at:

[14\(c\) Certificate Holders | U.S. Department of Labor \(dol.gov\)](#)

NJ Disability Action Committee (DAC)

The NJ DAC arose during the COVID-19 pandemic as it became clear that people with disabilities and their loved ones were disproportionately bearing the consequences of the emergency. DAC comprises a cross-section of New Jerseyans representing a broad range of disabilities, including self-advocates, family/guardian/caregiver advocates, and support professionals. According to the NJ Department of Human Services, there are an estimated 1.7 million residents with disabilities in New Jersey. VOR member Sam Friedman, appointed to DAC early on, continually advocates for VOR's priorities (particularly for choice and, relatedly, deconstructing the persistent myth of "institutional bias.")

Conclusion

- From the 2025 Budget Brief: *"This year the Murphy Administration plans to invest in enhanced training for direct support professionals on topics including health and safety, effective communication, and trauma-informed care. These new training requirements are expected to improve client outcomes and reduce staff turnover."*
- The Ombudsman's Annual Report for 2023 has not yet been published, but that office routinely points out the shortfalls in the NJ DDD system, including workforce shortages; abuse and neglect in state-licensed residences; severe lack of assessments, treatments, supports, and services for those with severe challenging behaviors. This article (link below) was just published June 20, 2024 reemphasizing severe shortages of services for this population.
[Shortage of emergency housing for NJ kids with severe disabilities \(northjersey.com\)](#)
- Developmental Centers (ICFs/IID) continue to provide high-quality care for those needing ICF-level of services. Admissions are rare, mostly through court orders, and after all other residential settings have failed.

Respectfully Submitted,

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Sam Friedman, Sibling and Co-Guardian for Jackie
