

SENATE, No. 1956
STATE OF NEW JERSEY
221st LEGISLATURE

PRE-FILED FOR INTRODUCTION IN THE 2024 SESSION

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

Introduced Pending Technical Review by Legislative Counsel.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

g. An authorized user granted access as provided in subsection c. of this section shall only access information in the registry on a specific patient or client who is presently receiving services, is under the user's

care or is within the applicable governmental health authority's jurisdiction.

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

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

(1) the establishment and maintenance of the registry;

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

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

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

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

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

(7) procedures for health insurers to obtain immunization information from the registry concerning only their covered persons, as well as summary statistics, which information or statistics shall not be used or disclosed for any other purpose than to:

(a) improve patient care;

(b) provide quality assurance to employers purchasing group coverage and to health care providers;

(c) improve outreach and education efforts with respect to their covered persons and health care providers; and

(d) monitor and improve quality of care standards as developed by professional organizations, accreditation agencies and government agencies in collaboration with the department; and

(8) procedures for the department to disseminate statistical information and supporting commentary.

(cf: P.L.2012, c.17, s.340)

2. This act shall take effect immediately.

STATEMENT

This bill requires automatic registration with the New Jersey Immunization Information System (NJIS) upon the administration of a vaccine for persons who are not currently registered with the NJIS and unless the person or the person's parent or legal guardian, in the case of a person younger than 18 years of age, provides a written request not to participate in the registry.

The NJIS is a Statewide database that maintains records of individual vaccination histories. Individuals

born after January 1, 1998 are automatically included in the registry, unless the individual's parent or guardian provides a written request that the person not be included in the registry; individuals born prior to January 1, 1998 may be included in the registry at the individual's written request.

This bill requires any person who is not currently enrolled in the registry to be automatically enrolled at the time the person is administered a vaccine, unless the person or the person's parent or legal guardian, in the case of a person younger than 18 years of age, provides a written request not to participate in the registry.

The bill provides that during a declared public health emergency, state of emergency, or an outbreak, or the immediate threat of an outbreak, of a communicable disease, as declared by the Commissioner of Health, the Commissioner of Health may deny an individual's request to disenroll from the registry or to not participate in the registry for one or more vaccines for a specified period of time in order to track the administration and uptake of vaccinations.