



## **The Cutting Edge**

MENTAL HEALTH ASSOCIATION IN NJ

GOVERNMENT AFFAIRS UPDATE

Carolyn Beauchamp, President and CEO

### **Special Legislative Update**

## **Residential Health Care Facility Bill (S2563/A4163) Signed into Law**

On September 13, 2017, S2563/A4163, a resident protection bill, was signed into Law (P.L.2017, c.234). This new Law protects residents of community Residential Health Care Facilities (RHCFs) from eviction without due process and ensures that they are not retaliated against for complaining about sub-standard living conditions.

Advocacy from the Mental Health Association in New Jersey (MHANJ) and the Community Health Law Project, with support from all New Jersey Mental Health Coalition members and the NJ Behavioral Health Planning Council, helped this important piece of legislation pass both the Senate and Assembly unanimously. The MHANJ would like to recognize the sponsors of this Bill, Senators Weinberg and, Kean, and Assembly members Vainieri Huttel, O'Scanlon and Lampitt for their support and recognition of the need to protect the rights of RHCF residents.

Specifically, P.L.2017, c.234 will provide residents with due process prior to eviction and will help protect them from retaliation for complaining about substandard conditions in these homes. Due process guarantees that an eviction in a community RHCF can occur only based on one of the grounds listed in the New Jersey Anti-Eviction Act and by a New Jersey Superior Court Judge.

Individuals residing in these community RHCFs are most often persons living with a mental health, substance use or co-occurring condition. Residents regularly live in fear of reporting RHCF violations to the proper authorities, worried they will be evicted. To see the full text of P.L.2017, c.234, [click here](#).

MHANJ, along with our community partners, have been advocating to improve conditions in rooming and boarding homes and RHCs. A series of recommendations to improve conditions has been presented to the state and county authorities, and the implementation of these recommendations is ongoing. The signature of this Bill into law is one of several important legislative, regulatory and policy changes that help to address the poor conditions that exist in some of these facilities.

MHANJ chairs an active work group focused on this mission in Ocean County, and invites persons interested in doing advocacy in other counties to contact Barbara Johnston, Director of Policy and Advocacy, MHANJ, [bjohnston@mhanj.org](mailto:bjohnston@mhanj.org).

Anyone concerned about violations in these facilities should contact the authorities listed [here](#).



**Mental Health  
Association  
in New Jersey, Inc.**

The Mental Health Association in New Jersey is a statewide private non-profit advocacy organization dedicated to improving access to treatment and opportunities for adults and children living with mental illness and substance use disorders, through legislation and advocacy efforts.

Learn more about [MHANJ's Government Affairs](#) efforts.

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