

SENATE, No. 1896

STATE OF NEW JERSEY

INTRODUCED MARCH 10, 1997

By Senator RICE

1 AN ACT concerning the control of Lyme disease, and amending and
2 supplementing P.L.1991, c.277.

3

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

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7 1. Section 1 of P.L.1991, c.277 (C.26:2P-1) is amended to read as
8 follows:

9 1. The Legislature finds and declares that:

10 a. Lyme disease is a bacterial infection which is spread by certain
11 arthropods, primarily ticks, and is one of the fastest growing public
12 health problems in New Jersey;

13 b. [There is evidence that the disease may be transmitted through
14 blood products, shared needles, raw milk and blood-sucking insects]
15 Studies of Lyme disease treatment have shown that costs associated
16 with long-term treatment of infected persons have often exceeded
17 \$100,000 per case and have a significant negative social impact ;

18 c. Lyme disease, which is the most common tick-borne disease in
19 this country, is present in 48 states and five continents and is
20 spreading, with New Jersey being one of the states in which the
21 disease is most prevalent, New Jersey experienced the largest
22 percentage increase in reported cases of Lyme disease of any state
23 between 1993 and 1994 ;

24 d. Lyme disease was not widely recognized in the United States
25 until 1975 and was first identified in New Jersey in Monmouth county
26 in 1978;

27 e. [Because Lyme disease is still relatively unknown] Even though
28 Lyme disease is receiving increased public attention among both the
29 medical community and the general public, it is often misdiagnosed or
30 not diagnosed, which results in more serious health problems for the
31 affected person; [and]

32 f. If untreated, Lyme disease, in its later stages, can result in
33 neurological disorders, including, but not limited to, chronic and
34 severe fatigue, encephalitis, meningitis, memory loss, dementia and

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.

1 seizures; severe arthritis; cardiac dysfunction; vision loss,
2 gastrointestinal disorders, paralysis, strokes and death ; and
3 g. County mosquito control agencies throughout the State are
4 currently staffed and equipped to control nuisance and vector species
5 of mosquitoes. These commissions or agencies provide a central
6 operational unit within each county with the capability to advise and
7 assist a State Lyme Disease Vector Control Board in the development
8 and implementation of an integrated approach to the control of tick
9 populations on public lands within each county .

10 (cf: P.L.1991, c.277, s.1)

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12 2. (New section) a. There is established in the Department of
13 Health and Senior Services a Lyme Disease Vector Control Board
14 consisting of seven members, four of whom shall be public members
15 appointed by the Governor with the advice and consent of the Senate,
16 and three of whom shall be the Commissioner of Health and Senior
17 Services, the Commissioner of Environmental Protection and the
18 Director of the New Jersey Agricultural Experiment Station, or their
19 designees, who shall serve ex officio.

20 b. Of the four public members to be appointed by the Governor,
21 one shall be a physician or a veterinarian, one shall be a representative
22 of a county mosquito or Lyme disease vector control agency, one shall
23 be a representative of the New Jersey Pest Control Association and
24 one shall be chosen from the public members of the Governor's Lyme
25 Disease Advisory Council.

26 c. Public members of the board shall serve four year terms, except
27 that of the first public members appointed one shall be appointed for
28 a term of one year, one shall be appointed for a term of two years, one
29 shall be appointed for a term of three years and one shall be appointed
30 for a term of four years. Members whose terms have expired shall
31 continue to serve until their successors have been appointed and
32 qualified. One of the public members first appointed shall be the
33 current chairperson of the Governor's Lyme Disease Advisory Council.
34 Vacancies occurring other than by expiration of a term shall be filled
35 for the remainder of the unexpired term.

36 d. The board shall organize at the call of the Commissioner of
37 Health and Senior Services within thirty days following the
38 appointment of the four public members, and shall select a chairperson
39 from among the appointed public members and a secretary, who need
40 not be a member. Members shall serve without compensation.

