

SENATE, No. 2495

STATE OF NEW JERSEY 219th LEGISLATURE

INTRODUCED MAY 28, 2020

Sponsored by:

Senator MICHAEL L. TESTA, JR.

District 1 (Atlantic, Cape May and Cumberland)

Senator VIN GOPAL

District 11 (Monmouth)

SYNOPSIS

Authorizes elective surgeries and invasive procedures to be performed during coronavirus disease 2019 (COVID-19) emergency.

CURRENT VERSION OF TEXT

As introduced.



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41 This bill authorizes elective surgeries and invasive procedures to
42 be performed at licensed facilities and by licensed health care
43 practitioners, notwithstanding Executive Order No. 109 of 2020 or
44 any other prohibition to the contrary, during the state of emergency
45 and public health emergency declared in response to the
46 coronavirus disease 2019 (COVID-19) pandemic. As used in the
47 bill, “elective surgery or invasive procedure” means any surgery or
48 invasive procedure, whether medical or dental, that may be delayed

1 without undue risk to the current or future health of the patient, as
2 determined by the patient's treating practitioner. The term includes
3 any surgery or invasive procedure that can be scheduled in advance,
4 and that does not need to be performed immediately or on an urgent
5 basis in order to preserve the life or current health condition of the
6 patient. Elective procedures may include, but are in no case limited
7 to, tonsillectomies, kidney stone removals, mastectomies, hernia
8 surgeries, angioplasties, and certain cancer treatments.

9 The Governor suspended all elective surgeries and invasive
10 procedures in the State during the COVID-19 emergency with the
11 adoption of Executive Order No. 109 of 2020. This bill would
12 allow these procedures to resume, provided that the facility or
13 practitioner takes appropriate steps and implements appropriate
14 safeguards and other measures to prevent the spread of COVID-19,
15 both within the facility or practitioner office and among the general
16 population. Nothing in the bill is to be construed to authorize the
17 reallocation of any health care practitioner, ancillary staff member,
18 or scarce resource for the performance of an elective surgery or
19 invasive procedure when the practitioner, ancillary staff member, or
20 scarce resource is essential to provide care to COVID-19 patients or
21 to help prevent the spread of COVID-19.

22 It is the sponsor's belief that it is essential that elective surgeries
23 and invasive procedures be allowed to resume in the State to ensure
24 that residents of New Jersey who are experiencing pain and other
25 adverse or debilitating symptoms of treatable health conditions
26 receive the health care services they need as expeditiously as
27 possible.