

Federal [Controlled Dangerous Substances] **Comprehensive Drug Abuse Prevention and Control Act** of 1970 and amendments thereto (**popularly known as the Controlled Substances Act**), 21 U.S.C. §§ 801 et seq. and [rules] **regulations** promulgated pursuant thereto, and the New Jersey Controlled Dangerous Substances Act [of 1970 (], N.J.S.A. 24:21-1 et seq.[)], [as well as subsequent amendments] and rules promulgated pursuant thereto; and

2. (No change.)

(b)-(c) (No change.)

#### SUBCHAPTER 9. MEDICAL/HEALTH RECORDS

##### 8:42C-9.1 Maintenance of medical/health records

(a) At least 14 days before a hospice plans to cease operations, it shall notify the [New Jersey] Department [of Health and Senior Services] in writing of the location and method for retrieval of medical/health records.

(b) (No change.)

(a)

**PUBLIC HEALTH SERVICES BRANCH  
DIVISION OF FAMILY HEALTH SERVICES  
MATERNAL AND CHILD HEALTH SERVICES  
CHILD AND ADOLESCENT HEALTH PROGRAM  
Notice of Readoption  
Childhood Lead Poisoning  
Readoption: N.J.A.C. 8:51**

Authority: N.J.S.A. 26:2-137.2 et seq., particularly 26:2-137.7.

Authorized By: Cathleen D. Bennett, Commissioner, State of New Jersey Department of Health.

Effective Date: April 12, 2017.

New Expiration Date: April 12, 2024.

**Take notice** that pursuant to the provisions of N.J.S.A. 52:14B-5.1, the rules at N.J.A.C. 8:51 were scheduled to expire on May 14, 2017. The rules establish standards in New Jersey for testing children for elevated blood lead levels, case management, environmental abatement, and interim controls. The Department of Health published a Notice of Proposed Amendments, Repeals, and New Rules to this chapter on December 5, 2016, at 48 N.J.R. 2516(a) which, upon adoption, would align the Department's actionable blood lead level with current Centers for Disease Control and Prevention (CDC) recommendations. In order to maintain the existing rules in effect pending the response to public comments on the rulemaking and preparation of a notice of adoption, the Department has determined that the existing rules should be readopted without change.

The rules continue to establish uniform Statewide standards for testing children for elevated blood lead levels, case management, environmental abatement, and interim controls. Subchapter 1 continues to establish general provisions, including rules for the scope, purpose, incorporated materials, and definitions for the benefit of children, local boards of health, owners of properties that constitute a lead hazard, and laboratories that perform blood lead tests. Subchapter 2 continues to establish screening and case management standards, including standards for screening, screening methods, confirmation of blood lead test results, case management, and home visits.

Subchapter 3 continues to establish standards for reporting and confidentiality, including notification to the local boards of health, reporting by local boards of health, and confidentiality of records.

Subchapter 4 continues to establish standards for environmental intervention. These include standards for environmental intervention for all children with confirmed blood lead levels of 15 micrograms per deciliter (µg/dL) or greater, or two consecutive test results between 10 µg/dL and 14 µg/dL that are at least between one month to three months apart. These also include standards for environmental intervention for children up to 72 months of age, environmental intervention for children

whose age is 72 months or greater, and reporting results of environmental interventions.

Subchapter 5 continues to establish standards for determination of lead in dwelling units. These include environmental sampling methods, on-site x-ray fluorescence testing, analysis of environmental samples, and approval of other samples or testing methods.

Subchapter 6 continues to provide standards for the abatement and/or interim controls of lead hazards. These include issuance of abatement and/or interim control orders, exterior surfaces, interior surfaces, lead-contaminated soil, abatement and/or interim controls of other conditions that constitute a lead hazard, repair of conditions that cause or contribute to defective paint, and referral of ambient sources of lead.

Subchapter 7 continues to establish procedures for abatement and/or interim controls of lead hazards, including responsibility for abatement and/or interim controls of lead hazards and ongoing maintenance, construction permits required for abatements of lead hazards, procedures and work practices for abatement and interim controls, protection of dwelling occupants during abatement and interim controls work, and violations of work practice standards.

Subchapter 8 continues to establish standards for reinspection and approval of completion of abatement and/or interim controls of lead hazards, including reinspection and clearance testing.

Subchapter 9 continues to establish standards for enforcement, including penalties.

Subchapter 10 continues to establish standards for the Childhood Lead Poisoning Information Database.

Appendix A continues to establish the standard Hazard Assessment Questionnaire. Appendix B continues to establish the standard Environmental Intervention Report. Appendix C continues to establish Standard Housing Component Terminology. Appendix D continues to establish protocols for data entry in the Childhood Lead Poisoning Information Database and communication. Appendix E continues to establish the standard User Confidentiality Statement for access to the New Jersey Childhood Lead Poisoning Information Database. Appendix F continues to establish standards and the template for Notice of Violation. Appendix G continues to establish the form for Childhood Lead Poisoning Home Visits. Appendix H continues to establish the form for Universal Child Health Record. Appendix I continues to establish the form for Nutritional Assessment. Appendix J continues to establish the form for Quality Assurance and Improvement. Appendix K continues to establish the form for Childhood Lead Poisoning Case Closure.

The rules remain necessary, proper, reasonable, efficient, understandable, and responsive to the purposes for which they were originally promulgated. Therefore, pursuant to N.J.S.A. 52:14B-5.1.c(1), N.J.A.C. 8:51 is readopted and shall continue in effect for a seven-year period.