41 e. The board may call to its assistance and avail itself of the service
42 of any State, county or municipal department, board, bureau,
43 commission or agency as it may require for the purposes of this act.
44 The board shall have appropriate offices and staffing within the
45 Department of Health and Senior Services and that department shall
46 supply the professional and clerical assistance necessary for the board

1 to perform its duties. The board may incur miscellaneous expenses to
2 perform its duties, within the limits of funds appropriated or otherwise
3 made available to it for those purposes.

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5 3. (New section) The duties of the board shall include but not be
6 limited to:

7 a. Conducting a continuous study of ticks that transmit Lyme
8 disease, which shall include:

9 (1) Review of available epidemiological information;

10 (2) Surveillance of known tick habitats;

11 (3) Preparation of maps indicating case distribution and significant
12 breeding activity; and

13 (4) Development of a system for prioritizing the geographical areas
14 of the State requiring the implementation of tick control measures;

15 b. Developing tick control measures in the State, including but not
16 limited to:

17 (1) Physical control measures;

18 (2) Biological control measures; and

19 (3) Chemical control measures;

20 c. Conducting an ongoing work program within the Department of
21 Health and Senior Services to develop and promote the following
22 activities:

23 (1) Prevention of, detection of, monitoring the occurrence of, and
24 diagnosis of, Lyme disease;

25 (2) Control of the vectors of the disease in the State;

26 (3) Establishment of a mechanism that will allow municipalities,
27 public health agencies and State and county vector control agencies
28 throughout New Jersey to share information about Lyme disease;

29 (4) Determining the amount of State funding necessary to
30 implement research activities required to develop a Statewide protocol
31 for control of ticks that transmit Lyme disease;

32 (5) Prioritization of areas of the State where State funding should
33 be utilized;

34 (6) Determining the amount of money required to be made
35 available in the form of State aid to counties for implementation of
36 control activities;

37 (7) Development of an education program for local health
38 agencies, vector control agencies and the public at large; and

39 (8) Recommendations to the Legislature concerning the amount of
40 money that the board deems necessary to be appropriated each year by
41 the State for research, monitoring and control of the vectors of Lyme
42 disease and the allocation of funds to be appropriated for State aid to
43 counties in the performance of such work among the various county
44 Boards of Chosen Freeholders; and

45 d. Submitting an annual report to the Governor and Legislature on
46 the progress made toward the prevention of, detection of, monitoring

1 the occurrence of, and diagnosis of, the disease and toward the control
2 of the vectors of the disease, and on the financial impact of the disease
3 on the residents of the State of New Jersey.

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5 4. (New section) a. The Board of Chosen Freeholders of a county
6 may designate any county mosquito control agency or other agency or
7 any combination thereof to undertake Lyme disease control activities
8 in conjunction with the Lyme Disease Vector Control Board
9 established pursuant to section 2 of P.L. , c. (C.) (now before
10 the Legislature as this bill).

11 b. An agency or agencies selected by a county pursuant to
12 subsection a. of this section may establish a separate budget for the
13 performance of Lyme disease control activities.

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15 5. This act shall take effect immediately.

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17 STATEMENT

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19 This bill would establish a Lyme Disease Vector Control Board in
20 the Department of Health and Senior Services. The board would
21 consist of seven members, four of whom would be public members
22 appointed by the Governor with the advice and consent of the Senate,
23 and three of whom would be the Commissioner of Health and Senior
24 Services, the Commissioner of Environmental Protection and the
25 Director of the New Jersey Agricultural Experiment Station, or their
26 designees, who shall serve ex officio.

27 The duties of the board would include:

28 a. Conducting a continuous study of ticks that transmit Lyme
29 disease;

30 b. Developing tick control measures in the State;

31 c. Conducting an ongoing work program within the Department of
32 Health and Senior Services to develop and promote various activities;
33 and

34 d. Submitting an annual report to the Governor and Legislature on
35 the progress made toward the prevention of, detection of, monitoring
36 the occurrence of, and diagnosis of, the disease and toward the control
37 of the vectors of the disease, and on the financial impact of the disease
38 on the residents of the State of New Jersey.

39 The bill would also authorize county boards of chosen freeholders
40 to designate mosquito control agencies or other agencies to conduct
41 Lyme disease control activities.

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46 Establishes Lyme Disease Vector Control Board.