

§§1-3
C. 30:4-7.7
To
30:4-7.9
§4
Note To §§1-3

P.L. 1997, CHAPTER 361, *approved January 18, 1998*
Senate, No. 1547 (*Third Reprint*)

1 AN ACT concerning the testing of patients at State psychiatric facilities
2 for hepatitis B, ²hepatitis C,² HIV infection and sexually transmitted
3 diseases and supplementing Title 30 of the Revised Statutes.

4

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

7

8 1. As used in this act:

9 a. "AIDS" means acquired immune deficiency syndrome as defined
10 by the Centers for Disease Control and Prevention of the United States
11 Public Health Service.

12 b. "HIV infection" means infection with the human
13 immunodeficiency virus or any other related virus identified as a
14 probable causative agent of AIDS.

15

16 2. a. ³[A] An adult³ patient who is admitted for treatment at a
17 State psychiatric hospital shall be required, upon admission, to submit
18 to ¹blood¹ testing for hepatitis B, ²hepatitis C,² ³[HIV infection,]³
19 and ³ [¹other¹]³ sexually transmitted diseases ¹[such as chancroid,
20 gonorrhea, syphilis, herpes virus, or any of the varieties or stages of
21 such diseases] , as determined by the Commissioner of Human
22 Services. ³[More extensive testing or examination to determine the
23 presence of sexually transmitted diseases or stages of such diseases
24 shall be performed within 90 days of a patient's admission or may be
25 performed sooner, as appropriate to the patient's psychiatric
26 condition. ¹] The guardian, or the patient at a time appropriate to the
27 patient's psychiatric condition, shall be provided with information and
28 counseling regarding the benefits of being tested for HIV infection.
29 The guardian, or patient, shall then be presented with the option of

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 Senate SHU committee amendments adopted November 7, 1996.

² Assembly floor amendments adopted February 20, 1997.

³ Senate amendments adopted in accordance with Governor's recommendations December 11, 1997.

1 HIV testing.³

2 b. The Commissioner of Human Services shall develop guidelines
3 for the treatment and confinement of a patient who tests positive to
4 any disease specified in subsection a. of this section, in consultation
5 with the Commissioner of Health and Senior Services, and in
6 accordance with recommended protocols established by the Centers
7 for Disease Control and Prevention of the United States Public Health
8 Services.

9 ¹c. All employees at a State psychiatric hospital shall be trained
10 ³[how to interact with a patient who has hepatitis B, ²hepatitis C,²
11 HIV infection or any sexually transmitted disease. No employee shall
12 be required to interact with a patient with any of these diseases unless
13 so trained. Any employee who may come in contact with a patient
14 who has any of these diseases shall be given advance notice, to the
15 extent possible, that the patient has one of these diseases.¹] to use
16 universal precautions to avoid infection with any sexually transmitted
17 disease, hepatitis B or hepatitis C.³

18

19 3. Subject to the "Administrative Procedure Act," P.L.1968, c.410
20 (C.52:14B-1 et seq.), the Commissioner of Human Services shall
21 adopt all rules and regulations necessary to effectuate the purposes of
22 this act.

23

24 4. This act shall take effect on the 60th day after enactment.

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29 _____
29 Requires hepatitis B, hepatitis C and sexually transmitted disease
30 testing of adult patients at State psychiatric hospitals and provision of
31 information concerning benefits of HIV testing.