classification assignment process for juveniles

13:100-1.3 Definitions

The following words and terms, when used in this chapter, shall have the following meanings unless the context clearly indicates otherwise:

“Operating agent” means any person or other entity under contract with the Commission to provide medical and/or mental health services to juveniles.

“Qualified mental health care professional” means an employee of the Commission or of an operating agent who is a licensed psychiatrist or psychologist, or other professional who by virtue of education, credentials, and experience in the provision of mental health assessment and counseling procedures is permitted by law to provide mental health services.

SUBCHAPTER 2. RECEPTION AND ASSIGNMENT PROCESS; PAROLE CONTRACT AGREEMENT

13:100-2.4 Juveniles ineligible for assignment to non-secure facilities

(a) [Assignment] Unless assignment to a non-secure facility is determined in writing by a qualified mental health care professional to be clinically appropriate, assignment of a juvenile to a non-secure facility is prohibited when:

1. The commitment being reviewed involves a homicide or [an offense involving fire-setting behavior] arson; or
2. There is currently pending against the juvenile in New Jersey, or in any jurisdiction, [either] a juvenile charge that in New Jersey would be classified as a first or second degree offense[, or any non-municipal adult charge; or] .
3. The juvenile has a current sentence involving a term of incarceration to an adult State or county correctional facility.

(b) A juvenile committed for conduct involving a sex offense may be assigned to a residential non-secure facility, provided that the residential non-secure facility has a program specifically designed to treat sex offenders, or to another non-secure facility when a qualified mental health care professional determines in writing that such an assignment is clinically appropriate.

TREASURY—GENERAL

(a) DIVISION OF PENSIONS AND BENEFITS

POLICE AND FIREMEN’S RETIREMENT SYSTEM

Police and Firemen’s Retirement System Rules

Proposed Readoption: N.J.A.C. 17:4

Authorized By: Police and Firemen’s Retirement System, MaryEllen Rathbun, Secretary.


Calendar Reference: See Summary below for explanation of exception to calendar requirement.

Proposal Number: PRN 2018-104.

Submit written comments by January 4, 2019, to:

Susanne Culliton
Assistant Director
Division of Pensions and Benefits
PO Box 295
Trenton, NJ 08625-0295
or electronically at DPB_regulations@treas.nj.gov

New Jersey Register, Monday, November 5, 2018 (Cite 50 N.J.R. 2227)
effective date of retirement, and changes to retirement. This subchapter also addresses topics such as: employment after retirement, outstanding loans, final compensation calculation, medical examinations, and accident and ordinary disability. Willful negligence is also defined within this subchapter and the method in which to waive a retirement allowance in part or full.

Subchapter 7 addresses interfund and intrafund transfers for members who desire to transfer service credit and contributions from one State-administered retirement system to another or those who leave one public employer and take a position with another public employer covered by the same retirement system.

As the Board has provided a 60-day comment period on this notice of proposal, this notice is excepted from the rulemaking calendar requirement pursuant to N.J.A.C. 1:30-3.3(a)5.

Social Impact
The rules proposed for readoption at N.J.A.C. 17:4 benefit PFRS members, retirees, and survivors of members and retirees. Members, retirees, and survivors of members and retirees rely on the efficient operation of the PFRS to provide them with a monthly distribution in retirement, proper crediting of contributions and earnings, death benefits, and information regarding their individual accounts.

Economic Impact
The rules proposed for readoption promote the effective and efficient administration of enrollments, retirements, transfers, purchases, withdrawals, and other areas of membership in the System. They will not impose any adverse economic effects on the public. The rules proposed for readoption will enable the Division to continue to provide benefits in a manner that meets both statutory and contractual requirements.

Federal Standards Statement
The rules proposed for readoption meet the applicable Federal standards, that is, 26 U.S.C. § 403(b). There are no other Federal standards applicable to the subject matter of these rules.

Jobs Impact
The operation of the rules proposed for readoption will not result in the generation or loss of jobs. The Division invites any interested parties to submit any data or studies concerning the jobs impact of the rules proposed for readoption with their written comments.

Agriculture Industry Impact
The rules proposed for readoption will not have any impact on the agriculture industry.

Regulatory Flexibility Statement
The rules proposed for readoption affect PFRS members, retirees, and survivors of PFRS members and retirees. Thus, the rules proposed for readoption do not impose any reporting, recordkeeping, or other compliance requirements upon small businesses, as defined under the Regulatory Flexibility Act, N.J.S.A. 52:14B-16 et seq. Therefore, a regulatory flexibility analysis is not required.

Housing Affordability Impact Analysis
The rules proposed for readoption will have no impact on the affordability of housing in New Jersey, nor will they evoke a change in the average costs associated with housing, because the rules pertain to administration of the PFRS for members, retirees, and survivors of members and retirees.

Smart Growth Development Impact Analysis
The rules proposed for readoption will not have any impact on the achievement of smart growth, nor will they evoke a change in housing production in Planning Areas 1 or 2, or within designated centers, under the State Development and Redevelopment Plan, because the rules proposed for readoption pertain to administration of the PFRS for members, retirees, and survivors of members and retirees.

Racial and Ethnic Community Criminal Justice and Public Safety Impact
The Division has evaluated this rulemaking and determined that it will not have an impact on pretrial detention, sentencing, probation, or parole policies concerning adults and juveniles in the State. Accordingly, no further analysis is required.

Full text of the rules proposed for readoption may be found in the New Jersey Administrative Code at N.J.A.C. 17:4.