September 7, 2021

The Honorable Phil Murphy

Governor of New Jersey

Office of the Governor

NJ State House

225 West State Street

Trenton, NJ

08625

Dear Governor Murphy,

On behalf of our membership of behavioral health services providers across the State, the New Jersey Psychiatric Rehabilitation Association respectfully requests an extension of ninety (90) days to comply with P.L.2021, c.1.;concerning State contracts for social services and supplementing Title 30 of the Revised Statutes. This would extend the deadline from September 30, 2021, to December 30, 2021.

We make this request on behalf of the provider community for several reasons:

* The complexity of labor-management relations. As stated in your December 14, 2020, conditional veto of then bill S2708 ‘Requires certain provisions in State contracts for delivery of publicly financed mental health, behavioral health, and addiction services”:

“Further, the bill tasks DHS and DCF with reviewing information regarding labor-management relations. Neither department is equipped to manage this responsibility, particularly in the abbreviated timeframes currently contemplated in the bill. This could delay the contracting process and divert strained departmental resources, potentially further compromising the State’s ability to provide this critical care”. Where issues arise regarding the provider’s compliance with the requirements of the bill, I am recommending that the commissioners of DHS and DCF consult with the commissioner of the Department of Labor and Workforce Development, the State Board of Mediation, or both, as they are better equipped to consider labor-management issues. Nearly all our members have no experience in labor-management relations, or established resources upon which to draw consultation or advice. They need adequate time to seek out, establish and engage these resources.

* Assertive outreach and acts of intimidation undertaken by labor unions. A handful of providers and staff have been the recipients of assertive and aggressive tactics across the State, taking advantage of the collective inexperience, lack of knowledge and resources.
* The request exacerbates the significant strain that the behavioral health provider community has operated under, including before the COVID-19 pandemic. Unlike our colleagues in the Department of Human Services Division of Developmental Disabilities, or Department of Children’s’ Services Children’s System of Care (CSOC) the Mental Health and Addictions Services workforce has continued to work and deliver services without rate adjustments (provided to DDD direct support professionals, or DSP’s) or emergency funding to support workforce recruitment training and retention efforts (provided to DCF CSOC agencies).

Whereas your December 14, 2020 conditional veto references “require(ing) providers to commit to make a good faith effort to comply with all applicable COVID-19 health and safety protocols that protect workers and service recipients alike”, it is essential to understand that the behavioral health community navigated the complexities and demands of COVID-19 with great care and attention to detail for the individuals served and their staff as the science and guidance emerged from the CDC and Department of Health, and guidance from DMHAS was limited. Services continued to be delivered, face-to-face and in the homes of individuals in places where the COVID-19 case counts were the highest. Provider agencies made all necessary efforts to obtain personal protective equipment (PPE) to assure the safety of their staff, and keep people connected to critical services.

In closing, we appreciate your time and attention to our request, and look forward to further dialogue. I may be reached at [khiggs@njpra.org](mailto:khiggs@njpra.org), or by phone at 908-612-1287.

Sincerely,

Kimberley Higgs, LCSW

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Executive Director

NJPRA

cc: Sara Adelman, Acting Commissioner Department of Human Services

Valerie Mielke, Assistant Commissioner Division of Mental Health & Addictions Services

Christine Norbut Beyer, Commissioner, Department of Children & Families

Leslie Stivale, President, NJPRA Board of Directors & President/CEO, Triple C Housing

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Dr. Ken Gill, Chair, Psychiatric Rehabilitation & Counseling Professions, Rutgers University

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Nancy Good, President, Alternatives

Anthony Lucibello, Executive Director, Northwest Essex Community Healthcare Network

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