

(a)

**DIVISION OF THE DEAF AND HARD OF HEARING**  
**Notice of Readoption**  
**Organization of the Division of the Deaf and Hard of Hearing**  
**Readoption with Technical Changes: N.J.A.C. 10:150**

Authority: N.J.S.A. 34:1-69.1 et seq.

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

Effective Dates: September 22, 2021, Readoption;  
 October 18, 2021, Technical Changes.

New Expiration Date: September 22, 2028.

**Take notice** that pursuant to N.J.S.A. 52:14B-5.1, the rules at N.J.A.C. 10:150, Organization of the Division of Deaf and Hard of Hearing, were scheduled to expire on March 13, 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.

This chapter contains the rules of the Organization of the Division of the Deaf and Hard of Hearing (Division). The purpose of the Division of the Deaf and Hard of Hearing is to act as an advocate for New Jersey's deaf and hard of hearing citizens by promoting increased accessibility to programs, services, and information routinely available to the State's general population. Programs and services of the Division are administered by a Director who is appointed by the Commissioner, Department of Human Services.

A technical amendment is proposed at N.J.A.C. 10:150-3.1 revising "Department of Health and Senior Services" to "Department of Health" to update the reference to the Department of Health.

The Department of Human Services has reviewed the rules and has determined them to be necessary, reasonable, and proper for the purposes for which they were originally promulgated, as required by N.J.S.A. 34:1-69.1 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.

**Full text** of the technical change follows (deletion indicated in brackets [thus]):

**SUBCHAPTER 3. ADVISORY COUNCIL ON THE DEAF AND HARD OF HEARING**

**10:150-3.1 Advisory Council; membership**

Pursuant to N.J.S.A. 34:1-69.1a, the New Jersey Division of the Deaf and Hard of Hearing has an 18 member advisory council which supports and guides the work of the Division. The members of the council are unsalaried. Twelve public members are appointed by the Governor for staggered terms of three years. Six representatives, one from each of the following, are ex officio members: the Department of Education, Health [and Senior Services], Human Services, Labor, and the Commission on Higher Education, and the Marie Katzenbach School for the Deaf. Committee chairs appointed cover the following areas: Education, Community/Agency, Legislative, and Communications.

(b)

**DIVISION OF AGING SERVICES**  
**OFFICE OF AREA AGENCY ON AGING**  
**ADMINISTRATION**  
**Notice of Readoption**  
**Adult Day Health Services**  
**Readoption: N.J.A.C. 10:164**

Authority: N.J.S.A. 30:4D-7 and 12; P.L. 2012, c. 17 (N.J.S.A. 26:1A-107 et seq.); and 42 U.S.C. § 1396(a).

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

Effective Date: September 22, 2021.  
 New Expiration Date: September 22, 2028.

**Take notice** that pursuant to N.J.S.A. 52:14B-5.1, the rules at N.J.A.C. 10:164 were scheduled to expire on September 4, 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.

N.J.A.C. 10:164 establishes a program of health services alternatives to total institutionalization for residents who, due to their physical and/or cognitive impairment, require medically necessary services in an ambulatory setting in order to allow them the opportunity to live in the community. The rules cover requirements for adult day health services facilities participating in the program, eligibility requirements for individuals participating in the program, payments to adult day health services facilities and billing codes. The Office of Area Agency on Aging Administration within the Division of Aging Services, created pursuant to N.J.S.A. 30:1A-14 and transferred from the Department of Health to the Department of Human Services, has determined that the chapter remains necessary, proper, reasonable, efficient, understandable, and responsive to the purposes for which it was originally promulgated, as amended and supplemented over time, and should be readopted without change. Therefore, pursuant to N.J.S.A. 52:14B-5.1.c(1), N.J.A.C. 10:164 is readopted and shall continue in effect for seven years.

(c)

**DIVISION OF AGING SERVICES**  
**OFFICE OF STATE HEALTH INSURANCE FOR THE**  
**AGED AND DISABLED**  
**Notice of Readoption**  
**Senior Gold Prescription Program Manual**  
**Readoption: N.J.A.C. 10:167B**

Authority: N.J.S.A. 30:4D-43 et seq., particularly 30:4D-50; and P.L. 2012, c. 17.

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

Effective Date: September 22, 2021.  
 New Expiration Date: September 22, 2028.

**Take notice** that pursuant to N.J.S.A. 52:14B-5.1, the rules at N.J.A.C. 10:167B were scheduled to expire on July 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.

