

ASSEMBLY, No. 3635

STATE OF NEW JERSEY

219th LEGISLATURE

INTRODUCED MARCH 16, 2020

Sponsored by:

Assemblyman ERIK PETERSON

District 23 (Hunterdon, Somerset and Warren)

SYNOPSIS

Requires DOH to provide for voluntary registration of trauma scene waste management service providers and establish trauma scene waste management registry.

CURRENT VERSION OF TEXT

As introduced.



1 AN ACT concerning trauma scene waste management and
2 supplementing chapter 1E of Title 13 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. As used in this act:

8 “American Bio Recovery Association (ABRA)” means the
9 international nonprofit association that establishes technical,
10 ethical, and educational guidelines for the biohazard remediation
11 industry.

12 “ANSI/IICRC S540 Standard for Trauma and Crime Scene
13 Cleanup” means the standard for trauma and crime scene cleanup
14 that has been adopted by the non-profit Institute of Inspection
15 Cleaning and Restoration Certification.

16 “Commissioner” means the Commissioner of Health.

17 “Department” means the Department of Health.

18 “Registry” means the Trauma Scene Waste Management
19 Registry established pursuant to section 3 of this act.

20 “Trauma scene” means a site that has been soiled by, or
21 contaminated with, regulated medical waste or potentially
22 infectious material, as a result of: acts of bioterrorism; a homicide
23 or suicide; or the death of a human being in which there is advanced
24 decomposition of the body, or in which there is a potential for the
25 spread of infectious disease or a biological agent.

26 “Trauma scene waste management service provider” means a
27 commercial entity that provides for the clean-up, removal, or
28 remediation of regulated medical waste and potentially infectious
29 materials at a trauma scene in the State.

30

31 2. a. Within 120 days after the enactment of this act, the
32 Department of Health, in consultation with the Department of
33 Environmental Protection, shall establish a voluntary registration
34 program for trauma scene waste management service providers.
35 Any registration issued under the program shall be valid for a
36 period of one year, and may be renewed on an annual basis.

37 b. In order to be registered by the department, under this
38 section, as a trauma scene waste management provider, the owner
39 or principal representative of the provider organization shall hold
40 and maintain certification from the American Bio Recovery
41 Association (ABRA), and the provider organization shall:

42 (1) pay an initial registration fee of \$100 and an annual
43 registration renewal fee of \$100;

44 (2) register with the Department of Environmental Protection as
45 a medical waste generator;

46 (3) provide a written statement certifying that the provider’s
47 staff is familiar with the ANSI/IICRC S540 Standard for Trauma
48 and Crime Scene Cleanup; and

1 (4) comply with any other requirements established by the
2 department.

3 c. Applications for registration under this section shall be
4 submitted in a form and manner prescribed by the commissioner.
5

6 3. a. The commissioner shall establish and maintain an
7 electronic database, to be known as the Trauma Scene Waste
8 Management Registry, which shall identify and provide contact
9 information for each of the commercial entities that are registered
10 pursuant to this act. Data on the registry shall be searchable by
11 county and by provider name. The department shall make the
12 registry available for public review on the department's Internet
13 website, and shall update the registry on a regular basis in order to
14 ensure that it provides accurate and up-to-date information.

15 b. The Commissioner of Environmental Protection shall post a
16 hyperlink to the Trauma Scene Waste Management Registry on the
17 Internet website of the Department of Environmental Protection.
18

19 4. a. Upon the publication of the Trauma Scene Waste
20 Management Registry pursuant to section 3 of this act, the
21 department shall notify all law enforcement agencies, fire
22 departments, and emergency medical services providers in the State
23 about the availability of the registry.

24 b. Following the receipt of notice pursuant to subsection a. of
25 this section, each law enforcement agency, fire department, or
26 emergency medical services provider operating in the State, and any
27 paid or unpaid employee thereof, shall be prohibited from providing
28 referrals to, or distributing information about, a trauma scene waste
29 management services provider that is not identified on the registry.
30

31 5. This act shall take effect immediately.
32
33

34 STATEMENT
35

36 This bill would require the Department of Health, in consultation
37 with the Department of Environmental Protection, to establish a
38 voluntary registration program for trauma scene waste management
39 service providers. Any registration issued under the program will
40 be valid for one year, and may be renewed on an annual basis.

41 In order to be registered by the department, the owner or
42 principal representative of the provider organization will be
43 required to hold and maintain certification from the American Bio
44 Recovery Association (ABRA), which is the international nonprofit
45 association that establishes technical, ethical, and educational
46 guidelines for the biohazard remediation industry. In addition, the
47 provider organization will be required to: 1) pay an initial
48 registration fee of \$100 and an annual registration renewal fee of

1 \$100; 2) register with the Department of Environmental Protection
2 as a medical waste generator; 3) provide a written statement
3 certifying that the provider's staff is familiar with the ANSI/IICRC
4 S540 Standard for Trauma and Crime Scene Cleanup; and 4)
5 comply with any other requirements established by the department.
6 Applications for registration are to be submitted in a form and
7 manner prescribed by the commissioner.

8 The bill would additionally require the Commissioner of Health
9 to establish and maintain an electronic database, to be known as the
10 Trauma Scene Waste Management Registry, which will identify and
11 provide contact information for each of the commercial entities that
12 are registered pursuant to the bill's provisions. Data on the registry
13 is to be searchable by county and by provider name. The
14 department will be required to make the registry available for public
15 review on the department's Internet website, and update the registry
16 on a regular basis in order to ensure that it provides accurate and
17 up-to-date information.

18 The bill would also require the website of the Department of
19 Environmental Protection to include a hyperlink to the Trauma
20 Scene Waste Management Registry.

21 Upon the publication of the Trauma Scene Waste Management
22 Registry, the Department of Health will be required to notify all law
23 enforcement agencies, fire departments, and emergency medical
24 services providers in the State about the availability of the registry.
25 Following the receipt of this notice, each law enforcement agency,
26 fire department, or emergency medical services provider, and any
27 paid or unpaid employee thereof, will be prohibited from providing
28 referrals to, or distributing information about, a trauma scene waste
29 management services provider that is not identified on the registry.

30 While the State has already implemented a comprehensive
31 statutory and regulatory framework that governs the generation,
32 handling, transport, and disposal of regulated medical waste, there
33 is a gap in the State's regulatory system in this regard, in that there
34 are no provisions that regulate the clean-up and remediation of
35 medical waste or infectious materials from biohazardous trauma
36 scenes. By effectively preventing unregistered trauma scene waste
37 management service providers from receiving service referrals, this
38 bill is designed to encourage such providers to voluntarily apply for
39 registration and obtain the non-profit certification and familiarity
40 with accepted clean-up standards that will better ensure the safety
41 of trauma scene clean-up operations undertaken in the State.