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BAZELON CENTER FOR MENTAL HEALTH LAW, DISABILITY RIGHTS NEW JERSEY AND NEW JERSEY HUMAN SERVICES COMMISSIONER ANNOUNCE COMPLETION OF SETTLEMENT THAT TRANSFORMED STATE'S MENTAL HEALTH SERVICE SYSTEM

Washington, D.C & Trenton, New Jersey (March 16, 2017)—The Judge David L. Bazelon Center for Mental Health Law, a national legal advocacy organization advancing the rights of people with mental disabilities, Disability Rights New Jersey (DRNJ), the New Jersey protection and advocacy system for people with disabilities, and New Jersey Human Services Commissioner Elizabeth Connolly today announced that a settlement agreement expanding opportunities for residents of New Jersey's state psychiatric hospitals to live in integrated settings has come to a conclusion after more than six years.

The settlement brought about a significant transformation of New Jersey's mental health service system. The state greatly expanded supported housing and other community services for people with serious mental illness, helping thousands of people avoid needless hospitalization. It also made community mental health services more robust to ensure that people with the most significant disabilities are successfully served in supported housing, improved hospital discharge planning practices, and secured additional federal Medicaid dollars to finance community mental health services. As a result of the state's efforts, the census of New Jersey's state psychiatric hospitals has decreased by more than one third since the time that the case was filed.

The Bazelon Center and DRNJ served as counsel for the plaintiff, representing state hospital residents found by courts to be ready for discharge, but with no appropriate community setting to which they could be discharged. Such individuals are placed on what is known as "conditional extension pending placement," or "CEPP" status. The settlement resolved claims brought to enforce the Americans with Disabilities Act's "integration mandate." At the time the case was brought in 2005, approximately half of the individuals served by New Jersey's state psychiatric hospitals were on CEPP status and many remained hospitalized for lengthy periods. Now, individuals on CEPP status account for only 22% of the state hospital population.

The settlement, entered in 2009, required New Jersey to develop 1065 new supportive housing units for individuals on CEPP status and individuals at risk of admission to state hospitals. The state exceeded this target, developing 1436 new supportive housing units for these individuals during the settlement period. The settlement also required the state to discharge to the most integrated setting nearly 300 individuals who had been continuously on CEPP status in state

hospitals since July 1, 2008, and to reduce the lengths of time for which individuals remain on CEPP status before being discharged, among other things.

“As a result of the settlement, the state put in place new practices and shifted resources to avoid needlessly hospitalizing individuals with serious mental illness and to ensure that such individuals have the chance to live in the most integrated setting,” said Jennifer Mathis, Director of Policy and Legal Advocacy, Bazelon Center for Mental Health Law. “At the start of the case, the state served twice as many individuals in state psychiatric hospitals as it served in supported housing. Those percentages are now reversed.” According to Joseph Young, Executive Director of DRNJ, “the improvements to New Jersey’s community service system have resulted in a dramatic reduction of the state hospital census, and of the number of people on CEPP status.”

Martha Knisley, selected by the parties to serve as a consultant to help the state meet its obligations, played a critical role in helping to achieve the service system transformation.

“The transformation that resulted from funding, policy and practice changes to New Jersey’s behavioral health system of care has enabled individuals to receive most psychiatric treatment in the community with access to any necessary support services,” said the Department of Human Services’ acting Commissioner Elizabeth Connolly. “The state is providing a greater array of these resources which helps to prevent unnecessary hospitalization and to assist consumers to attain and sustain recovery with as little disruption as possible to their work and home lives. We’re incredibly proud of these advances and the positive impact it has for consumers.”

About The Judge David L. Bazelon Center for Mental Health Law

The Judge David L. Bazelon Center for Mental Health Law is a national legal advocacy organization protecting and advancing the rights of people with mental disabilities. The Center promotes laws and policies that enable people with mental disabilities to live independently in their own homes and communities, and to enjoy the same opportunities that everyone else does. For more information, visit www.bazelon.org.

About Disability Rights New Jersey

Incorporated in 1994, Disability Rights New Jersey (DRNJ) was subsequently designated by the Governor to serve as New Jersey’s protection and advocacy system for people with disabilities. DRNJ’s mission is to protect, advocate for and advance the rights of persons with disabilities in pursuit of a society in which persons with disabilities exercise self-determination and choice, and are treated with dignity and respect. For more information, visit www.drnj.org.

About the New Jersey Department of Human Services

The New Jersey Department of Human Services (DHS) is the largest state agency in New Jersey. It serves about 1 one of every four state residents, including: seniors; individuals and families with low incomes; people with mental illnesses, addictions, developmental disabilities, or late-onset disabilities; people who are blind, visually impaired, deaf, hard of hearing, or deaf-blind; parents needing child care services, child support and/or healthcare for their children; and families facing catastrophic medical expenses for their children. This is made possible through the Department’s work to maximize state and federal resources and to establish community supports that assist clients and consumers to achieve their highest level of personal independence. For more information, visit <http://www.state.nj.us/humanservices>.

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