

ASSEMBLY, No. 890

STATE OF NEW JERSEY

219th LEGISLATURE

PRE-FILED FOR INTRODUCTION IN THE 2020 SESSION

Sponsored by:

Assemblyman THOMAS P. GIBLIN

District 34 (Essex and Passaic)

SYNOPSIS

Directs DOH to develop plan to phase out use of latex gloves in health care facilities and food establishments.

CURRENT VERSION OF TEXT

Introduced Pending Technical Review by Legislative Counsel.



1 **AN ACT** concerning the use of latex gloves and supplementing Title
2 26 of the Revised 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. The Legislature finds and declares that:

8 a. Latex allergies are increasingly becoming a problem for
9 health care workers, patients, food service workers, and consumers
10 of food products handled with latex gloves, and is recognized as a
11 serious occupational health risk by the Food and Drug
12 Administration, the Occupational Safety and Health Administration,
13 the National Institute for Occupational Safety and Health, and the
14 Centers for Disease Control and Prevention;

15 b. When exposed to latex gloves or latex glove residue, a
16 person's reaction to latex may manifest itself through skin rashes,
17 hives, itching, swollen skin, swollen lips and tongue, shortness of
18 breath, dizziness, fainting, eye or sinus symptoms, asthma and
19 difficulty breathing, coughing spells, wheezing, shock, and even
20 death;

21 c. In 1997, the National Institute for Occupational Safety and
22 Health (NIOSH) issued an alert concerning the danger of exposure
23 to latex products and requested assistance in preventing allergic
24 reactions to natural rubber latex among workers who use gloves and
25 other products containing latex;

26 d. NIOSH recommended that workers be provided with non-
27 latex gloves to use when there is little potential contact with
28 infectious materials, such as in the food industry, as food products
29 may become adulterated when they come into direct contact with
30 latex gloves because of the residue the gloves leave behind;

31 e. In January 2008, the Occupational Safety and Health
32 Administration (OSHA) issued a Safety and Health Information
33 Bulletin concerning the potential harm to workers from natural
34 rubber latex gloves and other natural rubber products. The bulletin
35 stated that the two major routes of occupational exposure are
36 dermal contact and inhalation. Inhalation exposure can result from
37 the use of latex gloves, particularly when glove powder acts as a
38 carrier for natural rubber latex protein, which becomes airborne
39 when the gloves are donned or removed;

40 f. In its 2008 bulletin, OSHA recommended strategies for risk
41 reduction, which include the use of gloves made out of alternative
42 materials that maintain adequate barrier protection from hazardous
43 substances;

44 g. Legislation has been introduced in several states, including
45 Arizona, Maine, Massachusetts, New York, Oregon, and Rhode
46 Island, to limit or ban the use of latex gloves from health care
47 facilities and food establishments; and

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h. It is in the interest of New Jersey to join these states in banning the use of latex gloves from health care facilities and food service establishments for the health and well-being of those who suffer with allergies to latex and are exposed to latex gloves or latex glove residue.

2. The Commissioner of Health, in consultation with representatives of health care facilities licensed pursuant to P.L.1971, c.136 (C.26:2H-1 et seq.), local health agencies as defined in section 3 of P.L.1975, c.329 (C.26:3A2-3), and food establishments as defined in R.S.24:15-1, shall develop a plan to phase out the use of latex gloves in health care facilities and food establishments.

15 3. The commissioner shall submit the plan to the Governor and
16 to the Legislature, pursuant to section 2 of P.L.1991, c.164
17 (C.52:14-19.1), within 180 days of the date of enactment of this act,
18 and shall propose the plan, as a department regulation, in the New
19 Jersey Register after submitting the plan to the Governor and
20 Legislature.

22 4. This act shall take effect immediately.

STATEMENT

27 This bill directs the Commissioner of Health, in consultation
28 with representatives of health care facilities, local health agencies,
29 and food service establishments, to develop a plan to phase out the
30 use of latex gloves in licensed health care facilities and food service
31 establishments.

The bill also directs the commissioner to submit the plan to the Governor and the Legislature within 180 days of the date of enactment of the bill, and propose the plan, as a Department of Health regulation, in the New Jersey Register after submitting the plan to the Governor and Legislature.

Latex allergies are increasingly becoming a problem for health care workers, patients, food service workers, and consumers of food products handled with latex gloves; exposure to latex gloves is recognized as a serious occupational health risk by the Food and Drug Administration, the Occupational Safety and Health Administration, the National Institute for Occupational Safety and Health, and the Centers for Disease Control and Prevention. The National Institute for Occupational Safety and Health, and the Occupational Safety and Health Administration recommend that workers be provided with non-latex gloves in order to reduce the risk of causing latex sensitization and allergies.