

ASSEMBLY, No. 2021

STATE OF NEW JERSEY 220th LEGISLATURE

PRE-FILED FOR INTRODUCTION IN THE 2022 SESSION

Sponsored by:

Assemblyman HERB CONAWAY, JR.

District 7 (Burlington)

Assemblyman DANIEL R. BENSON

District 14 (Mercer and Middlesex)

Co-Sponsored by:

Assemblywomen McKnight, Speight and Assemblyman Stanley

SYNOPSIS

Requires embryo storage facilities to record and report health information of patients in manner that is consistent with certain federal laws.

CURRENT VERSION OF TEXT

Introduced Pending Technical Review by Legislative Counsel.



(Sponsorship Updated As Of: 2/3/2022)

1 AN ACT concerning embryo storage facilities and amending
2 P.L.2019, c.268.

3

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

6

7 1. Section 3 of P.L.2019, c.268 (C.26:2A-25) is amended to
8 read as follows:

9 3. a. No person shall conduct, maintain, or operate an embryo
10 storage facility in this State unless licensed by the department
11 pursuant to the provisions of this act. A separate license shall be
12 required for each embryo storage facility location. The license shall
13 be posted and displayed at all times in a prominent location within
14 the facility. No license issued pursuant to this act shall be
15 transferable. A change in the ownership of the facility shall require
16 notification to the department within 14 calendar days and
17 reapplication for licensure.

18 b. The department shall not license a person to conduct,
19 maintain, or operate an embryo storage facility pursuant to this act
20 unless the department is satisfied that the person has demonstrated
21 good character, competency, and integrity, and has furnished such
22 information to the commissioner as the commissioner may require
23 for this purpose.

24 c. Within 90 days after the effective date of P.L. _____,
25 c. (C. _____) (pending before the Legislature as this bill), as a
26 condition of continued or new licensure, an embryo storage facility
27 that is required to record or report the health information of a
28 patient, shall record and report the patient's health information
29 using a program that is compliant with the "Health Insurance
30 Portability and Accountability Act of 1996," Pub.L.104-191 and
31 requirements adopted by the U.S. Department of Health and Human
32 Services regarding functions, technological capabilities, and
33 security features within the program.

34 (cf: P.L.2019, c.268, s.3)

35

36 2. The Commissioner of Health may adopt rules and
37 regulations, in accordance with the "Administrative Procedure Act,"
38 P.L.1968, c.410 (C.52:14B-1 et seq.), if necessary to effectuate the
39 provisions of this act.

40

41 3. This act shall take effect 180 days after the date of
42 enactment.

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.

