

SENATE, No. 3716

STATE OF NEW JERSEY

219th LEGISLATURE

INTRODUCED MAY 6, 2021

Sponsored by:

Senator VIN GOPAL

District 11 (Monmouth)

Senator JOSEPH A. LAGANA

District 38 (Bergen and Passaic)

Co-Sponsored by:

Senator Gill

SYNOPSIS

Requires use of small pharmacies to facilitate State response to public health emergencies, including administration of COVID-19 vaccines.

CURRENT VERSION OF TEXT

As introduced.



(Sponsorship Updated As Of: 6/30/2021)

1 AN ACT concerning public health emergencies and amending
2 P.L.2005, c.222.

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

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7 1. Section 11 of P.L.2005, c.222 (C.26:13-11) is amended to
8 read as follows:

9 11. a. During a state of public health emergency, the
10 commissioner may purchase, obtain, store, distribute or take for
11 priority redistribution any anti-toxins, serums, vaccines,
12 immunizing agents, antibiotics and other pharmaceutical agents or
13 medical supplies as may be reasonable and necessary to respond to
14 the public health emergency, with the right to take immediate
15 possession thereof.

16 b. If a state of public health emergency results in a Statewide
17 or regional shortage or threatened shortage of any product under
18 subsection a. of this section, the commissioner may issue and
19 enforce orders to control, restrict and regulate by rationing and
20 using quotas, prohibitions on shipments, allocation or other means,
21 the use, sale, dispensing, distribution or transportation of the
22 relevant product necessary to protect the public health, safety and
23 welfare of the people of the State.

24 c. In making rationing or other supply and distribution
25 decisions, the commissioner may give preference to health care
26 providers, disaster response personnel, mortuary staff and such
27 other persons as the commissioner deems appropriate in order to
28 respond to the public health emergency.

29 d. When utilizing pharmacies as part of its response to a state
30 of public emergency, the commissioner shall seek to incorporate the
31 use of pharmacies employing 20 or fewer people, to the extent the
32 use of such pharmacies is both possible and appropriate.

33 (cf: P.L.2005, c.222, s.11)

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35 2. (New section) The Commissioner of Health shall establish
36 at least 15 additional SARS-CoV-2 vaccine administration sites in
37 each county of the State, which sites shall be located in pharmacies
38 employing 20 or fewer people. The commissioner shall work with
39 appropriate State and federal entities to take steps to remove any
40 barriers that may prevent pharmacies employing 20 or fewer people
41 from having access to SARS-CoV-2 vaccine doses on the same
42 basis as applies to pharmacies employing 20 or more people.

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44 3. This act shall take effect immediately, and section 2 of the
45 bill shall expire upon the end of both the state of emergency and the

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 public health emergency declared in response to the coronavirus
2 disease 2019 (COVID-19) pandemic.

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STATEMENT

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7 This bill requires the Commissioner of Health, when utilizing
8 pharmacies as part of its response to a declared state of public
9 emergency, to seek to incorporate the use of pharmacies employing
10 20 or fewer people, to the extent the use of these pharmacies is both
11 possible and appropriate.

12 Additionally, the bill requires the Commissioner of Health to
13 establish at least 15 new coronavirus disease 2019 (COVID-19)
14 vaccine administration sites in each county of the State, which sites
15 are to be located in pharmacies employing 20 or fewer people. The
16 commissioner will be required to work with appropriate State and
17 federal entities to take steps to remove any barriers that may
18 prevent pharmacies employing 20 or fewer people from having
19 access to COVID-19 vaccine doses on the same basis as applies to
20 pharmacies employing 20 or more people.

21 It is the sponsor's intent that the State optimize its response to
22 public health emergencies by using smaller pharmacies to reach
23 additional areas of the State that may not otherwise be fully served
24 by larger pharmacies. In the case of the COVID-19 pandemic, is
25 the sponsor's intent that establishing additional administration sites
26 in smaller pharmacies will generally expand access to the COVID-
27 19 vaccine.