

SENATE, No. 159

STATE OF NEW JERSEY 219th LEGISLATURE

PRE-FILED FOR INTRODUCTION IN THE 2020 SESSION

Sponsored by:

Senator GERALD CARDINALE

District 39 (Bergen and Passaic)

Co-Sponsored by:

Senators Greenstein and Corrado

SYNOPSIS

Requires certain facilities to notify patients or legal guardians of outbreak of contagious disease within 24 hours of onset of outbreak.

CURRENT VERSION OF TEXT

Introduced Pending Technical Review by Legislative Counsel.



1 AN ACT concerning contagious diseases and supplementing Title 26
2 of the Revised Statutes.

3

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

6

7 1. a. As used in this section, "facility" means a nursing
8 facility, outpatient facility, or rehabilitation facility licensed by the
9 Department of Health.

10 b. Notwithstanding any law, rule, regulation, or order to the
11 contrary, a facility shall notify each patient and the patient's legal
12 guardian, authorized family member, or authorized representative,
13 if any, of an outbreak of a life-threatening, contagious disease, or of
14 a similar health emergency, that may negatively affect that patient's
15 health and that has been contracted by more than one individual at
16 the facility. The notice required pursuant to this subsection shall be
17 provided no later than 24 hours after the facility confirms that a
18 second individual at the facility has contracted the disease.

19 c. A violation of this section shall result in a \$5,000 fine for the
20 first offense and a \$10,000 fine for a second or subsequent offense.
21 The penalty prescribed in this subsection shall be collected in a
22 summary proceeding brought in the name of the State in a court of
23 competent jurisdiction pursuant to the "Penalty Enforcement Law of
24 1999," P.L.1999, c.274 (C.2A:58-10 et seq.).

25

26 2. The Department of Health shall, pursuant to the
27 "Administrative Procedure Act," P.L.1968, c.410 (C.52:14B-1 et
28 seq.), adopt rules or regulations as are necessary to effectuate the
29 provisions of this act.

30

31 3. This act shall take effect immediately.

32

33

34

STATEMENT

35

36 This bill requires certain facilities to notify patients and their
37 legal guardians of the outbreak of a contagious disease within 24
38 hours of the onset of the outbreak. Specifically, under the bill, a
39 facility is to notify its patient and the patient's legal guardian,
40 authorized family member, or authorized representative, if any, of
41 an outbreak of a life-threatening, contagious disease, or of a similar
42 health emergency, that may negatively affect that patient's health
43 and that has been contracted by more than one individual at the
44 facility. The required notice is to be provided within 24 hours of
45 the facility confirming that a second individual at the facility has
46 contracted the disease.

S159 CARDINALE

3

1 The bill defines “facility” to mean a nursing facility, outpatient
2 facility, or rehabilitation facility licensed by the Department of
3 Health. A violation of the bill’s provisions is to result in a \$5,000
4 fine for the first offense and a \$10,000 fine for a second or
5 subsequent offense.