

[First Reprint]
SENATE, No. 3240

STATE OF NEW JERSEY
220th LEGISLATURE

INTRODUCED OCTOBER 27, 2022

Sponsored by:
Senator JOSEPH F. VITALE
District 19 (Middlesex)

SYNOPSIS

Requires automatic registration with New Jersey Immunization Information System upon administration of vaccine for certain persons who consent to registration.

CURRENT VERSION OF TEXT

As reported by the Senate Health, Human Services and Senior Citizens Committee on December 15, 2022, with amendments.



1 AN ACT concerning vaccinations and amending P.L.2004, c.138.

2

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

5

6 1. Section 4 of P.L.2004, c.138 (C.26:4-134) is amended to read as
7 follows:

8 4. a. There is established a Statewide automated and electronic
9 immunization registry, to be designated as the New Jersey
10 Immunization Information System, in the Department of Health. The
11 registry shall be designed to serve as a single repository of
12 immunization records to aid, coordinate, and help promote effective
13 and cost-efficient disease screening, prevention, and control efforts in
14 the State.

15 b. (1) A newborn infant in New Jersey, who is born on or after
16 January 1, 1998, shall be enrolled in the registry immediately
17 following birth unless the parent or legal guardian of the infant
18 provides a written request to not participate in the registry.

19 (2) A ¹**child** New Jersey resident¹ born prior to January 1, 1998
20 may be enrolled in the registry at the ¹**parent's or legal guardian's**
21 person's¹ written request.

22 (3) ¹**Any** A¹ person not currently enrolled in the registry shall
23 be enrolled at the time the person is administered an immunization,
24 unless the person or the person's parent or legal guardian, in the case
25 of a person who is younger than 18 years of age, provides a written
26 request to not participate in the registry.

27 ¹(4) During a declared public health emergency, state of
28 emergency, or an outbreak, or the immediate threat of an outbreak, of
29 a communicable disease, as declared by the Commissioner of Health,
30 the Commissioner of Health may deny an individual's request to
31 disenroll from the registry or to not participate in the registry for one
32 or more vaccines for a specified period of time in order to track the
33 administration and uptake of vaccinations.¹

34 c. Access to the information in the registry shall be limited to:
35 health care providers, schools, colleges, licensed child care centers,
36 and public agencies, and private organizations as determined by
37 regulation of the commissioner. A registrant, or the registrant's parent
38 or legal guardian if the registrant is a minor, shall have access to the
39 registrant's immunization and other preventive health screening
40 information in the registry.

41 d. The information contained in the registry shall be used for the
42 following purposes:

43 (1) to help ensure that registrants receive all recommended
44 immunizations in a timely manner by providing access to the
45 registrants' immunization records;

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:

¹Senate SHH committee amendments adopted December 15, 2022.

1 (2) to help improve immunization rates by providing notice to
2 registrants of overdue or upcoming immunizations; and

3 (3) to help control communicable diseases by assisting in the
4 identification of persons who require immediate immunization in the
5 event of a vaccine-preventable disease outbreak.

6 e. The authentic immunization and other preventive health
7 screening record of a child, which shall consist of a paper or electronic
8 copy of the registry entry that is a true and accurate representation of
9 the information contained therein, obtained from the registry shall be
10 accepted as a valid immunization and preventive health screening
11 record of the registrant for the purpose of meeting immunization and
12 preventive health screening documentation requirements for admission
13 to a school, college, or licensed child care center.

14 f. A health care provider shall not discriminate in any way
15 against a person solely because the person elects not to participate in
16 the registry.

17 g. An authorized user granted access as provided in subsection c.
18 of this section shall only access information in the registry on a
19 specific patient or client who is presently receiving services, is under
20 the user's care or is within the applicable governmental health
21 authority's jurisdiction.

22 h. An agency, organization, or other entity authorized to access
23 information in the registry shall not use any report made by a health
24 care provider pursuant to this act in any punitive manner against the
25 provider.

26 i. The commissioner, in consultation with the Public Health
27 Council, shall adopt rules and regulations, pursuant to the
28 "Administrative Procedure Act," P.L.1968, c.410 (C.52:14B-1 et seq.),
29 to effectuate the purposes of this act, including, but not limited to:

30 (1) the establishment and maintenance of the registry;

31 (2) the methods for submitting, and the content of, reports of
32 immunizations to the registry, for which purpose the commissioner
33 shall provide, to the maximum extent practicable, for reporting options
34 to facilitate compliance with the requirements of subsection b. of this
35 section;

36 (3) procedures for the birth hospital of a newborn infant or health
37 care provider, as applicable, to inform the parent or legal guardian of a
38 newborn infant or minor of the purpose of the registry and its potential
39 uses by parties having authorized access to registry information, and
40 the content of that information;

41 (4) procedures for a registrant, or the registrant's parent or legal
42 guardian if the registrant is a minor, to review and correct information
43 contained in the registry;

44 (5) procedures for the parent or legal guardian of a newborn infant
45 or minor, or a person over 18 years of age, to request to not participate
46 in the registry at any time and to remove or inactivate information
47 from the registry;

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- 1 (6) limits on, and methods of, access to the registry by those
2 authorized pursuant to subsection c. of this section;
- 3 (7) procedures for health insurers to obtain immunization
4 information from the registry concerning only their covered persons,
5 as well as summary statistics, which information or statistics shall not
6 be used or disclosed for any other purpose than to:
- 7 (a) improve patient care;
- 8 (b) provide quality assurance to employers purchasing group
9 coverage and to health care providers;
- 10 (c) improve outreach and education efforts with respect to their
11 covered persons and health care providers; and
- 12 (d) monitor and improve quality of care standards as developed by
13 professional organizations, accreditation agencies and government
14 agencies in collaboration with the department; and
- 15 (8) procedures for the department to disseminate statistical
16 information and supporting commentary.
17 (cf: P.L.2012, c.17, s.340)
- 18
- 19 2. This act shall take effect immediately.