

ASSEMBLY, No. 697

STATE OF NEW JERSEY

219th LEGISLATURE

PRE-FILED FOR INTRODUCTION IN THE 2020 SESSION

Sponsored by:

Assemblywoman SHAVONDA E. SUMTER

District 35 (Bergen and Passaic)

Assemblywoman VALERIE VAINIERI HUTTLE

District 37 (Bergen)

Assemblyman DANIEL R. BENSON

District 14 (Mercer and Middlesex)

SYNOPSIS

Prohibits disclosure of personal information pertaining to certain health care workers who are victims of assault; makes violation disorderly persons offense.

CURRENT VERSION OF TEXT

Introduced Pending Technical Review by Legislative Counsel.



(Sponsorship Updated As Of: 2/20/2020)

1 **AN ACT** concerning confidentiality of victim’s personal information
2 and supplementing Title 2A of the New Jersey Statutes.

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

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7 1. a. As used in this act, “public record” shall have the same
8 meaning as P.L.1963, c.73 (C.47:1A-1 et seq.).

9 b. The name, address, and identity of a health care worker who
10 is a victim of an alleged assault or aggravated assault while engaged
11 in the duties of providing direct patient care or practicing the health
12 care profession shall not appear on the indictment, complaint, or
13 any other public record if the actor is a patient or resident at the
14 health care facility and the victim is:

15 (1) a health care worker employed by a licensed health care
16 facility to provide direct patient care;

17 (2) a health care professional licensed or otherwise authorized
18 pursuant to Title 26 or Title 45 of the Revised Statutes to practice a
19 health care profession; or

20 (3) a direct care worker at a State or county psychiatric hospital
21 or State developmental center or veterans' memorial home.

22 The information shall be omitted or redacted, or initials or a
23 fictitious name shall appear instead.

24 c. Any report, statement, photograph, court document,
25 indictment, complaint or any other public record which states the
26 name, address and identity of a victim shall be confidential and
27 unavailable to the public. Unless authorized pursuant to a court
28 order, any person who purposefully discloses, releases or otherwise
29 makes available to the public any document listed in subsection a.
30 of this section which contains the name, address, and identity of a
31 victim shall be guilty of a disorderly persons offense.

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33 2. This act shall take effect immediately.

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STATEMENT

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38 This bill would prohibit the disclosure of personal information
39 pertaining to certain health care workers who are assaulted by a
40 patient or resident of a health care facility.

41 According to data from the U.S. Department of Labor, health
42 care and social service workers are almost four times as likely to be
43 injured as a result of workplace violence than the average private
44 sector worker. In 2013, the Bureau of Labor Statistics in the U.S.
45 Department of Labor reported more than 23,000 significant injuries
46 due to assault at work. More than 70 percent of these assaults were
47 in health care and social service settings.

1 This bill would prohibit personal information of certain health
2 care workers who are victims of assault from being disclosed in
3 order to prevent further violence, threats or intimidation against the
4 victim.

5 The bill prohibits the disclosure of the name, address, and
6 identity of a victim of an alleged assault or aggravated assault on an
7 indictment, complaint, or any other public record as defined in the
8 Open Public Records Act (OPRA) if the actor is a patient or
9 resident at the facility and the victim is a health care worker who
10 was providing direct patient care or practicing the health care
11 profession and is: 1) a health care worker employed by a licensed
12 health care facility to provide direct patient care; 2) a health care
13 professional licensed or otherwise authorized pursuant to Title 26 or
14 Title 45 of the Revised Statutes to practice a health care profession;
15 or 3) a direct care worker at a State or county psychiatric hospital or
16 State developmental center or veterans' memorial home. The bill
17 would require such information to be omitted or redacted, or initials
18 or a fictitious name to appear instead.

19 The bill also requires that any report, statement, photograph,
20 court document, indictment, complaint or any other public record
21 which states the name, address, and identity of a victim would be
22 confidential and unavailable to the public, unless authorized
23 pursuant to a court order. Any person who purposefully discloses,
24 releases or otherwise makes available to the public, without
25 authorization, any of these documents would be guilty of a
26 disorderly persons offense. A disorderly persons offense is
27 punishable by up to six months imprisonment, a fine of up to
28 \$1,000, or both.