

SENATE, No. 3117

STATE OF NEW JERSEY

219th LEGISLATURE

INTRODUCED NOVEMBER 5, 2020

Sponsored by:

Senator DAWN MARIE ADDIEGO

District 8 (Atlantic, Burlington and Camden)

Senator NELLIE POU

District 35 (Bergen and Passaic)

Co-Sponsored by:

Senators Gopal and Singleton

SYNOPSIS

Requires that State establish and manage stockpile of personal protective equipment and encourage manufacturing of personal protective equipment in State.

CURRENT VERSION OF TEXT

As introduced.



(Sponsorship Updated As Of: 11/9/2020)

1 **AN ACT** concerning the establishment and management of a State
2 stockpile of personal protective equipment and supplementing
3 Title 26 of the Revised Statutes.

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

7
8 1. a. Notwithstanding any other provision of law to the
9 contrary, the Director of the State Office of Emergency
10 Management, in consultation with the Commissioner of the
11 Department of Health, shall promulgate rules and regulations
12 necessary to acquire, stockpile, and distribute personal protective
13 equipment to mitigate the effects of exposure to chemical or
14 biological agents, including novel coronaviruses. The State
15 stockpile shall be sufficient to enable health care workers, health
16 care facilities, and emergency responders to operate and provide
17 services in a safe manner for a period of 90 days during a state of
18 emergency or public health emergency declared by the Governor.

19 The rules and regulations shall include provisions concerning:
20 (1) the monitoring and inspection procedures for stockpiled
21 personal protective equipment; (2) the maintenance and
22 management of a central database for the monitoring of stockpiled
23 personal protective equipment; (3) the distribution and replacement
24 of stockpiled personal protective equipment; (4) the maintenance
25 and retention of records of information from monitoring activities;
26 (5) the submission to the Department of Health and Office of
27 Emergency Management of monitoring reports; (6) any
28 collaboration protocols with neighboring states to ensure an
29 adequate State stockpile of equipment; and (7) any other related
30 information as the Commissioner of Health may require.

31 b. The Division of Purchase and Property in the Department of
32 the Treasury shall work cooperatively with manufacturers in the
33 State to explore opportunities to manufacture personal protective
34 equipment for the State stockpile of equipment, pursuant to the
35 provisions of subsection a. of this section.

36 c. As used in this section, “personal protective equipment”
37 means protective clothing, helmets, goggles, face masks,
38 respirators, or other garments or equipment designed to protect the
39 wearer from injury or the spread of infection or illness.

40 d. The rules and regulations established pursuant to this section
41 shall be effective immediately upon filing with the Office of
42 Administrative Law for a period not to exceed 18 months, and may,
43 thereafter, be amended, adopted or readopted in accordance with the
44 provisions of the “Administrative Procedure Act,” P.L.1968, c.410
45 (C.52:14B-1 et seq.).

46
47 2. This act shall take effect immediately.

STATEMENT

This bill requires that the State establish and manage a stockpile of personal protective equipment (PPE) and encourage the manufacturing of PPE in the State.

The coronavirus disease 2019 (COVID-19) pandemic has caused several issues, including access to PPE during the state of emergency and public health emergency declared by the Governor. New Jersey's supply of PPE and the subsequent bidding for PPE supplies among the 50 states and federal government led to increasingly difficult decisions for hospitals and emergency care facilities across the State. In some instances, healthcare professionals in areas hardest hit by COVID-19 were forced to re-use PPE supplies, such as protective masks. This created a dangerous environment for the healthcare professionals and citizens of the State.

This bill requires the State to establish a stockpile of PPE. The Office of Emergency Management (OEM), in consultation with the Department of Health (DOH) would promulgate rules and regulations necessary to acquire, stockpile, and distribute personal protective equipment to mitigate the effects of exposure to chemical or biological agents, including novel coronaviruses. The rules and regulations would include provisions concerning: (1) the monitoring and inspection procedures for stockpiled personal protective equipment; (2) the maintenance and management of a central database for the monitoring of stockpiled personal protective equipment; (3) the distribution and replacement of stockpiled personal protective equipment; (4) the maintenance and retention of records of information from monitoring activities; (5) the submission to the Department of Health and Office of Emergency Management of monitoring reports; (6) any collaboration protocols with neighboring states to ensure an adequate State stockpile of equipment; and (7) any other related information as the Commissioner of Health may require. The stockpile would be sufficient enough for health care workers, health care facilities, and emergency responders to operate and provide services in a safe manner for a period of 90 days during a state of emergency or public health emergency declared by the Governor.

This bill also requires the State to encourage the manufacturing of PPE in the State. DOH would explore opportunities with manufacturing companies in the State to adequately manufacture and stockpile the necessary PPE.