

necessary, based on feedback from mentor logs, each school improvement panel, and data on teacher and student performance.

**1. The chief school administrator, or the chief school administrator's designee, shall collaborate annually with each school improvement panel to review the district mentoring plan, consider ways to support the plan at the school level, and take steps to ensure that all new teachers are receiving the necessary professional supports.**

**2. Each school improvement panel shall oversee the school-level implementation of the district mentoring plan and shall communicate the plan to all nontenured teachers and their mentors.**

**(e) The chief school administrator, or the chief school administrator's designee, shall make available to all staff an electronic copy of the current district mentoring plan.**

6A:9C-5.4 Mentoring and evaluation by approved agencies

An approved agency and its designated staff shall be authorized to provide the services, evaluations, and recommendations specified [within] at N.J.A.C. 6A:9B-8.6, 8.7, and 8.9 for provisional Teachers of Supplemental Instruction in Reading and Mathematics, Grades K-8 in their employ.

## HIGHER EDUCATION

### (a)

#### HIGHER EDUCATION STUDENT ASSISTANCE AUTHORITY

#### Student Loan and College Savings Programs Behavioral Healthcare Provider Loan Redemption Program

#### Proposed New Rules: N.J.A.C. 9A:10-9

Authorized By: Higher Education Student Assistance Authority, Christy Van Horn, Chairperson.

Authority: N.J.S.A. 18A:71C-87 et seq. (P.L. 2022, c. 34).

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

Proposal Number: PRN 2022-159.

Submit written comments by February 17, 2023, to:

Marnie B. Grodman, Esquire  
Administrative Practice Officer  
Higher Education Student Assistance Authority  
PO Box 545  
Trenton, NJ 08625-0545  
Email: [Regulations@hesaa.org](mailto:Regulations@hesaa.org)

The agency proposal follows:

#### Summary

On June 30, 2022, Governor Murphy signed P.L. 2022, c. 34 (N.J.S.A. 18A:71C-87 et seq.) (Act), establishing a loan redemption program for behavioral healthcare providers. The Act provides that the Higher Education Student Assistance Authority ("Authority" or "HESAA") shall adopt rules necessary for the administration of the Act.

The Act authorizes loan redemption not to exceed \$50,000 of principal and interest of eligible student loan expenses for every two full years of service satisfactorily completed by the Behavioral Healthcare Provider Loan Redemption Program (Program) participant, for up to six years of service and a total loan redemption amount not to exceed \$150,000.

The proposed new rules govern the policy, administration, and procedures of the Program, and are summarized below.

Pursuant to the Act, proposed new N.J.A.C. 9A:10-9.1 provides that the purpose of the proposed new subchapter is to provide redemptions not to exceed \$50,000 of principal and interest of eligible student loan expenses for every two full years of service satisfactorily completed by the Program participant, for up to six years of service and a total loan redemption amount not to exceed \$150,000.

Proposed new N.J.A.C. 9A:10-9.2 provides the definitions for words and terms used within this subchapter, which include "approved site," "Authority," "Department," "eligible behavioral healthcare providers," "eligible qualifying loan expenses," "Executive Director," "Program," "Program participant," "qualifying loan," and "total and permanent disability."

Proposed new N.J.A.C. 9A:10-9.3 provides the eligibility requirements that an applicant must meet in order to participate in the Program pursuant to subsection 3(a) of the Act.

Proposed new N.J.A.C. 9A:10-9.4 establishes the application procedures that an applicant must follow to participate in the Program. Proposed new N.J.A.C. 9A:10-9.4(a) provides the minimum information required by the application, specifically, the applicant's identification and contact information, as well as documentation of whether the applicant works primarily with children or adolescents from the applicant's current employer or anticipated employer, and documentation necessary to demonstrate the applicant's eligibility to practice as a behavioral health provider. Proposed new N.J.A.C. 9A:10-9.4(b) establishes that applications will be considered in the order they are received, subject to available funding. Proposed new N.J.A.C. 9A:10-9.4(c) provides that eligibility is based on the information submitted on the application and that the Authority will notify applicants of their acceptance into the Program.

