

ASSEMBLY, No. 5070

STATE OF NEW JERSEY 220th LEGISLATURE

INTRODUCED JANUARY 19, 2023

Sponsored by:

Assemblyman HERB CONAWAY, JR.

District 7 (Burlington)

Assemblyman STERLEY S. STANLEY

District 18 (Middlesex)

Assemblywoman SHANIQUE SPEIGHT

District 29 (Essex)

SYNOPSIS

Establishes act of disseminating misinformation as professional misconduct for health care professionals.

CURRENT VERSION OF TEXT

As introduced.



(Sponsorship Updated As Of: 2/6/2023)

1 AN ACT concerning health misinformation and supplementing Title
2 45 of the Revised Statutes.

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

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7 1. a. A health care professional who engages in the
8 dissemination of misinformation or disinformation shall be deemed
9 to have engaged in professional misconduct in violation of
10 subsection e. of section 8 of P.L.1978, c.73 (C.45:1-21) and shall be
11 subject to disciplinary action pursuant to P.L.1978, c.73 (C.45:1-14
12 et seq.).

13 b. Each board shall establish by rule or regulation:

14 (1) the general causes which constitute grounds for professional
15 misconduct and disciplinary action pursuant to subsection a. of this
16 section; and

17 (2) the appropriate disciplinary actions that may be taken against
18 a health care professional based on the extent of the dissemination
19 of misinformation or disinformation.

20 c. As used in this section:

21 “Board” mean any professional or occupational licensing board
22 designated pursuant to section 2 of P.L. 1978, c.73 (C.45:1-15) that
23 licenses or certifies health care professionals in this State.

24 “Disinformation” means misinformation that is deliberately
25 disseminated with malicious intent or an intent to mislead.

26 “Disseminate” means the conveyance of information, in the form
27 of treatment or advice, by a health care professional to a patient
28 under the health care professional’s care.

29 “Health care professional” means an individual licensed or
30 certified to practice health care pursuant to Title 45 of the Revised
31 Statutes.

32 “Misinformation” means any health-related claim of fact that is
33 false and contradicted by contemporary scientific consensus
34 contrary to the standard of care.

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36 2. This act shall take effect immediately.

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STATEMENT

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41 This bill establishes the act of disseminating misinformation or
42 disinformation by a health care professional as an act of
43 professional misconduct subject to disciplinary action. It is the
44 sponsor’s intent that this legislation will help combat health
45 misinformation and curb the spread of falsehoods that threaten the
46 health and safety of New Jersey residents.

47 The bill defines “disseminate” to mean the conveyance of
48 information, in the form of treatment or advice, from a health care

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1 professional to a patient under the health care professional's care.
2 "Misinformation" means any health-related claim of fact that is
3 false and contradicted by contemporary scientific consensus
4 contrary to the standard of care. "Disinformation" means
5 misinformation that is deliberately disseminated with malicious
6 intent or an intent to mislead.