

**SENATE, No. 3975**

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**STATE OF NEW JERSEY**  
**219th LEGISLATURE**

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INTRODUCED JUNE 21, 2021

**Sponsored by:**

**Senator LINDA R. GREENSTEIN**

**District 14 (Mercer and Middlesex)**

**Senator STEVEN V. OROHO**

**District 24 (Morris, Sussex and Warren)**

**SYNOPSIS**

Requires newborn infants to be screened for congenital cytomegalovirus infection; establishes public awareness campaign.

**CURRENT VERSION OF TEXT**

As introduced.



1 AN ACT concerning screening newborn infants for congenital  
2 cytomegalovirus infection and supplementing Title 26 of the  
3 Revised Statutes.

4

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

7

8 1. a. All infants born in this State shall be tested for congenital  
9 cytomegalovirus infection (cCMV) beginning six months following  
10 the occurrence of all of the following:

11 (1) the development of a reliable test or series of tests for  
12 screening newborns for cCMV using dried blood spots and quality  
13 assurance testing methodology for cCMV testing;

14 (2) the availability of quality assurance materials for the cCMV  
15 test from the federal Centers for Disease Control and Prevention;

16 (3) the inclusion of newborn screening for cCMV in the  
17 Recommended Uniform Screening Panel of the United States  
18 Secretary of Health and Human Services' Advisory Committee on  
19 Heritable Disorders in Newborns and Children, after the  
20 committee's evidence review of newborn screening for cCMV;

21 (4) the review by the Department of Health of the proposed test;  
22 and

23 (5) the acquisition of equipment necessary to implement the  
24 expanded screening tests by the State's Newborn Screening  
25 Laboratory.

26 b. The Department of Health may charge a reasonable fee and  
27 any reasonable increase in this fee as necessary, for the test  
28 performed pursuant to this section. The amount of the fee and the  
29 procedures for collecting the fee shall be determined by the  
30 Commissioner of Health.

31

32 2. a. The Commissioner of Health shall establish a public  
33 awareness campaign to educate pregnant persons about  
34 cytomegalovirus (CMV) and cCMV and the value of early detection  
35 of, interventions for, and possible treatments for, CMV and cCMV.

36 b. The commissioner, in establishing the public awareness  
37 campaign, shall develop outreach efforts and provide information  
38 and educational materials to pregnant persons on CMV and cCMV  
39 including, but not limited to:

40 (1) the cause and nature of CMV and cCMV;

41 (2) diagnostic procedures and appropriate indications for their  
42 use;

43 (3) lifestyle issues relating to how a pregnant person can pass  
44 cCMV to a developing fetus; and

45 (4) the availability of CMV and cCMV diagnostic and treatment  
46 services in the community.

1 c. The commissioner shall prepare, and make available on the  
2 Department of Health's Internet website, in English and Spanish,  
3 and in a manner that is easily understandable by a pregnant person,  
4 information about the symptoms and treatment of CMV and cCMV  
5 and any other information that the commissioner deems to be  
6 necessary. This information may be revised by the department  
7 whenever new information about CMV and cCMV becomes  
8 available.

9  
10 3. The Commissioner of Health shall adopt rules and  
11 regulations, pursuant to the "Administrative Procedure Act,"  
12 P.L.1968, c.410 (C.52:14B-1 et seq.), necessary to carry out the  
13 purposes of this act.

14  
15 4. This act shall take effect immediately.

#### 16 17 18 STATEMENT

19  
20 This bill requires all infants born in the State to be tested for  
21 congenital cytomegalovirus infection (cCMV). The testing  
22 requirement will be contingent on the development and approval by  
23 both federal and State authorities of a cCMV test and the State  
24 acquiring the equipment necessary to conduct the test as part of its  
25 existing newborn screening program.

26 Cytomegalovirus (CMV) is a common viral infection that is  
27 spread through bodily fluids like saliva, blood, semen, urine and  
28 breast milk. The virus is mostly harmless and rarely causes illness.  
29 If a pregnant person is infected with CMV, that person can pass it to  
30 a developing infant, causing the cCMV infection. The virus affects  
31 one in every 200 newborns, or approximately 30,000 infants born  
32 each year, making it the most common congenital viral infection in  
33 the United States. Furthermore, one in every five children born  
34 with cCMV will develop permanent health problems, and as many  
35 as 400 infants die every year as a result of the disease.

36 The bill stipulates that the Commissioner of Health may charge a  
37 reasonable fee, as determined by the Commissioner of Health, and  
38 any reasonable increase in this fee as necessary, for the test  
39 performed pursuant to the bill.

40 The bill also requires the commissioner to establish a public  
41 awareness campaign to educate pregnant persons about  
42 cytomegalovirus (CMV) and cCMV and the value of early detection  
43 of, interventions for, and possible treatments for, CMV and cCMV.

44 The program is provide information and educational materials to  
45 pregnant persons on CMV and cCMV including, but not limited to:  
46 (1) the cause and nature of CMV and cCMV; (2) diagnostic  
47 procedures and appropriate indications for their use; (3) lifestyle  
48 issues relating to how a pregnant person can pass cCMV to a

1 developing fetus; and (4) the availability of CMV and cCMV  
2 diagnostic and treatment services in the community.

3 The commissioner is to prepare, and make available on the  
4 DOH's Internet website, in English and Spanish, and in a manner  
5 that is easily understandable by a pregnant person, information  
6 about the symptoms and treatment of CMV and cCMV and any  
7 other information that the commissioner deems to be necessary.  
8 This information may be revised by the DOH whenever new  
9 information about CMV and cCMV becomes available.