Proposed new N.J.A.C. 9A:10-9.5 provides the terms that participants must meet in order for the Authority to release funds for loan redemption. Pursuant to subparagraph 3.c of the Act, proposed new N.J.A.C. 9A:10-9.5(a) provides that the process of establishing eligibility for loan redemption funds is initiated by a written contract between the participant and the Authority. The contract shall specify that the participant's approved service obligation will be for two years and that applicants will be eligible to apply for up to two additional two-year terms, subject to appropriation. The duration of the participant's approved employment service obligation, with extensions, shall not exceed six years.

Pursuant to subparagraph 3.d of the Act, proposed new N.J.A.C. 9A:10-9.5(b) specifies that the loan redemption pursuant to the Program shall not exceed \$50,000 of principal and interest of eligible student loan expenses in exchange for each two-year term of service satisfactorily completed by the Program participant. Proposed new N.J.A.C. 9A:10-9.5(b)1 provides that, at the time an applicant is accepted as a Program participant and has entered into a written contract with the Authority for a two-year term, the Authority will encumber up to \$150,000 of Program funds, as necessary, to provide for the redemption of the participant's outstanding eligible student loan expenses and that the total loan redemption for three two-year terms shall not exceed \$150,000.

To verify that Program participants meet the employment requirements for loan redemption, proposed new N.J.A.C. 9A:10-9.5(c) requires participants to submit, to the Authority, certification, in the form approved by the Authority, of full-time employment.

Proposed new N.J.A.C. 9A:10-9.5(d) establishes that Program participants are not eligible for any benefits pursuant to the Program for less than two full years of service, pursuant to subsection 4(c) of the Act.

Proposed new N.J.A.C. 9A:10-9.6 establishes incentive grants to be awarded to Program participants who work primarily with children and adolescents, pursuant to section 6 of the Act. The proposed section provides that the Executive Director shall annually allocate a portion of the Program's appropriation for the incentive grants and that the individual incentive grant amount awards will be determined by dividing the annual allocation by the number of Program participants who are anticipated to complete a full year of service, working primarily with children or adolescents, during that fiscal year. Pursuant to the Act, annual individual incentive grants shall not exceed \$5,000.

Pursuant to subsection 4(b) of the Act, proposed new N.J.A.C. 9A:10-9.7 outlines the conditions for termination or suspension of the participant's participation contract. Proposed new N.J.A.C. 9A:10-9.6(a) provides that the Authority will terminate a participant's contract if: the participant has a total and permanent disability; the participant is deceased; continued enforcement of the employment service obligation may result in an extreme hardship for the participant; the participant is no longer employed as an eligible behavioral healthcare provider at an approved site; the participant's license to practice has been revoked; has

committed an act of gross negligence in the performance of his or her employment service obligation, or that the participant has not met the employer's performance standards; or the participant has not provided the documentation required prior to annual redemption of loan indebtedness within 60 days of written request for the required documents by the Authority.

Proposed new N.J.A.C. 9A:10-9.7(b) provides that the Authority will suspend the participant's participation contract if continued enforcement of the employment service obligation may result in extreme hardship for the participant. The proposed new subsection defines extreme hardship to include temporary disability, active duty military service, or temporary suspension of the participant's professional license, pending the outcome of an investigation. The subsection further provides that the contract may be suspended for up to two years, but that it may be extended pursuant to exceptional circumstances.

Proposed new N.J.A.C. 9A:10-9.7(c) provides that the participant can nullify the participation contract by notifying the Authority, in writing. Proposed new N.J.A.C. 9A:10-9.7(d) establishes that the Authority has final decision-making authority to terminate a participation contract. Proposed new N.J.A.C. 9A:10-9.7(e) advises participants that, if a participation agreement is terminated or nullified, the participant is not eligible to reapply to participate in the Program.

Proposed new N.J.A.C. 9A:10-9.8 sets forth the procedures that an applicant must follow in order to appeal a notification of ineligibility for Program participation from the Authority and also requires the Authority to be responsible for providing the Authority's final decision on the appeal to the applicant within 30 days of receipt of the appeal.

As the Authority 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 proposed new rules are intended to address the need for qualified community providers of behavioral and mental health services in New Jersey. Providing loan redemption in exchange for service at an approved site will encourage professionals to enter the behavioral healthcare field and encourage participants to accept positions with behavioral healthcare providers operated by nonprofits; institutions of higher education; school districts; and county, State, municipal, and the Federal government.

