

[Third Reprint]

ASSEMBLY, No. 1546

STATE OF NEW JERSEY
210th LEGISLATURE

PRE-FILED FOR INTRODUCTION IN THE 2002 SESSION

Sponsored by:

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District 6 (Camden)

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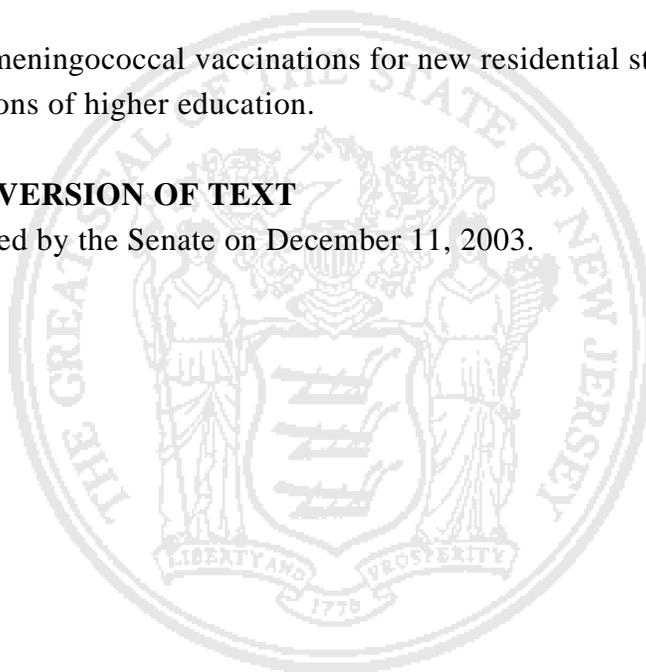
**Assemblymen Burzichelli, Cryan, Fisher, Assemblywoman Greenstein,
Assemblymen Gear, S.Kean, Sarlo, R.Smith, Stanley, Van Drew and
Senator Vitale**

SYNOPSIS

Requires meningococcal vaccinations for new residential students at four-year institutions of higher education.

CURRENT VERSION OF TEXT

As amended by the Senate on December 11, 2003.



(Sponsorship Updated As Of: 12/12/2003)

1 AN ACT requiring ¹[meningitis] meningococcal¹ vaccinations for
2 students at ¹certain¹ institutions of higher education¹, amending
3 P.L.2000, c.25¹ and supplementing Title 18A of the New Jersey
4 Statutes.

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

8
9 ¹1. Section 2 of P.L.2000, c.25 (C.18A:61D-7) is amended to read
10 as follows:

11 2. Beginning with the 2000-2001 school year, each four-year
12 public or private institution of higher education in this State, in a
13 manner prescribed by regulation of the Commissioner of Health and
14 Senior Services and consistent with the purposes of section 1 of
15 P.L.2000, c.25 (C.26:2X-1), shall:

16 a. provide information about meningitis, as well as the
17 meningococcal vaccination requirement established pursuant to section
18 2 of P.L. , c. (C.)(pending before the Legislature as this bill),
19 to all prospective students prior to their matriculation, and include
20 with that information notice of the availability and benefits of a
21 **[meningitis] meningococcal** vaccination; and

22 b. develop procedures for facilitating, receiving and recording
23 student responses to the information provided **[about meningitis and**
24 **the meningitis vaccination, including the student's decision]** pursuant
25 to subsection a. of this section, including: compliance with the
26 vaccination requirement established pursuant to section 2 of P.L. ,
27 c. (C.)(pending before the Legislature as this bill); and the
28 decision of any student who is exempted from that requirement to
29 receive the vaccination.¹

30 (cf: P.L.2000, s.25, s.2)

31
32 ¹[1.] 2. (New section)¹ a. Beginning ¹[with the 1998-99 school
33 year, every student enrolled as a full-time student] in September
34 ³[2003] 2004³, a new student enrolling in a program leading to an
35 academic degree¹ at a public or private institution of higher education
36 in this State¹, who resides in a campus dormitory.¹ shall ¹[be
37 vaccinated for meningitis] receive a meningococcal vaccination¹ as a
38 condition of attendance at that institution, except as provided in
39 section ¹[2] 3¹ of this act.

40 ¹As used in this act, "institution of higher education" means a

EXPLANATION - Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and intended to be omitted in the law.

Matter underlined thus is new matter.

Matter enclosed in superscript numerals has been adopted as follows:

¹ Assembly AHH committee amendments adopted December 16, 2002.

² Senate SHH committee amendments adopted March 10, 2003.

³ Senate floor amendments adopted December 11, 2003.

- 1 university or college that provides a four-year program of instruction.¹
- 2 b. ¹[Every student enrolled as a full-time student] A student ¹
- 3 shall present evidence of the vaccination required pursuant to
- 4 subsection a. of this section to the institution in a manner prescribed
- 5 by the institution.
- 6 c. The Department of Health and Senior Services shall require each
- 7 public or private institution of higher education in this State to offer
- 8 the vaccination required pursuant to subsection a. of this section to its
- 9 ¹[full-time]¹ students through the institution's student health services
- 10 program or through a contractual agreement with a community health
- 11 care provider¹.
- 12 d. The Commissioner of Health and Senior Services shall adopt
- 13 rules and regulations pursuant to the "Administrative Procedure Act,"
- 14 P.L.1968, c.410 (C.52:14B-1 et seq.) to carry out the purposes of
- 15 subsections a., b. and c. of this section and section ¹[2] 3¹ of this act.
- 16 ¹[e. The Student Assistance Board in but not of the Department of
- 17 the Treasury shall adopt rules and regulations to require that a public
- 18 or private institution of higher education in this State consider the cost
- 19 of the vaccination required pursuant to subsection a. of this section as
- 20 an educational cost for purposes of determining a student's eligibility
- 21 for financial aid.]¹
- 22 ²e. Nothing in this act shall be construed to require a student who
- 23 does not reside in a campus dormitory to receive a meningococcal
- 24 vaccination.²
- 25
- 26 ¹[2.] 3. (New section)¹ a. A student shall not be required to
- 27 receive a vaccination pursuant to subsection a. of section ¹[1] 2¹ of
- 28 this act based upon one of the following:
- 29 (1) a written statement submitted to the institution of higher
- 30 education by a licensed physician indicating that the vaccine is
- 31 medically contraindicated for a specific period of time and the reasons
- 32 for the medical contraindication, based upon valid medical reasons as
- 33 determined by regulation of the Commissioner of Health and Senior
- 34 Services, which shall exempt the student from the vaccination for the
- 35 stated period of time; or
- 36 (2) a written statement submitted to the institution of higher
- 37 education by the student, or the student's parent or guardian if the
- 38 student is a minor, explaining how the administration of the vaccine
- 39 conflicts with the bona fide religious tenets or practices of the student,
- 40 or the parent or guardian, as appropriate; except that a general
- 41 philosophical or moral objection to the vaccination shall not be
- 42 sufficient for an exemption on religious grounds.
- 43 b. In the event of an actual or threatened outbreak of meningitis at
- 44 a public or private institution of higher education in this State, the
- 45 institution may exclude from attendance a student who has been
- 46 exempted from the vaccination requirement of this act pursuant to

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1 subsection a. of this section, as determined by the Commissioner of
2 Health and Senior Services.

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4 ¹[3.] 4.¹ This act shall take effect immediately.