

SENATE, No. 3625

STATE OF NEW JERSEY
219th LEGISLATURE

INTRODUCED APRIL 19, 2021

Sponsored by:

Senator HOLLY T. SCHEPISI

District 39 (Bergen and Passaic)

SYNOPSIS

Authorizes certain forms of testing for coronavirus disease 2019.

CURRENT VERSION OF TEXT

As introduced.



1 AN ACT concerning coronavirus disease 2019 testing.

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

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6 1. a. Notwithstanding any law, regulation, or rule to the
7 contrary, individuals in this State shall be authorized to undergo
8 testing for the coronavirus disease 2019 or for antibodies from the
9 coronavirus disease 2019, without prior authorization from a health
10 care professional, as may be approved by the federal Food and Drug
11 Administration, including, self-collection of testing specimens, the
12 use of mail-order laboratory testing services, the use of home
13 testing kits, and the use of laboratories that have federal approval
14 but are not otherwise licensed in New Jersey. The results of any
15 testing conducted in accordance with the provisions of this section
16 shall be sent to the tested individual, to the health care professional
17 who authorized the test or antibody titer if the test was authorized
18 by a health care professional, the Department of Health, the county
19 department of health in the county in which the tested individual
20 resides, and the municipality in which the tested individual resides.

21 b. Consistent with federal and State privacy laws, any
22 information sent to the Department of Health, a county department
23 of health, or a municipality pursuant to subsection a. of this section
24 shall not contain any information identifying a tested individual
25 unless the tested individual expressly authorizes the release of such
26 information.

27 c. As used in this section:

28 "Antibody titer" means a test to measure the presence and
29 amount of antibodies in a blood sample against a particular type of
30 tissue, cell, or substance.

31 "Health care professional" means a person licensed to practice a
32 health care profession pursuant to Title 45 of the Revised Statutes.

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34 2. This act shall take effect immediately and shall expire upon
35 the end of both the state of emergency and the public health
36 emergency declared in response to the coronavirus disease 2019
37 pandemic.

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40 STATEMENT

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42 This bill authorizes individuals in this State to undergo testing
43 for the coronavirus disease 2019 or for antibodies from the
44 coronavirus disease 2019, without prior authorization from a health
45 care professional, as may be approved by the federal Food and Drug
46 Administration, including, self-collection of testing specimens, the
47 use of mail-order laboratory testing services, the use of home
48 testing kits, and the use of laboratories that have federal approval

1 but are not otherwise licensed in New Jersey. The results of any
2 testing conducted in accordance with the provisions of this bill are
3 to be sent to the tested individual, to the health care professional
4 who authorized the test or antibody titer if the test was authorized
5 by a health care professional, the Department of Health, the county
6 department of health in the county in which the tested individual
7 resides, and the municipality in which the tested individual resides.
8 Consistent with federal and State privacy laws, any information sent
9 to the Department of Health, a county department of health, or a
10 municipality is not to contain any information identifying a tested
11 individual unless the tested individual expressly authorizes the
12 release of such information.