#### **Economic Impact**

The Act appropriates \$5,000,000 to the Program, of which no more than eight percent may be dedicated to administrative costs of the Program. HESAA will encumber the full \$150,000 for six years of service for each participant. In addition, assuming that all participants will be eligible for the \$5,000 incentive grant for providers who work primarily with children and adolescents, HESAA will encumber an additional \$30,000 per participant for all six years of service. After subtracting the administrative costs, the appropriation will pay for loan redemption and incentive grants for 26 participants.

The cost to administer the Program following the first year is scalable. The number of participants and incentive grants will be determined annually to fit within the appropriation.

#### **Federal Standards Statement**

A Federal standards analysis is not required since the proposed new rules are not subject to any Federal requirements or standards, with the exception of those governing health care practitioners' student loan redemptions using Federal funds provided to the State through a matching grant pursuant to the Public Health Services Act, 42 U.S.C. § 254q-1. The rules governing the Program are consistent with, and do not exceed, the terms and conditions of contracts pursuant to the Public Health Services Act; therefore, a Federal standards analysis is not applicable.

#### **Jobs Impact**

The proposed new rules will not result in the loss or generation of jobs but will encourage people to become behavioral healthcare providers.

#### **Agriculture Industry Impact**

The proposed new rules will have no impact on the agriculture industry.

#### **Regulatory Flexibility Analysis**

As non-profit placement sites may be small businesses, as defined in the Regulatory Flexibility Act, N.J.S.A. 52:14B-16 et seq., a regulatory flexibility analysis is required.

The purpose of the Program is to attract people to behavioral healthcare professions by providing a student loan redemption benefit as an incentive to become behavioral healthcare providers at non-profit and governmental sites. This benefit is available only to eligible applicants at an approved site, which has the effect of assisting such sites in recruiting and hiring qualified behavioral healthcare providers. As this is a new program, the number of sites meeting the definition of a small business is indeterminate at this time.

The requirements imposed pursuant to the proposed rules are described in the Summary above. The reporting requirements imposed on placements sites are minimal as they are limited to certifying as to a participant's employment status.

#### **Housing Affordability Impact Analysis**

The proposed new rules will have an insignificant impact on the affordability of housing in New Jersey and there is an extreme unlikelihood that the proposed new rules would evoke a change in the average costs associated with housing because the proposed new rules concern loan redemptions for behavioral healthcare providers.

#### **Smart Growth Development Impact Analysis**

The proposed new rules will have an insignificant impact on smart growth and there is an extreme unlikelihood that the proposed new rules would evoke a change in housing production in Planning Areas 1 or 2, or within designated centers, under the State Development and Redevelopment Plan in New Jersey because the proposed new rules concern loan redemptions for behavioral healthcare providers.

#### **Racial and Ethnic Community Criminal Justice and Public Safety Impact**

The Authority 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 proposed new rules follows:

#### **SUBCHAPTER 9. BEHAVIORAL HEALTHCARE PROVIDER LOAN REDEMPTION PROGRAM**

##### **9A:10-9.1 Purpose and scope**

The rules established by this subchapter provide the policies and procedures for participation in the Behavioral Healthcare Provider Loan Redemption Program administered by the Higher Education Student Assistance Authority. This Program shall provide redemptions not to exceed \$50,000 of principal and interest of eligible student loan expenses for every two full years of service satisfactorily completed by the Program participant, for up to six years of service and a total loan redemption amount not to exceed \$150,000.

##### **9A:10-9.2 Definitions**

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

"Approved site" means a community provider of behavioral and mental health services in the State, identified by the Authority, in consultation with the Department, for inclusion in the Program. Approved sites include providers operated by a nonprofit; institutions of higher education; school district, county; the State; municipalities; and the Federal government.

"Authority" means the Higher Education Student Assistance Authority.

"Department" means the Department of Health.

"Eligible behavioral healthcare providers" means psychiatrists; licensed psychologists; licensed clinical social workers; psychiatric nurse mental health clinical specialists; board certified behavior analysts; licensed clinical alcohol and drug counselors; and licensed professional counselors.

“Eligible qualifying loan expenses” means the cumulative outstanding balance of student loans covering the cost of attendance at an undergraduate or graduate institution of higher education at the time an applicant is selected for the Program. Interest paid or due on qualifying loans that an applicant has taken out for use in paying the costs of undergraduate or graduate education shall be considered eligible for reimbursement pursuant to the Program.