N.J.A.C. 10:167B establishes the Senior Gold Prescription Discount Program for those elderly and certain persons with a disability whose level of income disqualifies them from benefits under the Pharmaceutical Assistance to the Aged and Disabled Program. The rules cover (1) introduction; (2) definitions; (3) administrative organization; (4) scope of service; (5) application process; (6) eligibility requirements; and (7) recoveries and liens. The Office of State Health Insurance for the Aged and Disabled within the Division of Aging Services, created pursuant to N.J.S.A. 30:1A-14 and transferred from the Department of Health to the Department of Human Services, has determined that the chapter remains necessary, proper, reasonable, efficient, understandable, and responsive to the purposes for which it was originally promulgated, as amended and supplemented over time, and should be readopted without amendment. Therefore, pursuant to N.J.S.A. 52:14B-5.1.c(1), N.J.A.C. 10:167B is readopted and shall continue in effect for seven years.

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**(a)**

**DIVISION OF AGING SERVICES  
OFFICE OF STATE HEALTH INSURANCE FOR THE  
AGED AND DISABLED**

**Notice of Readoption  
Provision of Pharmaceutical Services Under the  
Senior Gold Program**

**Readoption: N.J.A.C. 10:167C**

Authority: N.J.S.A. 30:4D-43 et seq., particularly 30:4D-50; and P.L. 2012, c. 17.

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

Effective Date: September 22, 2021.

New Expiration Date: September 22, 2028.

**Take notice** that pursuant to N.J.S.A. 52:14B-5.1, the rules at N.J.A.C. 10:167C were scheduled to expire on July 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.

N.J.A.C. 10:167C establishes the policies and procedures for pharmacies participating in, and dispensing prescriptions in accordance with, and obtaining reimbursement from the Senior Gold Program. The rules cover the requirements for provision of pharmaceutical services. The Office of State Health Insurance for the Aged and Disabled within the Division of Aging Services, created pursuant to N.J.S.A. 30:1A-14 and transferred from the Department of Health to the Department of Human Services, has determined that the chapter remains necessary, proper, reasonable, efficient, understandable, and responsive to the purposes for which it was originally promulgated, as amended and supplemented over time, and should be readopted without amendment. Therefore, pursuant to N.J.S.A. 52:14B-5.1.c(1), N.J.A.C. 10:167C is readopted and shall continue in effect for seven years.

**CORRECTIONS**

**(b)**

**THE COMMISSIONER**

**Inmate Orientation and Handbook**

**Readoption with Amendments: N.J.A.C. 10A:8**

Proposed: May 17, 2021, at 53 N.J.R. 765(a).

Adopted: September 7, 2021, by Victoria L. Kuhn, Acting Commissioner, Department of Corrections.

Filed: September 16, 2021, as R.2021 d.116, **without change**.

Authority: N.J.S.A. 30:1B-6 and 30:1B-10.

Effective Dates: September 16, 2021, Readoption;  
October 18, 2021, Amendments.

Expiration Date: September 16, 2028.

Summary Of Public Comment and Agency Response:

**No comments were received.**

**Federal Standards Statement**

A Federal standards analysis is not required because the rules readopted with amendments are promulgated under the authority of the rulemaking requirements of the Department of Corrections, as established at N.J.S.A. 30:1B-6 and 30:1B-10. The rules readopted with amendments are not subject to any Federal standards.

**Full text** of the readopted rules can be found in the New Jersey Administrative Code at N.J.A.C. 10A:18.

**Full text** of the adopted amendments follows:

SUBCHAPTER 2. ORIENTATION

10A:8-2.4 Content of orientation sessions

(a) (No change.)

(b) Topics of orientation sessions shall include, but shall not be limited to:

1. Rights and privileges of inmates:
  - i.-iii. (No change.)
  - iv. Savings account restrictions;
  - v.-viii. (No change.)
  - ix. Inmate inquiries, grievances, and appeals.
- 2.-13. (No change.)

SUBCHAPTER 3. INMATE HANDBOOK

10A:8-3.5 Correctional facility and unit-specific Inmate Handbook content

(a) (No change.)

(b) The correctional facility Inmate Handbook shall include, but shall not be limited to, an explanation and/or description of:

- 1.-2. (No change.)
3. The rights and privileges of inmates:
  - i.-vi. (No change.)
  - vii. Access to the Corrections Ombudsperson; and
  - viii. Inmate inquiries, grievances, and appeals.
- 4.-14. (No change.)
- (c) (No change.)

**LAW AND PUBLIC SAFETY**

**(c)**

**DIVISION ON CIVIL RIGHTS**

**Rules Pertaining to the Family Leave Act**

**Readoption with Amendments: N.J.A.C. 13:14**

Proposed: March 1, 2021, at 53 N.J.R. 352(a).