

ASSEMBLY, No. 4374

STATE OF NEW JERSEY 219th LEGISLATURE

INTRODUCED JULY 2, 2020

Sponsored by:

Assemblywoman PAMELA R. LAMPITT

District 6 (Burlington and Camden)

Assemblyman DANIEL R. BENSON

District 14 (Mercer and Middlesex)

Assemblyman RALPH R. CAPUTO

District 28 (Essex)

SYNOPSIS

Requires long-term care facilities to test personnel for COVID-19 twice per week.

CURRENT VERSION OF TEXT

As introduced.



(Sponsorship Updated As Of: 7/23/2020)

1 AN ACT concerning testing requirements for long-term care
2 facilities during the coronavirus disease 2019 pandemic.

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 “Commissioner” means the Commissioner of Health.

9 “COVID-19” means the coronavirus disease 2019.

10 “COVID-19 crisis” means the duration of the public health
11 emergency and state of emergency declared in response to the
12 COVID-19 pandemic.

13 “Department” means the Department of Health.

14 “Long-term care facility” means a nursing home, assisted living
15 facility, comprehensive personal care home, residential health care
16 facility, or dementia care home licensed pursuant to P.L.1971, c.136
17 (C.26:2H-1 et seq.).

18 “Outbreak response plan” means the plan developed by a long-
19 term care facility, pursuant to section 1 of P.L.2019, c.243
20 (C.26:2H-12.87).

21

22 2. a. Long-term care facilities shall test or make arrangements
23 for the testing of all personnel, including all employees, contract
24 staff, medical staff, operators and administrators for COVID-19
25 twice per week, following the facility’s outbreak response plan
26 developed pursuant to section 1 of P.L.2019, c.243 (C.26:2H-
27 12.87). Long-term care facilities shall make the necessary
28 modifications to the facility’s outbreak response plan to include a
29 protocol for COVID-19 testing for personnel twice per week and
30 shall submit the plan modifications to the department no later than
31 seven days after the effective date of this act.

32 b. The requirements in this section shall remain in effect until
33 the commissioner determines COVID-19 testing of long-term care
34 facility personnel twice per week is no longer necessary.

35

36 3. a. Within 14 days after the effective date of this act, both
37 the operator and administrator of each long-term care facility shall
38 provide to the department a certificate of compliance with the
39 requirements listed in section 2 of this act. The commissioner is
40 authorized to suspend or revoke the license of any long-term care
41 facility determined to not be in compliance with the requirements.
42 Upon revoking the license of a long-term care facility under this
43 subsection, the commissioner, notwithstanding any law to the
44 contrary, upon providing notice to the current operator of the
45 facility at least 24 hours in advance, may appoint a receiver to
46 continue operations at the facility in order to preserve the life,
47 health, and safety of the facility’s residents.