“Executive Director” means the Executive Director of the Higher Education Student Assistance Authority.

“Program” means the Behavioral Healthcare Provider Loan Redemption Program established pursuant to N.J.S.A. 18A:71C-87 et seq.

“Program participant” means a behavioral healthcare provider who contracts with the Authority to engage in the clinical practice of mental or behavioral healthcare at an approved site in exchange for the redemption of eligible qualifying loan expenses provided pursuant to the program.

“Qualifying loan” means a government or commercial loan for the actual costs paid for tuition and reasonable education and living expenses relating to the obtaining of a degree for use in a mental or behavioral healthcare profession.

“Total and permanent disability” means a physical or mental disability that is expected to continue indefinitely or result in death and renders a Program participant unable to perform that person’s service obligation, as determined by the Executive Director, or the Executive Director’s designee.

#### 9A:10-9.3 Eligibility requirements for Program participation

(a) To be eligible for participation in the Program, an applicant shall:

1. Be a New Jersey resident and maintain residency in the State during Program participation;
2. Be employed, or plan to be employed, as an eligible behavioral healthcare provider at an approved site;
3. Maintain a license, as applicable, to practice as a behavioral healthcare provider in the State of New Jersey throughout participation in the Program;
4. Agree to practice as a behavioral healthcare provider at an eligible site pursuant to the terms specified at N.J.A.C. 9A:10-9.5;
5. Not be in default on any eligible qualifying loan;
6. Not previously have been selected for participation in the Program; and
7. Not currently be participating in any other State tuition or loan redemption program or in the Federally administered National Health Service Corps Loan Repayment Program, section 338B of the Public Health Service Act (42 U.S.C. § 2541-1).

#### 9A:10-9.4 Application procedures

(a) In order to apply for participation in the Program, an applicant must complete a Program application and submit the complete application to the Authority.

1. The Program application includes, but is not limited to:
  - i. The applicant’s identification and contact information;
  - ii. Certification of full-time employment, as well as whether the applicant works primarily with children or adolescents from the applicant’s current employer or anticipated employer;
  - iii. Documentation necessary to demonstrate the applicant’s eligibility to practice as a behavioral health provider, which includes, but is not limited to, a copy of the applicant’s license to practice as a behavioral health provider, the applicant’s undergraduate or graduate transcript, or the applicant’s diploma; and
  - iv. Documentation evidencing qualifying education loan expenses.

(b) The Authority will consider applications for approval of Program participation in the date order they are received, subject to available funding.

(c) The Authority will determine the applicant’s eligibility for the Program based upon the information submitted on the application and will provide notification to the applicant of their acceptance into the Program.

#### 9A:10-9.5 Terms for loan redemption

(a) An applicant who has been selected for participation in the Program shall enter into a written contract with the Authority. The contract shall specify that the participant’s approved service obligation will be for two years and that applicants will be eligible for up to two additional two-year

terms. The duration of the participant’s approved employment service obligation, with extensions, shall not exceed six years.

(b) Loan redemption pursuant to the Program shall not exceed \$50,000 of principal and interest of eligible student loan expenses in exchange for each two-year term of service satisfactorily completed by the Program participant.

1. At the time an applicant is accepted as a Program participant and has entered into a written contract with the Authority for a two-year term, the Authority will encumber up to \$150,000 of Program funds, as necessary, to provide for the redemption of the participant’s outstanding eligible student loan expenses. Total loan redemption for three two-year terms shall not exceed \$150,000.

(c) In order for a participant to qualify for a redemption payment, the Program participant shall submit to the Authority certification, in the form approved by the Authority, of full-time employment as an eligible behavioral healthcare provider at an approved site for the previous two years.

(d) No amount of loan redemption shall be provided for service performed for less than two full years.

#### 9A:10-9.6 Incentive grants

(a) The Executive Director shall annually allocate a portion of the Program’s appropriation for incentive grants to be awarded to Program participants who work primarily with children and adolescents. The individual incentive grant amount awards will be determined by dividing the annual allocation by the number of Program participants who are anticipated to complete a full year of service, working primarily with children or adolescents, during that fiscal year. Annual individual incentive grants shall not exceed \$5,000.

(b) To receive an incentive grant each year the participant remains in the Program, within 30 days of written request from the Authority, the Program participant must submit a certification from the participant’s employer of successful completion of a full year of full-time service primarily with children and adolescents.

