ASSEMBLY, No. 3287

STATE OF NEW JERSEY

219th LEGISLATURE

INTRODUCED FEBRUARY 25, 2020

Sponsored by:
Assemblywoman VALERIE VAINIERI HUTTLE
District 37 (Bergen)

SYNOPSIS

Requires counties to make available voluntary medical identification cards containing relevant patient health information.

CURRENT VERSION OF TEXT

As introduced.

AN ACT concerning medical identification cards and supplementing Title 40 of the Revised Statutes.

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

1. a. The governing body of each county shall establish a procedure for county residents to voluntarily request, obtain, and update a medical identification card that meets the requirements of subsection b. of this section.

b. Medical identification cards shall be in a standard design and format as established by the Commissioner of Health, shall include a photo of the cardholder, and shall include any health or medical information that the cardholder identifies for inclusion, including, but not limited to:

(1) the cardholder's blood type;

(2) current medications;

(3) medical devices and medical implants present in the cardholder's body;

(4) allergy information, including specific medication, food, plant, and insect allergies;

(5) any illnesses or other health conditions that may impact the provision of health care or treatment to the cardholder;

(6) medication restrictions, including restrictions on the administration of narcotic drugs if the cardholder is in recovery from an alcohol or substance use disorder;

(7) contact information for the cardholder's primary care provider and emergency contacts; and

(8) any other health or medical information the cardholder identifies for inclusion.

c. Nothing in this section shall be construed to require any person to obtain a medical identification card, or to disclose any specific information in connection with a request for a new or updated medical identification card.

d. A county may charge a fee for the provision of a medical identification card, which shall not exceed the actual cost to the county of providing the card to the requester.

e. No person shall be subject to civil or criminal liability or administrative disciplinary action for any act or omission undertaken in good faith in connection with the issuance or update of a medical identification card, or in connection with the provision of medical care or treatment in reliance on the information included in a medical identification card.

f. (1) Information provided in connection with a request for a medical identification card shall be confidential, and any person who knowingly uses or discloses this information without the cardholder's consent shall be guilty of a crime of the fourth degree.

(2) A person who commits theft of a medical identification card shall be guilty of a crime of the third degree.

2. This act shall take effect 180 days after the date of enactment, except that the Department of Health and the governing bodies of each county may take any advance administrative action as may be necessary for the implementation of this act.

STATEMENT

This bill establishes requirements for counties to make medical identification cards available to county residents. Residents will be permitted, but not required, to obtain, carry, and update a card as appropriate. The cards are to include any information relevant to the provision of health care and treatment to the resident that the resident identifies and chooses for inclusion.

The medical identification cards are to be in a design and format as specified by the Commissioner of Health, include a photo of the cardholder, and include any information the cardholder chooses to provide. This information may include, but will not be limited to: the cardholder's blood type; current medications; medical devices and medical implants present in the cardholder's body; allergy information, including specific medication, food, plant, and insect allergies; any illnesses or other health conditions that may impact the provision of health care or treatment to the cardholder; medication restrictions, including restrictions on the administration of narcotic drugs if the cardholder is in recovery from an alcohol or substance use disorder; contact information for the cardholder's primary care provider and emergency contacts; and any other information the cardholder chooses to include.

Counties will be permitted to charge a fee to provide medical identification cards, which is not to exceed the actual cost to the county of providing the card.

Nothing in the bill is to be construed to require any person to obtain a medical identification card or to disclose any health or medical information in connection with a request for a new or updated medical identification card. The bill provides immunity from civil and criminal liability and administrative disciplinary action for any act or omission undertaken in good faith in connection with the issuance or update of a medical identification card, or in connection with the provision of medical care or treatment in reliance on the information included in a medical identification card.

Information provided in connection with a request for a new or updated medical identification card is to be kept confidential. Any person who knowingly uses or discloses this confidential information without the consent of the cardholder will be guilty of a

crime of the fourth degree, which is punishable by imprisonment for up to 18 months, up to a $10,000 fine, or both. Theft of a medical identification card will be a crime of the third degree, which is punishable by imprisonment for three to five years, up to a $15,000 fine, or both.