

SENATE, No. 1734

STATE OF NEW JERSEY

219th LEGISLATURE

INTRODUCED FEBRUARY 13, 2020

Sponsored by:

Senator JOSEPH PENNACCHIO

District 26 (Essex, Morris and Passaic)

Senator MICHAEL L. TESTA, JR.

District 1 (Atlantic, Cape May and Cumberland)

SYNOPSIS

Revises requirements for administration of vaccines to patients.

CURRENT VERSION OF TEXT

As introduced.



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

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

6
7 1. a. No vaccine may be administered by a health care
8 practitioner to any patient unless:

9 (1) at least 48 hours prior to administration of the vaccine, the
10 practitioner furnishes to the to the patient, or to the patient's parent
11 or guardian in the case of a patient who is an unemancipated minor:

12 (a) a copy of the vaccine insert produced by the manufacturer of
13 the vaccine for inclusion in the packaging materials for the vaccine;

14 (b) a copy of the vaccine excipient summary prepared by the
15 federal Centers for Disease Control and Prevention; and

16 (c) information concerning the Vaccine Adverse Event
17 Reporting System (VAERS) co-managed by the federal Centers for
18 Disease Control and Prevention and the United States Food and
19 Drug Administration, which information shall include an overview
20 of the VAERS, instructions on how to report vaccine injuries, a
21 copy of the Reportable Events Table, and a copy of the Vaccine
22 Injury Table;

23 (2) the practitioner provides the patient, or the patient's parent
24 or guardian, in the case of a patient who is an unemancipated minor,
25 with the option to opt out of receiving the vaccine, along with a
26 description of the potential implications of opting out of the
27 vaccine, including the risks of contracting or transmitting a
28 communicable infectious disease and the potential that the patient
29 may not be allowed to attend school unless the patient obtains a
30 medical or religious exemption from student immunization
31 requirements for that vaccine; and

32 (3) the patient, or the patient's parent or guardian, as applicable,
33 returns a signed copy of the vaccine insert confirming the patient
34 consents to receive the vaccine.

35 b. A health care practitioner may not refuse to provide health
36 care services to a patient or seek to transfer care of the patient to
37 another health care practitioner solely on the basis of the patient's
38 refusal to receive a vaccine.

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40 2. This act shall take effect 30 days after the date of enactment.

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43 STATEMENT

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45 This bill revises the requirements to administer vaccines to
46 patients. Specifically, the bill requires that, at least at least 48 hours
47 prior to administration of the vaccine, the health care practitioner
48 who will administer the vaccine is to furnish to the to the patient, or

1 to the patient's parent or guardian in the case of a patient who is an
2 unemancipated minor: (1) a copy of the vaccine insert for the
3 vaccine; (2) a copy of vaccine excipient summary prepared by the
4 federal Centers for Disease Control and Prevention (CDC), which is
5 a list of vaccine ingredients that are in addition to weakened or
6 killed disease antigens; and (3) information concerning the Vaccine
7 Adverse Event Reporting System (VAERS) co-managed the CDC
8 and the United States Food and Drug Administration, including an
9 overview of the VAERS, instructions on how to report vaccine
10 injuries, a copy of the Reportable Events Table, and a copy of the
11 Vaccine Injury Table. A vaccine may be administered only if the
12 patient, or the patient's parent or guardian, returns a signed copy of
13 the vaccine insert confirming the patient consents to receive the
14 vaccine.

15 The health care practitioner will additionally be required to
16 provide the patient, or the patient's parent or guardian, as
17 applicable, with the option to opt out of receiving the vaccine, along
18 with a description of the potential implications of opting out of the
19 vaccine, including the risks of contracting or transmitting a
20 communicable infectious disease and the potential that the patient
21 may not be allowed to attend school unless the patient obtains a
22 medical or religious exemption from student immunization
23 requirements for that vaccine.

24 The bill provides that a health care practitioner may not refuse to
25 provide health care services to a patient or seek to transfer care of
26 the patient to another health care practitioner solely on the basis of
27 the patient's refusal to receive a vaccine.