(c) Program participants are eligible to receive up to six incentive grants, for a total of no more than \$30,000.

#### 9A:10-9.7 Termination or suspension of the Program participant’s participation contract

(a) The Authority shall terminate the Program participant’s participation contract if it determines:

1. On the basis of a sworn affidavit of a qualified physician, that the participant has a total and permanent disability;
2. On the basis of a death certificate, or other evidence of death that is conclusive pursuant to State law, that the participant has died;
3. On the basis of substantiating documentation, as may be deemed necessary by the Authority upon specific case review, that continued enforcement of the employment service obligation may result in extreme hardship for the participant;
4. That the participant is no longer employed as an eligible behavioral healthcare provider at an approved site;
5. That the participant’s license to practice has been revoked;
6. That the participant has committed an act of gross negligence in the performance of his or her employment service obligation, or that the participant has not met the employer’s performance standards; or
7. The participant has not submitted the certification required pursuant to N.J.A.C. 9A:10-9.5(c) to receive the loan redemption within 60 days of the written request for the required documents by the Authority.

(b) The Authority may suspend the Program participant’s participation contract if the Authority determines, on the basis of substantiating documentation, as may be deemed necessary by the Authority upon specific case review, that continued enforcement of the employment service obligation may result in extreme hardship for the participant. Extreme hardships include, but are not limited to, temporary disability, active duty military service, or temporary suspension of the participant’s professional license pending the outcome of an investigation.

1. The Authority may suspend the participant’s participation contract for a period of up to two calendar years from the date the suspension commences. At the end of the first year of suspension, the participant must provide the Authority with substantiating documentation, as defined in this subsection, to renew the suspension for a second year.

2. The suspension, as stipulated at (b)1 above, may be extended beyond two years for exceptional circumstances at the discretion of the Authority on the basis of substantiating documentation, as defined in this subsection.

(c) A participant may nullify the participation contract by notifying the Authority, in writing.

(d) The Authority shall have final decision-making authority to terminate a participant's participation contract.

(e) Participants who nullify their participation agreement, or whose participation agreements are terminated by the Authority, are not eligible to reapply to participate in the Program.

9A:10-9.8 Appeals process

(a) When an applicant has received a notification of ineligibility for Program participation, the applicant may submit a written appeal to the Authority within 30 days of the date of the notification. The written appeal must include the following:

1. A copy of the notification of ineligibility received by the applicant from the Authority; and

2. The reasons why the applicant believes the applicant is eligible to participate in the Program, along with any documentation that the applicant has obtained to support the appeal, if applicable.

(b) Within 30 days of the receipt of the appeal, the Authority shall provide the applicant with the Authority's final determination of the appeal. Final decisions of the Authority can be appealed to the Appellate Division of the Superior Court.

**CORRECTIONS**

**(a)**

**THE COMMISSIONER**

**Administration, Organization, and Management**

**Proposed Readoption with Amendments: N.J.A.C. 10A:1**

**Proposed Repeal: N.J.A.C. 10A:1-3.7**

**Proposed New Rule: N.J.A.C. 10A:1-3.8**

Authorized By: Victoria L. Kuhn Esq., Commissioner, Department of Corrections.

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

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

Proposal Number: PRN 2022-160.

Submit written comments by February 17, 2023, to:

Kathleen Cullen  
 Administrative Rules Unit  
 New Jersey Department of Corrections  
 PO Box 863  
 Trenton, New Jersey 08625-0863  
 or through email to [ARU@doc.nj.gov](mailto:ARU@doc.nj.gov)

The agency proposal follows:

**Summary**

Pursuant to N.J.S.A. 52:14B-5.1, N.J.A.C. 10A:1 was scheduled to expire on November 9, 2022. Pursuant to N.J.S.A. 52:14B-5.1.c(2), as the Department of Corrections ("DOC" or "Department") submitted this notice of proposal to the Office of Administrative Law prior to that date, the chapter expiration date was extended 180 days to May 8, 2023. The Department has reviewed this chapter and, with the exception of the proposed amendments, has determined it to be necessary, reasonable, and proper for the purpose for which it was originally promulgated. Therefore, the rules are proposed for readoption with amendments.

The Department of Corrections has determined that the comment period for this notice of proposal will be 60 days; therefore, pursuant to N.J.A.C. 1:30-3.3(a)5, this notice is excepted from the rulemaking calendar requirement.

