

[Third Reprint]

ASSEMBLY, No. 1546

STATE OF NEW JERSEY
210th LEGISLATURE

PRE-FILED FOR INTRODUCTION IN THE 2002 SESSION

Sponsored by:

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District 6 (Camden)

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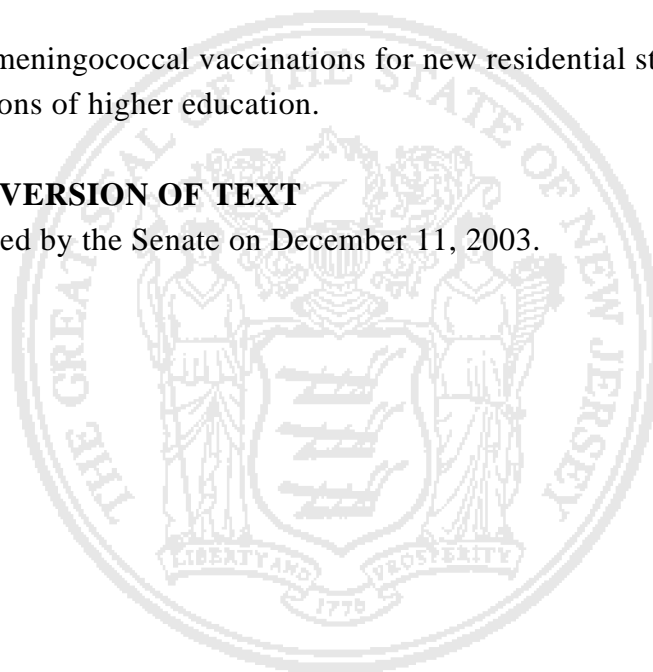
**Assemblymen Burzichelli, Cryan, Fisher, Assemblywoman Greenstein,
Assemblymen Gear, S.Kean, Sarlo, R.Smith, Stanley, Van Drew and
Senator Vitale**

SYNOPSIS

Requires meningococcal vaccinations for new residential students at four-year institutions of higher education.

CURRENT VERSION OF TEXT

As amended by the Senate on December 11, 2003.



(Sponsorship Updated As Of: 12/12/2003)

1 AN ACT requiring ¹[meningitis] meningococcal¹ vaccinations for
2 students at ¹certain¹ institutions of higher education¹, amending
3 P.L.2000, c.25¹ and supplementing Title 18A of the New Jersey
4 Statutes.

5
6 **BE IT ENACTED** by the Senate and General Assembly of the State
7 of New Jersey:

8
9 ¹1. Section 2 of P.L.2000, c.25 (C.18A:61D-7) is amended to read
10 as follows:

11 2. Beginning with the 2000-2001 school year, each four-year
12 public or private institution of higher education in this State, in a
13 manner prescribed by regulation of the Commissioner of Health and
14 Senior Services and consistent with the purposes of section 1 of
15 P.L.2000, c.25 (C.26:2X-1), shall:

16 a. provide information about meningitis, as well as the
17 meningococcal vaccination requirement established pursuant to section
18 2 of P.L. , c. (C.)(pending before the Legislature as this bill),
19 to all prospective students prior to their matriculation, and include
20 with that information notice of the availability and benefits of a
21 **[meningitis] meningococcal** vaccination; and

22 b. develop procedures for facilitating, receiving and recording
23 student responses to the information provided **[about meningitis and**
24 **the meningitis vaccination, including the student's decision]** pursuant
25 to subsection a. of this section, including: compliance with the
26 vaccination requirement established pursuant to section 2 of P.L. ,
27 c. (C.)(pending before the Legislature as this bill); and the
28 decision of any student who is exempted from that requirement to
29 receive the vaccination.¹

30 (cf: P.L.2000, s.25, s.2)

31
32 ¹[1.] 2. (New section)¹ a. Beginning ¹[with the 1998-99 school
33 year, every student enrolled as a full-time student] in September
34 ³[2003] 2004³, a new student enrolling in a program leading to an
35 academic degree¹ at a public or private institution of higher education
36 in this State¹, who resides in a campus dormitory.¹ shall ¹[be
37 vaccinated for meningitis] receive a meningococcal vaccination¹ as a
38 condition of attendance at that institution, except as provided in
39 section ¹[2] 3¹ of this act.

40 ¹As used in this act, "institution of higher education" means a

EXPLANATION - Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and intended to be omitted in the law.

Matter underlined thus is new matter.

Matter enclosed in superscript numerals has been adopted as follows:

¹ Assembly AHH committee amendments adopted December 16, 2002.

² Senate SHH committee amendments adopted March 10, 2003.

³ Senate floor amendments adopted December 11, 2003.

1 university or college that provides a four-year program of instruction.¹

2 b. ¹[Every student enrolled as a full-time student] A student ¹
3 shall present evidence of the vaccination required pursuant to
4 subsection a. of this section to the institution in a manner prescribed
5 by the institution.

6 c. The Department of Health and Senior Services shall require each
7 public or private institution of higher education in this State to offer
8 the vaccination required pursuant to subsection a. of this section to its
9 ¹[full-time]¹ students through the institution's student health services
10 program or through a contractual agreement with a community health
11 care provider¹.

12 d. The Commissioner of Health and Senior Services shall adopt
13 rules and regulations pursuant to the "Administrative Procedure Act,"
14 P.L.1968, c.410 (C.52:14B-1 et seq.) to carry out the purposes of
15 subsections a., b. and c. of this section and section ¹[2] ³¹ of this act.

16 ¹[e. The Student Assistance Board in but not of the Department of
17 the Treasury shall adopt rules and regulations to require that a public
18 or private institution of higher education in this State consider the cost
19 of the vaccination required pursuant to subsection a. of this section as
20 an educational cost for purposes of determining a student's eligibility
21 for financial aid.]¹

22 ²e. Nothing in this act shall be construed to require a student who
23 does not reside in a campus dormitory to receive a meningococcal
24 vaccination.²

25

26 ¹[2.] 3. (New section)¹ a. A student shall not be required to
27 receive a vaccination pursuant to subsection a. of section ¹[1] ²¹ of
28 this act based upon one of the following:

29 (1) a written statement submitted to the institution of higher
30 education by a licensed physician indicating that the vaccine is
31 medically contraindicated for a specific period of time and the reasons
32 for the medical contraindication, based upon valid medical reasons as
33 determined by regulation of the Commissioner of Health and Senior
34 Services, which shall exempt the student from the vaccination for the
35 stated period of time; or

36 (2) a written statement submitted to the institution of higher
37 education by the student, or the student's parent or guardian if the
38 student is a minor, explaining how the administration of the vaccine
39 conflicts with the bona fide religious tenets or practices of the student,
40 or the parent or guardian, as appropriate; except that a general
41 philosophical or moral objection to the vaccination shall not be
42 sufficient for an exemption on religious grounds.

43 b. In the event of an actual or threatened outbreak of meningitis at
44 a public or private institution of higher education in this State, the
45 institution may exclude from attendance a student who has been
46 exempted from the vaccination requirement of this act pursuant to

1 subsection a. of this section, as determined by the Commissioner of
2 Health and Senior Services.

3

4 ¹[3.] 4.¹ This act shall take effect immediately.