



State of New Jersey

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GOVERNOR

DEPARTMENT OF HUMAN SERVICES
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CAROLE JOHNSON
COMMISSIONER

SHEILA Y. OLIVER
LT. GOVERNOR

May 1, 2018

Dear Guardian/Family Member:

Today, May 1, 2018, the Stephen Komninos' Law (P.L 2017, c. 238) takes effect. The law was enacted to strengthen protections for adults with developmental disabilities across New Jersey.

The Stephen Komninos' Law provides additional opportunities for the Department of Human Services (DHS) and service providers to advance the health, safety and well-being of the individuals who receive our services. The law and its implementation are the result of dedicated efforts by families, advocates, the State Legislature, and the DHS Division of Developmental Disabilities, to better prevent and respond to incidents of abuse, neglect, and exploitation.

The law recognizes the important role of guardians and family members in the lives of adults with developmental disabilities. It enhances communications between providers, guardians and families and strengthens safety and reporting practices. The law requires the following actions:

- ✓ Community residential and day program providers must notify the guardian in-person or by telephone, of an injury as soon as possible, but no later than two hours after the occurrence of the injury. In extraordinary circumstances, the notification should be no later than eight hours after the occurrence of the injury. Notification outside the two-hour timeframe requires providers to submit a written justification to the guardian and to DHS;
- ✓ Within 48 hours of receiving an identified incident report, a DHS representative will verify the level of severity of the incident;
- ✓ Guardians will be notified of the commencement of a DHS investigation conducted under these circumstances, provided the opportunity to observe a DHS investigative interview of the individual the guardian represents and provided a summary of the investigation;
- ✓ An employee or volunteer who fails to report abuse, neglect and exploitation, while having reasonable cause to believe that such an act was committed, is subject to criminal charges. In addition, if convicted, the individual is subject to a penalty of \$350 for each day the abuse, neglect and exploitation was not reported;
- ✓ The DHS will conduct two unannounced site visits annually at each community-based residential group home and supervised apartment;

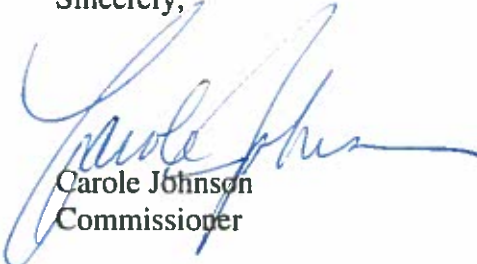
- ✓ Direct care staff will be drug tested before hiring, randomly, and when a provider has reason to suspect drug use;
- ✓ Community residential and day program providers will exchange contact information among guardians/parents of individuals in the same program with appropriate consent;
- ✓ Each DHS developmental center will schedule meetings twice each year with parents and guardians of individuals to provide an opportunity to share experiences;
- ✓ All staff must immediately report all incidents or allegations of abuse, neglect and exploitation by following their facility, agency or program reporting policies for reporting incidents to DDD.

More information regarding the Stephen Komminos' Law can be found on the DHS website at:

<http://www.state.nj.us/humanservices/index.shtml>.

DHS is committed to the effective implementation of the law. We look forward to working with you in our ongoing efforts to ensure the health, safety and well-being of the individuals we serve.

Sincerely,



Carole Johnson
Commissioner

c: Sarah Adelman, Deputy Commissioner