

SENATE, No. 876

STATE OF NEW JERSEY 216th LEGISLATURE

PRE-FILED FOR INTRODUCTION IN THE 2014 SESSION

Sponsored by:

Senator JOSEPH F. VITALE

District 19 (Middlesex)

Senator RICHARD J. CODEY

District 27 (Essex and Morris)

SYNOPSIS

Requires hospitals and health care professionals to offer hepatitis C testing to certain individuals.

CURRENT VERSION OF TEXT

As introduced.



(Sponsorship Updated As Of: 1/28/2014)

1 AN ACT concerning hepatitis C testing and supplementing Title 26
2 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. a. As used in this section:

8 “Hepatitis C diagnostic test” means a laboratory test that detects
9 the presence of hepatitis C virus in the blood and provides
10 confirmation of whether the individual tested has a hepatitis C
11 infection.

12 “Hepatitis C screening test” means a laboratory screening test
13 that detects the presence of hepatitis C virus antibodies in the blood.

14 b. A general hospital licensed pursuant to P.L.1971, c.136
15 (C.26:2H-1 et seq.), or a health care professional licensed pursuant
16 to Title 45 or 52 of the Revised Statutes, shall, when providing a
17 health care service to an individual who was born between 1945 and
18 1965, offer a hepatitis C screening test to that individual, unless the
19 health care professional who has primary responsibility for the
20 treatment and care of the individual reasonably believes that the
21 individual:

22 (1) is being treated for a life threatening emergency;

23 (2) has previously been offered or has been the subject of a
24 hepatitis C screening test; or

25 (3) lacks capacity to consent to a hepatitis C screening test.

26 c. If an individual accepts the offer for a hepatitis C screening
27 test and the screening test is positive, the hospital or health care
28 professional shall either offer the individual follow-up care or refer
29 the individual to a health care provider who can provide follow-up
30 care. The follow-up care shall include a hepatitis C diagnostic test.

31 d. The offering of a hepatitis C screening test under this section
32 shall be culturally and linguistically appropriate in accordance with
33 regulations promulgated by the Commissioner of Health.

34 e. This section shall not affect the scope of practice of any
35 health care professional or diminish any authority or legal or
36 professional obligation of any health care professional to offer a
37 hepatitis C screening or diagnostic test, or to provide services or
38 health care for the individual who is subject to a hepatitis C
39 screening or diagnostic test.

40 f. The Commissioner of Health shall evaluate the impact of the
41 provisions of this section with respect to the number of individuals
42 who are screened for hepatitis C and the number of individuals who
43 have accessed care following a positive test. No later than January
44 1, 2016, the Commissioner of Health shall submit a report of the
45 evaluation to the Governor, and to the Legislature pursuant to
46 section 2 of P.L.1991, c.164 (C.52:14-19.1)

- 1 from the body, most individuals with the virus do not know they are
- 2 infected and do not receive needed care and treatment. Hepatitis C
- 3 testing is therefore an important first step toward improving health
- 4 outcomes for those individuals.