

ASSEMBLY, No. 3300

STATE OF NEW JERSEY 219th LEGISLATURE

INTRODUCED FEBRUARY 25, 2020

Sponsored by:

Assemblywoman VALERIE VAINIERI HUTTLE

District 37 (Bergen)

SYNOPSIS

Requires DOH to dispose of newborn screening specimens within 60 days after testing.

CURRENT VERSION OF TEXT

As introduced.



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1 AN ACT concerning retention of newborn screening specimens,
2 amending P.L.1977, c.321 and supplementing Title 26 of the
3 Revised Statutes.

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

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8 1. Section 2 of P.L.1977, c.321 (C.26:2-111) is amended to
9 read as follows:

10 All infants born in this State shall be tested for hypothyroidism,
11 galactosemia and phenylketonuria. The Commissioner of Health
12 shall issue regulations to assure that newborns are so tested in a
13 manner approved by the commissioner. The commissioner shall
14 ensure that treatment services are available to all identified
15 individuals. The **[State]** Department of Health may charge a
16 reasonable fee for the tests performed pursuant to this act. The
17 amount of the fee and the procedures for collecting the fee shall be
18 determined by the commissioner. The commissioner shall apply all
19 revenues collected from the fees to the testing and treatment
20 procedures performed pursuant to this act.

21 The commissioner may also require testing of newborn infants
22 for other preventable biochemical disorders if reliable and efficient
23 testing techniques are available. If the commissioner determines
24 that an additional test shall be required, 90 days prior to requiring
25 the test he shall advise the President of the Senate, Speaker of the
26 General Assembly and chairmen of the standing reference
27 committees on Revenue, Finance and Appropriations and
28 Institutions, Health and Welfare, or their successors, of his
29 determination.

30 The commissioner shall provide a program of reviewing and
31 following up on positive cases in order that measures may be taken
32 to prevent mental retardation or other permanent disabilities.

33 Information on newborn infants and their families compiled
34 pursuant to this section may be used by the department and agencies
35 designated by the commissioner for the purposes of carrying out
36 this act, but otherwise the information shall be confidential and not
37 divulged or made public so as to disclose the identity of any person
38 to which it relates, except as provided by law. All newborn
39 screening specimens shall be disposed of, in a manner prescribed by
40 the commissioner, within 60 days after testing. The department
41 shall conduct an intensive educational and training program among
42 physicians, hospitals, public health nurses and the public
43 concerning those biochemical disorders. This program shall include
44 information concerning the nature of the disorders, testing for the

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

Matter underlined thus is new matter.

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1 detection of these disorders and treatment modalities for these
2 disorders.

3 The provisions of this section shall not apply if the parents of a
4 newborn infant object to the testing on the grounds that it would
5 conflict with their religious tenets or practices.

6 (cf: P.L.1988, c.24, s.3)

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8 2. (New section) The department shall dispose of, in a manner
9 prescribed by the commissioner, all newborn screening specimens
10 stored prior to the date of enactment of this act within one year after
11 that date.

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13 3. Section 1 of this act shall take effect on the first day of the
14 third month next following the date of enactment and section 2 shall
15 take effect immediately, but the Commissioner of Health and Senior
16 Services may take such anticipatory administrative action in
17 advance thereof as shall be necessary for the implementation of this
18 act.

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STATEMENT

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23 This bill requires the Department of Health (DOH) to properly
24 dispose of newborn screening specimens within 60 days after
25 testing. Currently, DOH securely stores all newborn screening
26 specimens at ambient temperature and humidity for 23 years after
27 testing.

28 Pursuant to P.L.1977, c.321 (C.26:2-110 and 111), all infants
29 born in New Jersey are screened for biochemical disorders which
30 presently include the detection of more than 54 disorders.

31 This bill also requires DOH to dispose of all newborn screening
32 specimens currently stored by the department within one year after
33 the date of enactment of this bill.