ASSEMBLY, No. 5156

STATE OF NEW JERSEY

222nd LEGISLATURE

INTRODUCED MAY 28, 2026

Sponsored by:
Assemblyman STERLEY S. STANLEY
District 18 (Middlesex)

SYNOPSIS

Establishes registration and operational requirements for retail health clinics and urgent care facilities.

CURRENT VERSION OF TEXT

As introduced.

AN ACT concerning retail health clinics and urgent care facilities and supplementing Title 26 of the Revised Statutes.

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

1. a. As used in this act:

"Chief customer service officer" means the individual at a retail health clinic or urgent care facility who serves as the point of contact for consumer complaints, appeals, and inquiries.

"Commissioner" means the Commissioner of Health.

"Department" means the Department of Health.

"Health care professional" means a physician, physician assistant, nurse, or other health care professional whose professional practice is regulated pursuant to Title 45 of the Revised Statutes.

"Medical supervisor" means a physician licensed in New Jersey who is responsible for overseeing all health care services provided at a retail health clinic or urgent care facility. A person may simultaneously serve as operational supervisor and medical supervisor at a retail health clinic or urgent care facility, provided the person does not have a supervisory role at more than three retail health clinics or urgent care facilities.

"Operational supervisor" means the person responsible for overseeing the overall and day-to-day operations of a retail health clinic or urgent care facility. A person may simultaneously serve as operational supervisor and medical supervisor at a retail health clinic or urgent care facility, provided the person does not have a supervisory role at more than three retail health clinics or urgent care facilities.

"Retail health clinic" means a health care facility located within a retail store, supermarket, pharmacy, or similar retail outlet that offers episodic, walk-in care for a limited set of acute conditions. Health care services provided at a retail health clinic shall be limited to preventative and wellness care, vaccine administration, and related services.

"Urgent care facility" means a health care facility that offers episodic, walk-in care for the treatment of acute, but not life-threatening, health conditions.

b. Each retail health clinic and urgent care facility operating in the State that is not otherwise licensed as an ambulatory care facility shall register with the department on an annual basis. The clinic or facility shall submit, as part of its annual registration, the following information: the registrant's location and hours of operation; the names of the registrant's medical supervisor, operational supervisor, and chief customer service officer; the names of any health care professionals employed by or affiliated with the registrant; the nature and scope of the health care services

provided and the conditions treated at the clinic or facility; and any other information as may be required by the department. Registry information for retail health clinics and urgent care facilities shall be made available on the department's Internet website.

c. The operational supervisor of each retail health clinic or urgent care facility registered pursuant to this section shall be responsible for ensuring the clinic or facility is compliant with all State and federal requirements regarding: patient privacy and confidentiality of patient information; creation, maintenance, security, retention, and access to medical records, including making records available to patients and primary care providers consistent with the provisions of subsection d. of this section; ensuring proper credentialing of health care professionals employed by or professionally affiliated with the clinic or facility; vaccine reporting requirements; and prohibitions against making self-interested referrals and engaging in unlawful patient steering practices.

d. (1) A retail health clinic or urgent care facility shall, upon request by the patient or a person authorized to make health care decisions on behalf of the patient, forward a copy of the patient's treatment record to the patient's primary care provider. Records forwarded to the patient's primary care provider may be transmitted in any form that can be accessed by the primary care provider, including, but not limited to, mail, facsimile, electronic mail, or an electronic health records system. Records forwarded to a primary care provider shall be transmitted no later than five days after the date the request is made or the date the results of any testing performed as part of the provision of health care services to the patient become available, whichever is later.

(2) A retail health clinic or urgent care facility shall, upon request by the patient or a person authorized to make health care decisions on behalf of the patient, make a copy of the patient's treatment record available to the patient no later than 24 hours after the request is made. If the treating professional states, in writing, that providing the patient with a copy of the record is not medically advisable, the record shall be provided to a person authorized to make health care decisions on behalf of the patient.

(3) A retail health clinic or urgent care facility shall not charge a fee for furnishing or forwarding copies of patient treatment records that exceed the actual costs incurred by the clinic or facility in furnishing or forwarding the record.

e. Each patient who receives health care services at a retail health clinic or urgent care facility shall be urged by the treating professional to follow up with the patient's primary care provider. If the patient does not have a primary care provider, the retail health clinic or urgent care facility shall offer to assist the patient in locating a primary care provider.

f. Except in emergent circumstances, retail health clinics and urgent care facilities shall not provide health care services to

individuals younger than 18 years of age or to individuals currently enrolled in the Medicaid or NJ FamilyCare programs.

g. The operational supervisor of each retail health clinic and urgent care facility shall insure that a written summary of the rights set forth in section 2 of this act be given to the patient or to the person authorized to make health care decisions on behalf of the patient prior to the provision of health care services, and that a written notice listing these rights is posted in a conspicuous place in the clinic or facility.

