

SENATE, No. 289

STATE OF NEW JERSEY
211th LEGISLATURE

PRE-FILED FOR INTRODUCTION IN THE 2004 SESSION

Sponsored by:

Senator ANDREW R. CIESLA
District 10 (Monmouth and Ocean)

Co-Sponsored by:

Senator Singer

SYNOPSIS

Establishes Autism registry in DHSS; appropriates \$500,000.

CURRENT VERSION OF TEXT

Introduced Pending Technical Review by Legislative Counsel.



1 AN ACT establishing an Autism Registry in the Department of Health
2 and Senior Services, supplementing Title 26 of the Revised Statutes
3 and making an appropriation.

4
5 **BE IT ENACTED** by the Senate and General Assembly of the State
6 of New Jersey:

7
8 1. The Legislature finds and declares that:

9 a. Autism is a developmental disorder of brain function which is
10 typically manifested in impaired social interaction, problems with
11 verbal and nonverbal communication and imagination and unusual or
12 severely limited activities and interests. These symptoms generally
13 appear during the first three years of childhood and continue
14 throughout life, often taking devastating emotional and financial tolls
15 on the families of the autistic child.

16 b. Best estimates indicate that one in 500 children born in the State
17 will be diagnosed with an autism spectrum disorder and that 12,000
18 individuals in the State have autism or an autism spectrum disorder.
19 However, these numbers may be understated because of current
20 diagnostic procedures and reporting requirements. There is a clear
21 need for greater accuracy in reporting as well as for information on the
22 epidemiologic data on the incidence and prevalence of autism in this
23 State.

24 c. The State currently requires that a number of other conditions,
25 including cancer and certain birth defects, be reported and maintained
26 in a central registry. A similar registry for autism is needed to improve
27 current knowledge and understanding of autism, to conduct thorough
28 and complete epidemiologic surveys of the disorder, to enable analysis
29 of this problem and to plan for and provide services to children with
30 autism and their families.

31
32 2. a. A physician, psychologist and any other health care
33 professional licensed pursuant to Title 45 of the Revised Statutes who
34 is qualified by training to make the diagnosis and who then makes the
35 diagnosis that a child is affected with autism shall report this diagnosis
36 to the Department of Health and Senior Services in a form and manner
37 prescribed by the Commissioner of Health and Senior Services.

38 b. The report shall be in writing and shall include the name and
39 address of the person submitting the report, the name, age and address
40 of the child diagnosed as having autism and other pertinent
41 information as may be required by the commissioner.

42
43 3. The Department of Health and Senior Services, in consultation
44 with the Department of Human Services, shall establish and maintain
45 an up-to-date registry which shall include a record of all reported
46 cases of autism that occur in New Jersey and any other information it

1 deems relevant and appropriate in order to conduct thorough and
2 complete epidemiologic surveys of autism, to enable analysis of this
3 problem and to plan for and provide services to children with autism
4 and their families.

5
6 4. a. The reports made pursuant to this act are to be used only by
7 the Department of Health and Senior Services and other agencies as
8 may be designated by the Commissioner of Health and Senior Services,
9 including the Department of Human Services, and shall not otherwise
10 be divulged or made public so as to disclose the identity of any person
11 to whom they relate; and, to that end, the reports shall not be included
12 under materials available to public inspections pursuant to P.L.1963,
13 c.73 (C.47:1A-1 et seq.).

14 b. A physician, psychologist or health care professional providing
15 information to the department in accordance with this act shall not be
16 deemed to be, or held liable for, divulging confidential information.

17 c. Nothing in this act shall be construed to compel a child who has
18 been reported as affected with autism to submit to medical or health
19 examination or supervision by the department.

20
21 5. There is appropriated from the General Fund to the Department
22 of Health and Senior Services \$500,000 to effectuate the purposes of
23 this act.

24
25 6. The Commissioner of Health and Senior Services shall adopt
26 rules and regulations pursuant to the "Administrative Procedure Act,"
27 P.L.1968, c.410 (C.52:14B-1 et seq.) to effectuate the purposes of this
28 act.

29
30 7. This act shall take effect 90 days after enactment, but the
31 Commissioner of Health and Senior Services may take such
32 anticipatory administrative action in advance as shall be necessary for
33 the implementation of this act.

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36 STATEMENT

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38 This bill would require physicians, psychologists and any other
39 licensed health care professionals who, by virtue of their training, are
40 qualified to make a diagnosis of autism, to report such diagnoses in a
41 form and manner prescribed by the Commissioner of Health and Senior
42 Services. The report is to be in writing and is to include the name and
43 address of the person making the report as well as the name, age and
44 address of the child diagnosed as having autism and other pertinent
45 information which may be required by the commissioner.

1 The bill would further require the Department of Health and Senior
2 Services (DHSS), in consultation with the Department of Human
3 Services (DHS), to establish and maintain an up-to-date registry which
4 would include a record of all reported cases of autism that occur in
5 New Jersey along with any other information it deems relevant and
6 appropriate to conducting thorough and complete epidemiologic
7 surveys of autism. The ultimate goal of the registry is to enable
8 analysis of the problem of autism and to plan for and provide services
9 to children with autism and their families. The bill appropriates
10 \$500,00 for purposes of establishing and maintaining the registry.

11 The bill provides that any reports made to the registry are to be
12 used only by the DHSS and other agencies as may be designated by the
13 Commissioner of the DHSS, including the DHS, and that the reports
14 are not otherwise to be divulged or made public so as to disclose the
15 identity of any person to whom they relate. To that end, the bill
16 stipulates that the reports shall not be included under materials
17 available to public inspection pursuant to N.J.S.A.47:1A-1 et seq.

18 The bill further states that a physician, psychologist or other
19 licensed health care professional required to report diagnoses of
20 autism to the registry shall not be deemed to be, or held liable for,
21 divulging confidential information. Finally, the bill provides that
22 nothing in the act is to be construed to compel a child who has been
23 diagnosed with autism to submit to medical or health examination or
24 supervision by the DHSS.