

**ASSEMBLY, No. 5593**

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**STATE OF NEW JERSEY**

**219th LEGISLATURE**

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INTRODUCED MAY 20, 2021

**Sponsored by:**

**Assemblyman HERB CONAWAY, JR.**

**District 7 (Burlington)**

**Assemblywoman VALERIE VAINIERI HUTTLE**

**District 37 (Bergen)**

**Co-Sponsored by:**

**Assemblywomen McKnight, Speight and Assemblyman Stanley**

**SYNOPSIS**

Requires embryo storage facilities to record and report health information of patients in manner that is consistent with certain federal laws.

**CURRENT VERSION OF TEXT**

As introduced.



**(Sponsorship Updated As Of: 12/2/2021)**

1 AN ACT concerning embryo storage facilities and amending  
2 P.L.2019, c.268.

3

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

6

7 1. Section 3 of P.L.2019, c.268 (C.26:2A-25) is amended to  
8 read as follows:

9 3. a. No person shall conduct, maintain, or operate an embryo  
10 storage facility in this State unless licensed by the department  
11 pursuant to the provisions of this act. A separate license shall be  
12 required for each embryo storage facility location. The license shall  
13 be posted and displayed at all times in a prominent location within  
14 the facility. No license issued pursuant to this act shall be  
15 transferable. A change in the ownership of the facility shall require  
16 notification to the department within 14 calendar days and  
17 reapplication for licensure.

18 b. The department shall not license a person to conduct,  
19 maintain, or operate an embryo storage facility pursuant to this act  
20 unless the department is satisfied that the person has demonstrated  
21 good character, competency, and integrity, and has furnished such  
22 information to the commissioner as the commissioner may require  
23 for this purpose.

24 c. Within 90 days after the effective date of P.L. \_\_\_\_\_,  
25 c. (C. \_\_\_\_\_) (pending before the Legislature as this bill), as a  
26 condition of continued or new licensure, an embryo storage facility  
27 that is required to record or report the health information of a  
28 patient, shall record and report the patient's health information  
29 using a program that is compliant with the "Health Insurance  
30 Portability and Accountability Act of 1996," Pub.L.104-191 and  
31 requirements adopted by the U.S. Department of Health and Human  
32 Services regarding functions, technological capabilities, and  
33 security features within the program.

34 (cf: P.L.2019, c.268, s.3)

35

36 2. The Commissioner of Health may adopt rules and  
37 regulations, in accordance with the "Administrative Procedure Act,"  
38 P.L.1968, c.410 (C.52:14B-1 et seq.), if necessary to effectuate the  
39 provisions of this act.

40

41 3. This act shall take effect 180 days after the date of  
42 enactment.

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44

45 STATEMENT

46

47 This bill requires embryo storage facilities to record and report

**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.

1 health information of patients in a manner that is consistent with  
2 certain federal laws.

3 Under the bill, within 90 days after the bill's effective date, as a  
4 condition of continued or new licensure, an embryo storage facility  
5 that is required to record or report the health information of a  
6 patient, is to record and report the patient's health information using  
7 a program that is compliant with the "Health Insurance Portability  
8 and Accountability Act of 1996," Pub.L.104-191 and requirements  
9 adopted by the U.S. Department of Health and Human Services  
10 regarding functions, technological capabilities, and security features  
11 within the program.