2. Every person receiving health care services at a retail health clinic or urgent care facility shall have the right:

a. To considerate and respectful care consistent with sound nursing and medical practices, which shall include being informed of the name and licensure status of any health care professional or staff member who examines, observes, or treats the patient;

b. To obtain from the treating professional complete, current information concerning the patient’s diagnosis, treatment, and prognosis in terms the patient can reasonably be expected to understand. When it is not medically advisable to give this information to the patient, it shall be made available to a person authorized to make health care decisions on behalf of the patient;

c. To receive from the treating professional information necessary to give informed consent prior to the start of any procedure or treatment and which, except for those emergency situations not requiring informed consent, shall include, at a minimum, explanations of: the specific procedure or treatment to be provided; the medically significant risks involved; the possible duration of incapacitation, if any; and the significance of the patient's informed consent. The patient shall be advised of any medically significant alternatives for care or treatment; however, this does not include experimental treatments that are not yet accepted by the medical establishment;

d. To refuse treatment to the extent permitted by law and to be informed of the medical consequences of refusing treatment;

e. To privacy to the extent consistent with providing adequate medical care to the patient. This shall not preclude discussion of a patient's case or examination of a patient by appropriate health care professionals and staff members;

f. To privacy and confidentiality of all records pertaining to the patient's treatment, except as otherwise provided by law or third party payment contract, and to be provided with access to, and a copy of, those records upon request as provided in subsection d. of section 1 of this act;

g. To expect that, within its capacity, the retail health clinic or urgent care facility will make reasonable efforts to respond to the patient's request for services;

h. To be informed by the treating professional of any continuing health care requirements which may follow the provision of services and to receive assistance from the treating professional and appropriate staff in arranging for required follow-up care;

i. To be advised of any significant beneficial interests held by the retail health clinic or urgent care facility in any service which may be recommended for the patient or to which the patient may be referred, including any referrals to a primary care provider furnished pursuant to subsection e. of section 1 of this act;

j. To examine and receive an explanation of the patient's bill, regardless of source of payment, and to receive information or be advised on the availability of sources of financial assistance to help pay for the patient's care, as necessary;

k. To expect reasonable continuity of care;

l. To be advised of any rules or requirements of the retail health clinic or urgent care facility applicable to the patient's conduct as a patient; and

m. To treatment without discrimination as to race, age, religion, sex, national origin, or source of payment.

3. The Commissioner of Health shall, pursuant to the "Administrative Procedure Act," P.L.1968, c.410 (C.52:14B-1 et seq.), adopt rules and regulations to implement the provisions of this act, which may include, but shall not be limited to, requirements regarding the nature, scope, and specific health care services that may be provided at retail health clinics and urgent care facilities and any additional standards and requirements for the operation of retail health clinics and urgent care facilities as may be appropriate.

4. This act shall take effect 90 days after the date of enactment.

STATEMENT

This bill establishes an annual registration requirement and certain operational requirements for retail health clinics and urgent care facilities. Retail health clinics are health care facilities that are located within a retail store, supermarket, pharmacy, or similar retail outlet that offer walk-in services limited to preventative and wellness care, vaccine administration, and related services. Urgent care facilities are health care facilities that offer episodic, walk-in care for the treatment of acute, but not life-threatening, health conditions.

Each retail health clinic and urgent care facility that is not otherwise licensed as an ambulatory care facility will be required to register with the Department of Health on an annual basis. The clinic or facility will be required to submit with its annual

registration information concerning: its location and hours of operation; the names of its medical supervisor, operational supervisor, and chief customer service officer; the names of any health care professionals employed by or affiliated with the clinic or facility; the nature and scope of health care services provided and conditions treated at the clinic or facility; and any other information as may be required by the department. Registry information for retail health clinics and urgent care facilities will be made available on the department's Internet website.

The operational supervisor of each clinic or facility will be responsible for ensuring the clinic or facility is compliant with all State and federal requirements regarding patient privacy and the confidentiality of patient information, medical records, proper credentialing of affiliated health care professionals, vaccine reporting requirements, and prohibitions against self-interested referrals and patient steering practices. The medical supervisor of each clinic or facility is responsible for overseeing all health care services provided at a retail health clinic or urgent care facility. A person may simultaneously serve as operational supervisor and medical supervisor at a retail health clinic or urgent care facility, provided the person does not have a supervisory role at more than three retail health clinics or urgent care facilities. Each retail health clinic and urgent care facility is to have a chief customer service officer, who will serve as the point of contact for consumer complaints, appeals, and inquiries.

Retail health clinics and urgent care facilities will be required to make the patient's treatment record available to the patient upon request, and to furnish a copy to the patient's primary care provider upon request. Records are to be forwarded to the patient's primary care provider no later than five days after the request is made or any related testing is completed, whichever is later, and may be transmitted in any form that can be accessed by the primary care provider. The fees charged for furnishing or forwarding copies of the patient's treatment record are not to exceed the actual costs of providing the records. If the treating professional indicates in writing that it is not medically advisable to provide a copy of the medical record to the patient, the record will be provided to a person authorized to make health care decisions on the patient's behalf.

Patients receiving health care services at a retail health clinic or urgent care facility are to be urged by the treating professional to follow up with the patient's primary care provider. If the patient does not have a primary care provider, the retail health clinic or urgent care facility will be required to offer to assist the patient in locating a primary care provider.

Except in emergent circumstances, retail health clinics and urgent care facilities will be prohibited from providing health care services to individuals younger than 18 years of age or to

individuals currently enrolled in the Medicaid or NJ FamilyCare programs.

The bill establishes an enumerated list of patient rights. The operational supervisor of each retail health clinic and urgent care facility will be required to insure that a written summary of these rights is given to the patient or the person authorized to make health care decisions on behalf of the patient prior to the provision of health care services, and that a written notice listing these rights is posted in a conspicuous place in the clinic or facility.

The commissioner will be permitted to adopt rules and regulations concerning retail health clinics and urgent care facilities, including requirements regarding the nature, scope, and specific health care services that may be provided at retail health clinics and urgent care facilities, as well as any additional standards and requirements for the operation of retail health clinics and urgent care facilities as may be appropriate.