

ASSEMBLY, No. 4580

STATE OF NEW JERSEY

221st LEGISLATURE

INTRODUCED JUNE 13, 2024

Sponsored by:

Assemblyman GABRIEL RODRIGUEZ

District 33 (Hudson)

Assemblyman WILLIAM B. SAMPSON, IV

District 31 (Hudson)

Assemblywoman GARNET R. HALL

District 28 (Essex and Union)

SYNOPSIS

Enhances access to public health emergency supplies and services.

CURRENT VERSION OF TEXT

As introduced.



(Sponsorship Updated As Of: 6/17/2024)

1 AN ACT concerning public health emergency supplies and services
2 and supplementing Title 26 of the Revised Statutes.

3

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

6

7 1. As used in this act:

8 “Director” means the Director of the State Office of Emergency
9 Management.

10 “Public health emergency” means a public health emergency
11 declared pursuant to P.L.2005, c.222 (C.26:13-1 et seq.)

12 “State Office of Emergency Management” means the Office of
13 Emergency Management in the Division of State Police in the
14 Department of Law and Public Safety.

15

16 2. a. The Director of the Division of Purchase and Property in
17 the Department of the Treasury, in consultation with the State
18 Office of Emergency Management, shall award a contract or
19 contracts for the procurement of personal protective equipment for
20 the creation of a stockpile. The director may make awards to
21 multiple bidders in accordance with section 1 of P.L.1986, c.26
22 (C.52:34-12.1). The State Office of Emergency Management shall
23 have the duty of maintaining the stockpile and ensuring that the
24 stockpile is adequately stocked to meet the State’s personal
25 protective equipment needs during a public health emergency.

26 b. During a public health emergency, the State Office of
27 Emergency Management shall make the personal protective
28 equipment in the stockpile available to the State and its political
29 subdivisions, to public New Jersey schools, State hospitals, and
30 State nursing homes without charging a fee. During a public health
31 emergency, the Director of the Division of Purchase and Property,
32 in consultation with the State Office of Emergency Management,
33 shall make the remainder of the stockpiles available for purchase by
34 other entities, both public and private, at market price. The State
35 Office of Emergency Management, in consultation with the
36 Department of Health, shall have discretion to establish orders of
37 priority for which entities may gain first access to the stockpile.

38

39 3. The Director of the State Office of Emergency Management
40 shall create, maintain, and update, an online portal, in the form of
41 an Internet website, that allows entities to donate emergency
42 supplies including, but not limited to, personal protective
43 equipment, test kit components, linens, food, isolation and
44 quarantine solutions, and laundry supplies, during a public health
45 emergency in accordance with standards and requirements as
46 determined by the office.

1 4. a. To the extent possible, the Director of the State Office of
2 Emergency Management shall review and streamline the State’s
3 process for procuring critical supplies and services during a public
4 health emergency.

5 b. In streamlining this procurement process, the director shall, at
6 a minimum:

7 (1) designate a primary person or agency as the point-of-contact
8 for procurement concerns during a public health emergency;

9 (2) to the extent possible, centralize the procurement process of
10 critical supplies and services during a public health emergency;

11 (3) develop a plan to temporarily surge the State’s procurement
12 capacity during a public health emergency as necessary;

13 (4) establish protocols to reduce the administrative burden of
14 procurement processes during a public health emergency;

15 (5) establish a standard procurement operating plan for public
16 health emergencies that clearly outlines leadership structures, roles,
17 and responsibilities;

18 (6) develop a comprehensive repository of emergency contracts
19 for critical supplies and services that can be utilized during a public
20 health emergency;

21 (7) revise standard procurement processes to enhance the State
22 ability to contract vendors prior to a public health emergency; and

23 (8) to the extent possible, promote collaboration between the
24 State Office of Emergency Management and the Division of
25 Purchase and Property in the Department of the Treasury.

26

27 5. The State Office of Emergency Management may adopt rules
28 and regulations, pursuant to the “Administrative Procedure Act,”
29 P.L.1968, c.410 (C.52:14B-1 et seq.), as may be necessary to
30 effectuate the purposes of this section.

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32 6. This act shall take effect immediately.

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STATEMENT

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37 This bill increases the State’s access to public health emergency
38 supplies and services.

39 The bill establishes a State stockpile for personal protective
40 equipment. The Director of the Division of Purchase and Property
41 in the Department of the Treasury, in consultation with the State
42 Office of Emergency Management (OEM), will award a contract or
43 contracts for the procurement of personal protective equipment for
44 the creation of a stockpile. OEM will have the duty of maintaining
45 the stockpile and ensuring that the stockpile is adequately stocked
46 to meet the State’s personal protective equipment needs during a
47 public health emergency.

1 During a public health emergency, OME will make the personal
2 protective equipment in the stockpile available to the State and its
3 political subdivisions, to public New Jersey schools, State hospitals,
4 and State nursing homes without charging a fee. During a public
5 health emergency, the Director of the Division of Purchase and
6 Property in the Department of the Treasury, in consultation with the
7 OME, will make the remainder of the stockpiles available for
8 purchase by other entities at market price. OME, in consultation
9 with the Department of Health, will have discretion to establish
10 orders of priority for which entities may gain first access to the
11 stockpile.

12 The bill requires the Director (director) of OEM to create,
13 maintain, and update, an online portal, in the form of an Internet
14 website, that allows entities to donate emergency supplies during a
15 public health emergency in accordance with standards and
16 requirements as determined by OEM.

17 The bill requires the director, to the extent possible, to review
18 and streamline the State's process for procuring critical supplies
19 and services during a public health emergency. In streamlining this
20 procurement process, the director will, at a minimum:

21 (1) designate a primary person or agency as the point-of-contact
22 for procurement concerns during a public health emergency;

23 (2) to the extent possible, centralize the procurement process of
24 critical supplies and services during a public health emergency;

25 (3) develop a plan to temporarily surge the State's procurement
26 capacity during a public health emergency as necessary;

27 (4) establish protocols to reduce the administrative burden of
28 procurement processes during a public health emergency;

29 (5) establish a standard procurement operating plan for public
30 health emergencies that clearly outlines leadership structures, roles,
31 and responsibilities;

32 (6) develop a comprehensive repository of emergency contracts
33 for critical supplies and services that can be utilized during a public
34 health emergency;

35 (7) revise standard procurement processes to enhance the State
36 ability to contract vendors prior to a public health emergency; and

37 (8) to the extent possible, promote collaboration between OEM
38 and the Division of Purchase and Property.