

[Second Reprint]

**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)**

**Assemblyman DANIEL R. BENSON**

**District 14 (Mercer and Middlesex)**

**Assemblywoman VALERIE VAINIERI HUTTLE**

**District 37 (Bergen)**

**Assemblyman WAYNE P. DEANGELO**

**District 14 (Mercer and Middlesex)**

**Co-Sponsored by:**

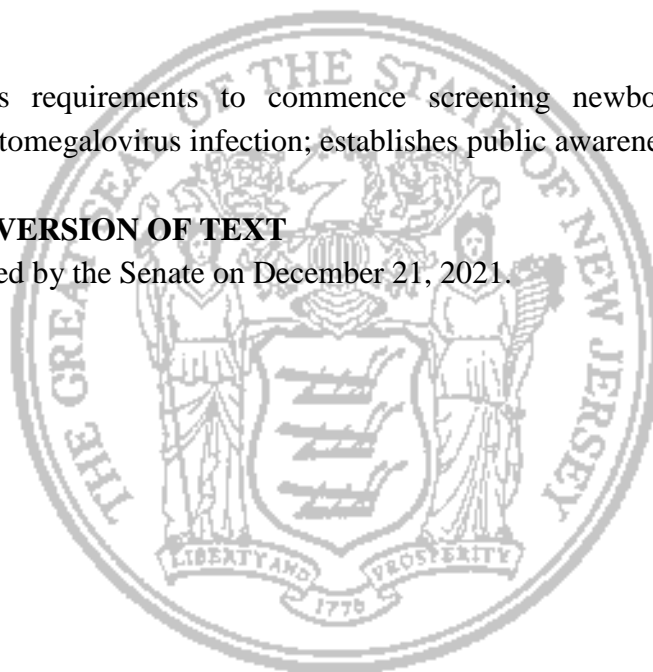
**Senator Pou, Assemblywomen Murphy, Speight and Jasey**

**SYNOPSIS**

Establishes requirements to commence screening newborn infants for congenital cytomegalovirus infection; establishes public awareness campaign.

**CURRENT VERSION OF TEXT**

As amended by the Senate on December 21, 2021.



**(Sponsorship Updated As Of: 1/10/2022)**

1 AN ACT concerning screening newborn infants for congenital  
 2 cytomegalovirus infection and supplementing <sup>1</sup>【Title 26 of the  
 3 Revised Statutes】 P.L.1977, c.321 (C.26:2-110)<sup>1</sup> .

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) <sup>2</sup>, unless an infant's parent or legal  
 10 guardian opts out of testing,<sup>2</sup> beginning six months following the  
 11 occurrence of all of the following:

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

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

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

22 (4) the <sup>1</sup>【review by the Department of Health of the proposed test】  
 23 recommendation by the Newborn Screening Advisory Review  
 24 Committee established pursuant to section 2 of P.L.2019, c.296  
 25 (C.26:2-110a) that the test be included in the State Newborn Screening  
 26 Program;

27 (5) the Commissioner of Health's approval to include the test in  
 28 the State's Newborn Screening Program, which approval shall be  
 29 based on the recommendations of the Newborn Screening Advisory  
 30 Review Committee<sup>1</sup>; and

31 <sup>1</sup>【(5)】 (6)<sup>1</sup> the acquisition of equipment necessary to implement  
 32 the expanded screening tests by the State's Newborn Screening  
 33 Laboratory.

34 b. The Department of Health may charge a reasonable fee <sup>1</sup>【and  
 35 any reasonable increase in this fee as necessary,】<sup>1</sup> for the test  
 36 performed pursuant to this section <sup>1</sup>in such amount as shall be  
 37 determined by the Commissioner of Health, and may periodically  
 38 increase the fee by any reasonable amount as the commissioner  
 39 determines to be necessary<sup>1</sup> . The <sup>1</sup>【amount of the fee and the】<sup>1</sup>  
 40 procedures for collecting the fee shall be determined by the  
 41 <sup>1</sup>【Commissioner of Health】 commissioner<sup>1</sup> .

EXPLANATION – Matter enclosed in bold-faced brackets 【thus】 in the above bill is  
 not enacted and is intended to be omitted in the law.

Matter underlined thus is new matter.

Matter enclosed in superscript numerals has been adopted as follows:

<sup>1</sup>Senate SHH committee amendments adopted November 8, 2021.

<sup>2</sup>Senate floor amendments adopted December 21, 2021.

- 1       2. a. The Commissioner of Health shall establish a public  
2 awareness campaign to educate pregnant persons about  
3 cytomegalovirus (CMV) and cCMV and the value of early detection  
4 of, interventions for, and possible treatments for, CMV and cCMV.  
5       b. The commissioner, in establishing the public awareness  
6 campaign, shall develop outreach efforts and provide information  
7 and educational materials to pregnant persons on CMV and cCMV  
8 including, but not limited to:  
9       (1) the cause and nature of CMV and cCMV;  
10       (2) diagnostic procedures and appropriate indications for their  
11 use;  
12       (3) lifestyle issues relating to how a pregnant person can pass  
13 cCMV to a developing fetus; and  
14       (4) the availability of CMV and cCMV diagnostic and treatment  
15 services in the community.  
16       c. The commissioner shall prepare, and make available on the  
17 Department of Health's Internet website, in English and Spanish,  
18 and in a manner that is easily understandable by a pregnant person,  
19 information about the symptoms and treatment of CMV and cCMV  
20 and any other information that the commissioner deems to be  
21 necessary. This information may be revised by the department  
22 whenever new information about CMV and cCMV becomes  
23 available.  
24  
25       3. The Commissioner of Health shall adopt rules and  
26 regulations, pursuant to the "Administrative Procedure Act,"  
27 P.L.1968, c.410 (C.52:14B-1 et seq.), necessary to carry out the  
28 purposes of this act.  
29  
30       4. This act shall take effect immediately.