

**ASSEMBLY, No. 1523**

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**STATE OF NEW JERSEY**

**221st LEGISLATURE**

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PRE-FILED FOR INTRODUCTION IN THE 2024 SESSION

**Sponsored by:**

**Assemblyman GERRY SCHARFENBERGER**

**District 13 (Monmouth)**

**Assemblywoman VICTORIA A. FLYNN**

**District 13 (Monmouth)**

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**Assemblywoman Fantasia**

**SYNOPSIS**

Prohibits automatic registration with New Jersey Immunization Information System.

**CURRENT VERSION OF TEXT**

Introduced Pending Technical Review by Legislative Counsel.



**(Sponsorship Updated As Of: 1/29/2024)**

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  
7 read as 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.  
11 The 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  
14 in the State.

15 b. (1) A newborn infant in New Jersey, who is born on or after  
16 **January 1, 1998** the effective date of P.L. , c. (C. )  
17 (pending before the Legislature as this bill), shall be enrolled in the  
18 registry **immediately following birth unless** only upon the written  
19 request of the parent or legal guardian of the infant **provides a**  
20 **written request to not participate in the registry**.

21 (2) A child born prior to January 1, 1998 may be enrolled in the  
22 registry **at** only upon the parent's or legal guardian's written  
23 request.

24 (3) Notwithstanding any law, rule, or regulation to the contrary,  
25 an individual shall only be enrolled in the registry upon the written  
26 request of the individual or the individual's parent or legal  
27 guardian, in case of an individual who is younger than 18 years or  
28 age.

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

36 d. The information contained in the registry shall be used for  
37 the following purposes:

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

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

43 (3) to help control communicable diseases by assisting in the  
44 identification of persons who require immediate immunization in

**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.**

1 the event of a vaccine-preventable disease outbreak.

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

11 f. A health care provider shall not discriminate in any way  
12 against a person solely because the person elects not to participate  
13 in the registry.

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

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

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

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

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

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

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

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

46 (6) limits on, and methods of, access to the registry by those  
47 authorized pursuant to subsection c. of this section;

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

17  
18 2. This act shall take effect immediately.  
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21 STATEMENT  
22

23 This bill amends P.L.2004, c.138 to prohibit the automatic  
24 registration of individuals into the New Jersey Immunization  
25 Information System.

26 Under current law, newborn infants in New Jersey, who are born  
27 on or after January 1, 1998, are automatically enrolled into the New  
28 Jersey Immunization Information System, unless the parent or legal  
29 guardian of the infant provides a written request to not participate in  
30 the registry. This bill amends current law to instead provide that  
31 infants born on or after the effective date of this bill can only be  
32 enrolled into the registry upon the written request of the parent or  
33 legal guardian.

34 The bill provides that, in general, an individual may only be  
35 enrolled in the registry upon the written request of the individual or  
36 the individual's parent or legal guardian, in case of an individual  
37 who is younger than 18 years of age, notwithstanding any law, rule,  
38 or regulation to the contrary.