

SENATE, No. 1532

STATE OF NEW JERSEY
219th LEGISLATURE

INTRODUCED FEBRUARY 13, 2020

Sponsored by:
Senator JAMES BEACH
District 6 (Burlington and Camden)

SYNOPSIS

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

CURRENT VERSION OF TEXT

As introduced.



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

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

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

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

16 (1) the cardholder's blood type;

17 (2) current medications;

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

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

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

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

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

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

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

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

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

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

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

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

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10 STATEMENT

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

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

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

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

45 Information provided in connection with a request for a new or
46 updated medical identification card is to be kept confidential. Any

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1 person who knowingly uses or discloses this confidential
2 information without the consent of the cardholder will be guilty of a
3 crime of the fourth degree, which is punishable by imprisonment for
4 up to 18 months, up to a \$10,000 fine, or both. Theft of a medical
5 identification card will be a crime of the third degree, which is
6 punishable by imprisonment for three to five years, up to a \$15,000
7 fine, or both.