N.J.A.C. 10A:1 sets forth rules for administration, organization, and management rules and regulations including, among other things, rulemaking activity, petitions, rule exemptions, the cost for copies, Americans with Disability matters, and inmate research requests.

Subchapter 1, Operation, procedures, and rulemaking activity of the Department of Corrections sets forth the functions of the agency including, but not limited to, petitions for rulemaking, public and inmate information requests, costs of copying, and other rulemaking activity.

Subchapter 2 contains general provisions, such as definitions, rulemaking, policy and procedure making, and high-level procedures for requesting rule exemptions. At N.J.A.C. 10A:1-2.2, the Department proposes to delete definitions of "administrative segregation" and "Centralized Reception and Assignment Facility (CRAF)" and to replace reference to the Central Reception and Assignment Facility (CRAF) within the definition of "Institutional Classification Reception Committee (I.C.R.C.)" with "an intake facility" as those terms are obsolete. At N.J.A.C. 10A:1-2.8(c), the Department proposes to replace "following form related to Disability Discrimination Grievance is available at N.J.A.C. 10A:1-3.7 or" with "Americans with Disabilities Act Grievance Form 100 can be obtained by contacting the ADA Coordinator, New Jersey Department of Corrections" and deleting paragraph (c)1, as it has been merged into subsection (c) and the contents of the form previously codified at N.J.A.C. 10A:1-3.7 is proposed for repeal.

Subchapter 3 sets forth provisions and procedures for disability discrimination and related grievance procedures. At N.J.A.C. 10A:1-3.3, the Department proposes to delete duplicate language also appearing at N.J.A.C. 10A:1-3.5, beginning with the words "As those rules indicate" through numbered paragraph 2. Existing N.J.A.C. 10A:1-3.7 is proposed for repeal. N.J.A.C. 10A:1-3.3, paragraphs 3 and 4 are proposed as new N.J.A.C. 10A:1-3.7(b) and N.J.A.C. 10A:1-3.3, paragraphs 6 and 7 are proposed for relocation as new N.J.A.C. 10A:1-3.8, Rights of persons filing ADA grievances. N.J.A.C. 10A:1-3.5, paragraph 5 is proposed for deletion, as this language is better suited to internal documentation.

Subchapter 4 sets forth rules for the Inmate Remedy System, which also includes inmate inquiries, grievances, and administrative appeals.

Subchapters 5, 6, 7, 8, and 9 are reserved.

Subchapter 10 sets forth rules associated with research and the Department proposes to amend the heading at N.J.A.C. 10A:1-10.3 to replace "[p]rocedure for submitting and handling requests" with "[r]equests," as this section does not include detailed procedures, but rather rules from which such procedures are developed for internal purposes. In order to update recent organizational changes, the Department proposes to update the address and include an email address at subsection (a). The Department proposes to delete N.J.A.C. 10A:1-10.3(b) and paragraphs (b)1 and 2, as the contents of the research application package is subject to change, as may be needed, to protect the rights of inmates and staff members. Existing paragraph (a)3 is proposed to be recodified as subsection (b) with an amendment to add "In addition to completion of the research request application as instructed in the application package provided by DOC, the researcher(s) shall also provide." At N.J.A.C. 10A:1-10.3(c)4, 10.4(a), and 10.5(c), the Department proposes to add the words "or staff" following the word "inmate," so that research requests requiring inmates and/or Department staff are included in this chapter.

At N.J.A.C. 10A:1-10.4 and subsection (a), the rules refer to express written inmate informed consent, which is redundant and the Department proposes a technical correction to replace the language with "written informed consent" in both instances. The Department also proposes to delete N.J.A.C. 10A:1-10.4(b), as this level of detail is better suited to internal management procedures.

At N.J.A.C. 10A:1-10.5(b), the Department proposes to replace "constitute a reason for imposing penalties upon" with "result in adverse consequences or penalties for" to clarify the meaning of the subsection.

At N.J.A.C. 10A:1-10.8, the Department proposes a technical change by merging subsections (a) and (b) to improve readability, to replace "development of" with "related," and to delete language related to the signatures needed on the documents.

Subchapter 11 sets forth rules for the personal property of inmates including, but not limited to, permissible inmate personal property, inventory of such property, and storage of non-permissible property.