

SENATE, No. 3886

STATE OF NEW JERSEY
219th LEGISLATURE

INTRODUCED JUNE 10, 2021

Sponsored by:

Senator JAMES BEACH

District 6 (Burlington and Camden)

SYNOPSIS

Requires county boards of health to ensure on-site COVID-19 vaccines are available to persons age 65 and older residing in certain facilities; appropriates \$2 million.

CURRENT VERSION OF TEXT

As introduced.



1 **AN ACT** concerning vaccination against coronavirus disease 2019
2 (COVID-19) and making an appropriation.

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

6
7 1. a. Subject to the provisions of subsection b. of this section,
8 each county board of health shall ensure that residents age 65 and
9 older who are residing at a qualified housing facility in the county
10 are provided with on-site vaccination against coronavirus disease
11 2019 (COVID-19). To this end, each county board of health shall:

12 (1) confirm whether a program coordinated by an entity of State
13 or federal government has arranged for the administration of on-site
14 COVID-19 vaccines to a population that includes residents age 65
15 and older at the qualified housing facility, in which case no further
16 action by the county board of health shall be required under this
17 section with regard to COVID-19 vaccine administrations at that
18 facility;

19 (2) to the extent possible, establish agreements with appropriate
20 entities of the State and federal governments to extend an existing
21 on-site COVID-19 vaccine administration program to include
22 qualified housing facilities in the county with residents age 65 or
23 older that do not otherwise have on-site COVID-19 vaccine
24 administration under an existing program; and

25 (3) if the county board of health is unable to establish an
26 agreement to extend an existing on-site COVID-19 vaccine
27 administration program to a given qualified housing facility as
28 provided in paragraph (2) of this subsection, enter into agreements
29 with one or more pharmacies or other appropriate health care
30 providers to provide on-site COVID-19 vaccine administration to
31 residents age 65 and older at the qualified housing facility.

32 b. A county board of health shall not be required to take steps
33 to ensure on-site COVID-19 vaccine administration is provided at a
34 qualified housing facility if fewer than 15 percent of the residents at
35 the qualified housing facility are age 65 or older.

36 c. Nothing in this section shall be construed to:

37 (1) require any person residing at a qualified housing facility to
38 consent to administration of the COVID-19 vaccine;

39 (2) require a county board of health to cover all or part of the
40 cost of a COVID-19 vaccine administered to a person aged 65 or
41 older who is residing at a qualified housing facility, in the event the
42 cost of the vaccine is not otherwise covered under the person's
43 health benefits plan or reimbursed through other sources; or

44 (3) prohibit a county board of health from establishing a
45 program to assist persons aged 65 or older with paying all or part of
46 the cost of a COVID-19 vaccine administered on-site at a qualified
47 housing facility, if the cost of the vaccine is not otherwise fully
48 covered under the person's health benefits plan and is not otherwise
49 reimbursed through other sources.

1 d. As used in this section:

2 “Appropriate health care provider” means a general acute care
3 hospital, ambulatory care facility, community health center, or
4 individual health care practitioner licensed pursuant to Title 45 of
5 the Revised Statutes, which person or entity has access to a supply
6 of COVID-19 vaccines sufficient to provide vaccines to all
7 individuals age 65 or older who are residing at a qualified housing
8 facility, including all follow-up administrations of the vaccine as
9 are needed to provide the maximum level of protection against
10 COVID-19 available using that vaccine.

11 “Qualified housing facility” means any of the following: a
12 rooming or boarding house licensed pursuant to the “Rooming and
13 Boarding House Act of 1979,” P.L.1979, c.496 (C.55:13B-1 et al.);
14 a residential health care facility, an assisted living facility, or a
15 nursing home licensed pursuant to the “Health Care Facilities
16 Planning Act,” P.L.1971 c.136 (C.26:2H-1 et seq.); a continuing
17 care retirement community operating under a certificate of authority
18 issued pursuant to the “Continuing Care Retirement Community
19 Regulation and Financial Disclosure Act,” P.L.1986, c.103
20 (C.52:27D-330 et seq.); public housing designated for seniors that
21 is owned by a housing authority created or continued pursuant to
22 the “Local Redevelopment and Housing Law,” P.L.1992, c.79
23 (C.40A:12A-1 et seq.); and a community that complies with the
24 “housing for older persons” exception from the federal “Fair
25 Housing Amendments Act of 1988,” Pub.L.100-430 (42 U.S.C.
26 ss.3601 et seq.), for that community as set forth in section 100.301
27 of Title 24, Code of Federal Regulations.

28

29 2. There is appropriated \$2,000,000 from the General Fund to
30 the Department of Health for the purposes of providing grants to
31 county boards of health for the purposes of implementing the
32 provisions of this act. Any unexpended funds from this
33 appropriation shall revert to the General Fund effective 180 days
34 after the end of both the state of emergency and the public health
35 emergency declared in response to the coronavirus disease 2019
36 pandemic.

37

38 3. This act shall take effect immediately, and section 1 of this
39 act shall expire 180 days after the end of both the state of
40 emergency and the public health emergency declared in response to
41 the coronavirus disease 2019 pandemic.

42

43

44

STATEMENT

45

46 This bill requires county boards of health to take certain steps to
47 ensure that all residents age 65 and older who reside in certain
48 residential facilities are provided access to on-site vaccination
49 against the coronavirus disease 2019 (COVID-19).

1 The facilities to which the bill will apply include licensed
2 rooming and boarding houses, residential health care facilities,
3 assisted living facilities, nursing homes, continuing care retirement
4 communities, certain public housing designated for seniors, and
5 other housing designated for seniors. The bill requires county
6 boards of health to determine, for each such facility located within
7 the county, whether an existing on-site COVID-19 vaccine
8 administration program that includes residents age 65 and older has
9 already been established by the State or federal government for that
10 facility. If not, the county board of health will seek to determine
11 whether an existing program can be extended to provide on-site
12 COVID-19 vaccinations to individuals age 65 and older who are
13 residing at the facility. If an existing program cannot be extended,
14 the county board of health will then be required to enter into
15 agreements with one or more pharmacies or other appropriate health
16 care providers to provide on-site COVID-19 vaccine administration
17 to residents age 65 and older at the qualified housing facility. The
18 bill defines “appropriate health care provider” to mean a hospital,
19 ambulatory care facility, community health center, or individual
20 practitioner that has access to a supply of COVID-19 vaccines
21 sufficient to provide all initial and follow-up doses of the vaccine to
22 each resident of a given facility who is age 65 or older.

23 County boards of health will not be required to take steps to
24 ensure on-site COVID-19 vaccine administration is provided at a
25 qualified housing facility if fewer than 15 percent of the residents at
26 the facility are age 65 or older.

27 Nothing in the bill is to be construed to require any resident of a
28 qualified housing facility to consent to the administration of the
29 COVID-19 vaccine. Nor is the bill to be construed to require
30 county boards of health to cover the unreimbursed cost of the
31 COVID-19 vaccine for persons residing in a qualified housing
32 facility, although county boards of health will also not be prohibited
33 from establishing a program to assist persons receiving an on-site
34 COVID-19 vaccine under the bill with the unreimbursed costs of
35 the vaccine.

36 The bill appropriates \$2 million to the Department of Health to
37 provide grants to county boards of health to assist with the costs of
38 implementing the provisions of the bill.

39 The bill will expire 180 days after the end of both the state of
40 emergency and the public health emergency declared in response to
41 the COVID-19 pandemic, and any unexpended funds appropriated
42 pursuant to the bill will revert to the General Fund on that date.