

Disability Law

Waiting List for Residential Services in New Jersey

In November 2008, the New Jersey Division of Developmental Disabilities (“DDD”) sent letters to every individual on the Priority Category of the waiting list for residential services advising them of their waiting list number. If your child’s name is on the Priority category of the waiting list, you should have received your letter by now. Many families mistakenly believe they are on the Priority category of the waiting list. If you have not received a letter from DDD by now, then your child is not on the list.

The waiting list for residential services in New Jersey is sorted into three categories: the “Priority” Category, the “Priority Deferred” Category, and the “General” Category. The Priority Category of the waiting list is the only category that moves. Therefore, it is very important for families to have their child’s name added to the Priority Category of the list whenever possible. If you believe that you should have received a letter notifying you of your waiting list position and did not, then you should contact DDD immediately. In a limited number of cases where DDD failed to place an individual’s name in the Priority Category, those names may be added retroactively.

You can ask DDD to place your child’s name on the Priority Category of the waiting list when the youngest parent turns fifty-five years old. However, there are exceptions to this rule, which allow a child’s name to be added to the list sooner. The Division will take certain factors into consideration, such as challenging behaviors of the child, the health of the parents, and the presence of more than one child with a disability in the home, just to name a few.

Although the waiting list is very long, it is important for parents to prepare early. Parents should not shy away from requesting addition to the list, as many years will pass before the child’s name reaches the top. As a result, it is important for parents to act now even though they might not be ready for residential placement for years to come.

Finally, in some circumstances, a child can receive residential services from DDD when an “emergency” exists such as when the child is about to become homeless. In other circumstances, local school districts can be held responsible to provide a residential educational placement for a student under the age of twenty-one.