

SENATE, No. 3370

STATE OF NEW JERSEY
219th LEGISLATURE

INTRODUCED JANUARY 21, 2021

Sponsored by:

Senator KRISTIN M. CORRADO

District 40 (Bergen, Essex, Morris and Passaic)

Senator LINDA R. GREENSTEIN

District 14 (Mercer and Middlesex)

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Senator Pou

SYNOPSIS

Requires hospitals to collect and report demographic data on people with disabilities who are tested or treated for COVID-19 during declared public health emergency.

CURRENT VERSION OF TEXT

As introduced.



(Sponsorship Updated As Of: 5/20/2021)

1 AN ACT concerning certain hospital data and amending
2 P.L.2020, c.28.

3

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

6

7 1. Section 1 of P.L.2020, c.28 is amended to read as follows:

8 1. a. As used in this act:

9 “Disability” has the same meaning as in section 5 of P.L.1945,
10 c.169 (C.10:5-5).

11 **[a.]** b. The Commissioner of Health shall require hospitals
12 licensed pursuant to Title 26 of the Revised Statutes to report to the
13 Department of Health demographic data, including the age,
14 ethnicity, gender, disability status as indicated by the person, or the
15 person’s health care proxy or guardian, appointed pursuant to
16 section 13 of P.L.2005, c.370 (C.3B:12-25), including any indicated
17 disability, and race of persons in this State who have tested positive
18 for the coronavirus disease 2019 or who have died from the
19 coronavirus disease 2019, as well as the number of persons who
20 attempt to get treatment for the coronavirus disease 2019, the
21 number of persons who are admitted for treatment for the
22 coronavirus disease 2019, and the number of persons who attempt
23 to get tested for the coronavirus disease 2019 and were turned
24 away, until the end of the State’s declared public health emergency
25 related to the coronavirus disease 2019. Commencing on the
26 effective date of P.L. , c. (pending before the Legislature as this
27 bill), each licensed hospital shall collect from each person
28 presenting at the hospital for testing or treatment related to
29 coronavirus disease 2019, or the person’s health care proxy or
30 guardian, appointed pursuant to section 13 of P.L.2005, c.370
31 (C.3B:12-25), information concerning the person’s disability status
32 and any indicated disability. To the extent that a hospital reported
33 demographic data pursuant to this subsection prior to the effective
34 date of P.L. , c. (pending before the Legislature as this bill) that
35 did not include data concerning disability status and any indicated
36 disability, the hospital shall provide updated data for that period
37 that includes, to the extent available, data on disability status and
38 any indicated disability. The commissioner shall compile the
39 reported Statewide data by county and municipality.

40 **[b.]** c. The Department of Health shall publish on its Internet
41 website the demographic data received pursuant to subsection b. of
42 this section and shall share these data with the assistant
43 commissioner for the Division of Developmental Disabilities, the
44 executive director of the Division of Disability Services within the
45 Department of Human Services, and any other department or

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 agency of the State that the Commissioner of Health deems
2 necessary. The department shall update its Internet website on a
3 daily basis by publishing the latest demographic data received by
4 the Commissioner of Health until the end of the State's declared
5 public health emergency related to the coronavirus disease 2019.

6 **【c.】 d.** The Commissioner of Health shall prepare and submit a
7 report compiling the data reported pursuant to this section to the
8 Governor and to the Legislature, pursuant to section 2 of P.L.1991,
9 c.164 (C.52:14-19.1).

10 (cf: P.L.2020, c.28, s.1)

11
12 2. This act shall take effect immediately and shall expire as
13 provided in section 2 of P.L.2020, c.28.

14
15
16 STATEMENT

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18 This bill would amend the demographic information that licensed
19 hospitals collect from people seeking testing or treatment for
20 coronavirus disease 2019 (COVID-19), as required under P.L.2020,
21 c.28, to include a person's disability status and any disability
22 information that the person, or the person's health care proxy or
23 appointed guardian, may choose to disclose. The bill employs the
24 same expansive definition of "disability" as is used in New Jersey's
25 "Law Against Discrimination," P.L.1945, c.169 (C.10:5-1 et seq.).

26 Some people with disabilities may be at higher risk of infection
27 with, or severe illness from, COVID-19 due to an underlying
28 medical condition. According to the Centers for Disease Control
29 and Prevention (CDC), adults with disabilities are three times more
30 likely than adults without a disability to have certain medical
31 conditions, such as diabetes or heart disease, that present a higher
32 risk of severe illness from COVID-19. There is substantive
33 anecdotal evidence that, in New Jersey, people living with
34 disabilities have been particularly affected by COVID-19. It is the
35 intent of the bill's sponsor to ensure that New Jersey's hospitals
36 collect, and the Departments of Health and Human Services
37 publicly disseminate, accurate data on COVID-19 infection rates
38 and rates of severe COVID-19 illness among the State's vulnerable
39 residents.