



Alliance for the Betterment of
Citizens with Disabilities

Empowering People: Providers Shaping Policies

Four Years of Dogged Opposition on the Camera Bill

- Because there is no evidence that the use of cameras in congregate settings reliably protects individuals from abuse and neglect.¹
- Because the use of cameras in congregate settings may make people less safe.²
- Because it impinges on an individual's right to privacy.
- Because instead, we must remain forever vigilant, continuously reviewing root causes, best practices, and accountability strategies.
- Because we must enact policies and procedures that are proven effective.

It has come to our attention that the staunch proponents of this bill may have agreed to amendments taking cameras out of bedrooms but keeping them in common areas in the belief that this will remedy the issues surrounding privacy. But common areas in private homes are neither public spaces open to the public nor institutional settings, they are homes where a degree of individual and communal privacy is to be expected and protected in the same manner as any home in the community. What's more, even with this amendment, all the "because" still stand.

Upon review of the Home and Community Based Settings Rule (HCBS) and Remote Supports waivers (RS), there are additional reasons for our opposition to the bill.

- Because the process may violate requirements put in place by the federal Centers for Medicaid and Medicare Services (CMS).
- Because the process may jeopardize federal funding.

CMS allows for modifications like cameras and videos in both HCBS and RS, provided they are necessary to mitigate health and safety risks and that they are:

- Supported by an assessed need of the individual.
- Justified in the individual's person-centered service plan.
- Documented that less intrusive methods have been tried but were unsuccessful.
- Approved by the Human Rights Committee (HRC).
- Ensured that the rights of other people will not be impacted.

¹ <https://www.abcdnj.org/wp-content/uploads/2021/09/Additional-Resources-9-21-ABCD-Position-on-Camera-Surveillance-in-Group-Homes.pdf>

² Ibid.

Pardon the facetiousness, but you can't place a camera in a group home the same way a community of residents decides on what evening movie to watch.

Cameras are currently permitted in NJ DDD licensed group homes, with the agency policies approved in advance by the division. ABCD members vary in their usage, either already existent in the home before the individual commits to the group home rental, or for specific purposes in limited areas as approved by the HRC. In the event RS is approved for use in NJ, the ability to use assistive technology (which includes cameras and videos) to improve health and safety needs and increase independence will be expanded.

We respect the bill's proponents for their dogged determination to improve lives. We too will remain dogged in our efforts to prevent policy which will not achieve their honorable goal and may cause damage in its wake.

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