

## CHAPTER 413

**AN ACT** concerning screening newborn infants for congenital cytomegalovirus infection and supplementing P.L.1977, c.321 (C.26:2-110).

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

C.26:2-111.9 All infants tested, congenital cytomegalovirus; opting out of testing.

1. a. All infants born in this State shall be tested for congenital cytomegalovirus infection (cCMV), unless an infant's parent or legal guardian opts out of testing, beginning six months following the occurrence of all of the following:

(1) the development of a reliable test or series of tests for screening newborns for cCMV using dried blood spots and quality assurance testing methodology for cCMV testing;

(2) the availability of quality assurance materials for the cCMV test from the federal Centers for Disease Control and Prevention;

(3) the inclusion of newborn screening for cCMV in the Recommended Uniform Screening Panel of the United States Secretary of Health and Human Services' Advisory Committee on Heritable Disorders in Newborns and Children, after the committee's evidence review of newborn screening for cCMV;

(4) the recommendation by the Newborn Screening Advisory Review Committee established pursuant to section 2 of P.L.2019, c.296 (C.26:2-110a) that the test be included in the State Newborn Screening Program;

(5) the Commissioner of Health's approval to include the test in the State's Newborn Screening Program, which approval shall be based on the recommendations of the Newborn Screening Advisory Review Committee; and

(6) the acquisition of equipment necessary to implement the expanded screening tests by the State's Newborn Screening Laboratory.

b. The Department of Health may charge a reasonable fee for the test performed pursuant to this section in such amount as shall be determined by the Commissioner of Health, and may periodically increase the fee by any reasonable amount as the commissioner determines to be necessary. The procedures for collecting the fee shall be determined by the commissioner.

C.26:2-111.10 Public awareness campaign established.

2. a. The Commissioner of Health shall establish a public awareness campaign to educate pregnant persons about cytomegalovirus (CMV) and cCMV and the value of early detection of, interventions for, and possible treatments for, CMV and cCMV.

b. The commissioner, in establishing the public awareness campaign, shall develop outreach efforts and provide information and educational materials to pregnant persons on CMV and cCMV including, but not limited to:

(1) the cause and nature of CMV and cCMV;

(2) diagnostic procedures and appropriate indications for their use;

(3) lifestyle issues relating to how a pregnant person can pass cCMV to a developing fetus; and

(4) the availability of CMV and cCMV diagnostic and treatment services in the community.

c. The commissioner shall prepare, and make available on the Department of Health's Internet website, in English and Spanish, and in a manner that is easily understandable by a pregnant person, information about the symptoms and treatment of CMV and cCMV and any other information that the commissioner deems to be necessary. This information may be revised by the department whenever new information about CMV and cCMV becomes available.

3. The Commissioner of Health shall adopt rules and regulations, pursuant to the "Administrative Procedure Act," P.L.1968, c.410 (C.52:14B-1 et seq.), necessary to carry out the purposes of this act.

4. This act shall take effect immediately.

Approved January 18, 2022.