

SENATE, No. 2509

STATE OF NEW JERSEY
219th LEGISLATURE

INTRODUCED JUNE 4, 2020

Sponsored by:

Senator VIN GOPAL

District 11 (Monmouth)

Senator DAWN MARIE ADDIEGO

District 8 (Atlantic, Burlington and Camden)

Co-Sponsored by:

Senator Brown

SYNOPSIS

Protects health care professionals from retaliatory action by employers during ongoing coronavirus disease 2019 pandemic.

CURRENT VERSION OF TEXT

As introduced.



(Sponsorship Updated As Of: 4/19/2021)

1 **AN ACT** concerning protections for health care professionals from
2 retaliatory action by employers during ongoing coronavirus
3 disease 2019 pandemic and supplementing P.L.1986, c.105
4 (C.34:19-1 et seq.).

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6 **BE IT ENACTED** *by the Senate and General Assembly of the State*
7 *of New Jersey:*

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9 1. a. In addition to any other rights provided to employees by
10 P.L.1986, c.105 (C.34:19-1 et seq.), during the pendency of
11 Executive Order 103 of 2020, or any subsequent Executive Order,
12 issued in response to the coronavirus disease 2019 pandemic, an
13 employer shall not take any retaliatory action against a health care
14 professional because the health care professional does any of the
15 following:

16 (1) Discloses, or threatens to disclose to a supervisor or to a
17 public body an activity, policy or practice of the employer, or
18 another employer, with whom there is a business relationship, that
19 the health care professional reasonably believes is in violation of a
20 law, or a rule or regulation promulgated pursuant to law, or
21 Executive Order, including conditions that violate health and safety
22 standards, insufficient measures to alleviate exposures to
23 communicable disease or other health or safety hazards, or improper
24 quality of patient care;

25 (2) Provides information to, or testifies before, any public body
26 conducting an investigation, hearing or inquiry into any violation of
27 law, or a rule or regulation promulgated pursuant to law, or
28 Executive Order, by the employer, or another employer, with whom
29 there is a business relationship, including conditions that violate
30 health and safety standards, insufficient measures to alleviate
31 exposures to communicable disease or other health or safety
32 hazards, or improper quality of patient care; or

33 (3) Objects to, or refuses to participate in any activity, policy or
34 practice which the health care professional reasonably believes:

35 (a) is in violation of a law, or a rule or regulation promulgated
36 pursuant to law, or Executive Order, including conditions that
37 violate health and safety standards, insufficient measures to
38 alleviate exposures to communicable disease or other health or
39 safety hazards, or improper quality of patient care; or

40 (b) is incompatible with a clear mandate of public policy
41 concerning the public health, safety or welfare or protection of the
42 environment.

43 b. As used in this section, "health care professional" means an
44 individual who, acting within the scope of the individual's licensure
45 or certification, provides health care services, and includes, but is
46 not limited to, a physician, dentist, nurse, pharmacist, or other
47 health care professional whose professional practice is regulated
48 pursuant to Title 45 of the Revised Statutes.

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