## HIGHER EDUCATION

(b)

### HIGHER EDUCATION STUDENT ASSISTANCE AUTHORITY

#### Student Loan and College Savings Programs The New Jersey College Loans to Assist State Students (NJCLASS) Program: Policies and Procedures Discharges

#### Adopted Amendment: N.J.A.C. 9A:10-6.17

Proposed: December 5, 2016, at 48 N.J.R. 2573(a).

Adopted: April 19, 2017, by the Higher Education Student

Assistance Authority, Anthony Falcone, Chairperson.

Filed: April 19, 2017, as R.2017 d.099, **without change**.

Authority: N.J.S.A. 18A:71A-1 et seq., and 18A:71C-21 et seq.

Effective Date: May 15, 2017.
Expiration Date: October 26, 2023.

Summary of Public Comments and Agency Responses:

HESAA received two comments in support of the proposed amendments from F. Shawn O'Neill, Director of Financial Aid, Ramapo College of New Jersey and Ronald and Patricia Kane.

COMMENT: Mr. O'Neill stated that he "loves that families will be able to have the loan forgiven due to the untimely death of a student."

RESPONSE: The Authority appreciates Mr. O'Neill's support for the amendment.

COMMENT: Ronald and Patricia Kane commented that they are in full support of the proposed amendment because it "is an important step for families who have suffered such a loss to regain some financial footing."

RESPONSE: The Authority appreciates Mr. and Mrs. Kane's support for the amendment.

Federal Standards Statement

A Federal standards analysis is not required because the subject matter of this State student loan program is not subject to any Federal requirements or standards, except for the standards for tax-exempt bonds, section 144(b) of the Federal Internal Revenue Code. NJCLASS loans funded by tax-exempt bonds are intended to qualify under the standards of section 144(b) of the Federal Internal Revenue Code, and do not exceed the standards of that section.

Full text of the adoption follows:

SUBCHAPTER 6. THE NEW JERSEY COLLEGE LOANS TO ASSIST STATE STUDENTS (NJCLASS) PROGRAM: POLICIES AND PROCEDURES

9A:10-6.17 Discharge

(a) Rules governing the discharge of loans based on filing for relief in bankruptcy, and discharge of loans due to death or total and permanent disability are set forth in this section. If an NJCLASS Loan Program loan was obtained by two borrowers as co-makers or by a borrower and one or more cosigners, and only one of the borrowers dies, becomes totally and permanently disabled, has collection of his or her loan obligation stayed by a bankruptcy filing, or has that obligation discharged in bankruptcy, the other borrower or cosigner remains obligated to repay the loan, beginning with NJCLASS Loan Program loans using promissory notes dated 1994 or later. If the student for whom the loan was obtained dies or becomes permanently disabled, the obligation of all parties to the loan to make any further payments on the loan is discharged, beginning with requests for discharge received on or after June 1, 2017.

(b) If an individual borrower dies, the obligation of the borrower to make any further payments on the loan is discharged. A discharge of a loan based on the death of the borrower or student must be based on an original or certified copy of the death certificate, or an accurate and complete photocopy of the original or certified copy of the death certificate.

(c) If the Authority determines that an individual borrower or student is totally and permanently disabled, the obligation of the borrower to make any further payments on the loan is discharged. A borrower or student is not considered totally and permanently disabled on the basis of a condition that existed at the time he or she applied for the loan, unless the borrower's condition has substantially deteriorated later, so as to render the borrower totally and permanently disabled. A borrower or student is not considered totally and permanently disabled if he or she continues to receive an equal or greater amount of income from the source of income that was used to meet the minimum income requirements at the time the loan was approved. After being notified by the borrower, student, or the borrower's or student's representative, that the borrower or student claims to be totally and permanently disabled, the Authority shall request that the borrower, or student, or the borrower's, or student's representative, submit the discharge application provided by the Authority. The application must contain a certification by a physician, who is a doctor of medicine or osteopathy and legally

authorized to practice in a state, that the borrower or student is totally and permanently disabled as defined in N.J.A.C. 9A:10-6.3.

(d) (No change.)

(a)

NEW JERSEY HIGHER EDUCATION EDUCATIONAL OPPORTUNITY FUND Notice of Administrative Changes Administrative Policies and Procedures Undergraduate EOF Financial Eligibility Financial Eligibility for Initial Article III Student Grants

N.J.A.C. 9A:11-2.3

Take notice that, in accordance with N.J.A.C. 9A:11-2.3(a), the Educational Opportunity Fund Board of Directors announces an updated EOF Income Eligibility Scale. The EOF Income Eligibility scale is based on 200 percent of the annual Federal poverty guidelines (that is, doubled) as published annually in the Federal Register.

Full text of the changed rule follows (additions indicated in boldface thus; deletions indicated in brackets [thus]):

9A:11-2.3 Financial eligibility for initial Article III student grants

(a) The EOF Income Eligibility Scale is based on 200 percent of the annual Federal poverty guideline (that is, doubled) as published annually by the United States Department of Health and Human Services in the Federal Register. This benchmark was established to reflect an eligible target population consistent with the intent of the original legislation. The EOF Executive Director shall inform institutions of annual adjustments to the EOF Income Eligibility Scale each summer, and the gross income limits set forth in this subsection shall be updated through a notice of administrative changes published in the New Jersey Register.

1. Except provided in (d), (e), (g), (h), and (i) below, dependent and independent students are financially eligible for an initial Article III student grant if their gross household income does not exceed the applicable amounts set forth in the EOF Income Eligibility Scale, as follows.

Table with 2 columns: Household size of Applicants with and Gross Income Not to Exceed. Rows for household sizes 1 through 8.

2. For each additional member of the household, an allowance of [\$8,320] \$8,360 shall be added to this amount in order to determine EOF eligibility for the [2017-2018] 2018-2019 academic year.

3. (No change.)

(b)-(k) (No change.)