

LEGISLATIVE HISTORY CHECKLIST

NJSA: 26:2-110

(Newborn babies--  
bichemical  
disorders--provide  
for treatment)

LAWS: 1988

CHAPTER: 24

Bill No: A2148

Sponsor(s): Stuhltrager and Frelinghuysen

Date Introduced: Pre-filed

Committee: Assembly: Institution, Health & Welfare

Senate: Health and Human Resources

Amended during passage: No

Date of Passage: Assembly: February 18, 1988

Senate: May 2, 1988

Date of Approval: May 26, 1988

Following statements are attached if available:

Sponsor statement: Yes

Committee Statement: Assembly: Yes

Senate: Yes

Fiscal Note: No

Veto Message: No

Message on signing: Yes

Following were printed:

Reports: No

Hearings: No

Assembly  
February 18, 1988  
Senate  
May 2, 1988

P.L. 1988, CHAPTER 24, approved May 26, 1988  
1988 Assembly No. 2148

1 **AN ACT** concerning the early detection and treatment of  
2 biochemical disorders and amending the title and body of P.L.  
3 1977, c. 321.

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

7 1. The Title of P.L. 1977, c. 321 is amended to read as  
8 follows:

9 An act providing for the testing of newborn children for  
10 purposes of the early detection and treatment of biochemical  
11 disorders.

(cf: P.L. 1981, c. 357, s.1)

13 2. Section 1 of P.L. 1977, c. 321 (C. 26:2-110) is amended to  
14 read as follows:

15 1. It is hereby declared to be the public policy of this State  
16 that in the interests of public health every effort should be  
17 made to detect in newborn infants, [hypothyroidism]  
18 hypothyroidism, galactosemia, phenylketonuria, and other  
19 preventable biochemical disorders which may cause mental  
20 retardation or other permanent disabilities and to treat affected  
21 individuals.

(cf: P.L. 1981, c. 357, s. 2)

23 3. Section 2 of P.L. 1977, c. 321 (C. 26:2-111) is amended to  
24 read as follows:

25 2. All [newborn] infants born in this State shall be tested for  
26 [hypothyroidism] hypothyroidism, galactosemia and  
27 phenylketonuria. The Commissioner of Health shall issue  
28 regulations to assure that newborns are so tested in a manner  
29 approved by the commissioner. The commissioner shall ensure  
30 that treatment services are available to all identified  
31 individuals. The State Department of Health may charge a  
32 reasonable fee for the tests performed pursuant to this act. The  
33 amount of the fee and the procedures for collecting the fee shall

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 be determined by the commissioner. The commissioner shall  
 2 apply all revenues collected from the fees to the testing and  
 3 treatment procedures performed pursuant to this act.

4 The commissioner may also require testing of newborn infants  
 5 for other preventable biochemical disorders if reliable and  
 6 efficient testing techniques are available. If the commissioner  
 7 determines that an additional test shall be required, 90 days  
 8 prior to requiring the test he shall advise the President of the  
 9 Senate, Speaker of the General Assembly and chairmen of the  
 10 standing reference committees on Revenue, Finance and  
 11 Appropriations and Institutions, Health and Welfare of his  
 12 determination.

13 The commissioner shall provide a program of reviewing and  
 14 following up on positive cases in order that measures may be  
 15 taken to prevent mental retardation or other permanent  
 16 disabilities.

17 Information on newborn infants and their families compiled  
 18 pursuant to this section may be used by the department and  
 19 agencies designated by the commissioner for the purposes of  
 20 carrying out this act, but otherwise the information shall be  
 21 confidential and not divulged or made public so as to disclose  
 22 the identity of any person to which it relates, except as provided  
 23 by law. The department shall conduct an intensive educational  
 24 and training program among physicians, hospitals, public health  
 25 nurses and the public concerning those biochemical disorders.  
 26 This program shall include information concerning the nature of  
 27 the disorders [and], testing for the detection of these disorders  
 28 and treatment modalities for these disorders.

29 The provisions of this section shall not apply if the parents of  
 30 a newborn infant object to the testing on the grounds that it  
 31 would conflict with their religious tenets or practices.

(cf: P.L. 1981, c. 357, s. 3)

33 4. This act shall take effect on the 60th day after enactment.

35 HEALTH  
 36 Children

37 Provides for the treatment of biochemical disorders in newborn  
 38 children.  
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## STATEMENT

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This bill expands the provisions of P.L. 1977, c. 321 (C. 26:2-110 et seq.) regarding the testing of newborn children for the presence of biochemical disorders, to require that the Commissioner of Health ensure that treatment services for these disorders are available to all identified individuals. The bill also provides that any revenues collected from fees charged for the testing shall be applied to the testing and treatment procedures performed under this bill.

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P.L. 1977, c. 321 currently mandates that all infants born in this State be tested for hypothyroidism, galactosemia and phenylketonuria. These are biochemical disorders which, when left untreated, may cause mental retardation and other permanent disabilities.

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## HEALTH

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## Children

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Provides for the treatment of biochemical disorders in newborn children.

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ASSEMBLY HEALTH AND HUMAN RESOURCES COMMITTEE

STATEMENT TO

ASSEMBLY, No. 2148

STATE OF NEW JERSEY

DATED: JANUARY 28, 1988

The Assembly Health and Human Resources Committee favorably reports Assembly Bill No. 2148.

This bill expands the provisions of P.L. 1977, c. 321 (C. 26:2-110 et seq.) regarding the testing of newborn children for the presence of biochemical disorders, to require that the Commissioner of Health ensure that treatment services for these disorders are available to all identified individuals. The bill also provides that any revenues collected from fees charged for the testing shall be applied to the testing and treatment procedures performed under the bill.

P.L. 1977, c. 321 currently mandates that all infants born in this State be tested for hypothyroidism, galactosemia and phenylketonuria. These are biochemical disorders which, when left untreated, may cause mental retardation or other permanent disabilities.

As reported by the committee, this bill is identical to Assembly Bill No. 3461 of 1986 (Stuhltrager/Frelinghuysen), which this committee favorably reported on September 10, 1987.

This bill was pre-filed for introduction in the 1988 session pending technical review. As reported, the bill includes the changes required by technical review which has been performed.

SENATE INSTITUTIONS, HEALTH AND WELFARE COMMITTEE

STATEMENT TO

ASSEMBLY, No. 2148

STATE OF NEW JERSEY

DATED: APRIL 18, 1988

The Senate Institutions, Health and Welfare Committee favorably reports Assembly Bill No. 2148.

This bill expands the provisions of P.L. 1977, c. 321 (C. 26:2-110 et seq.) regarding the testing of newborn children for the presence of biochemical disorders, to require that the Commissioner of Health ensure that treatment services for these disorders are available to all identified individuals. The bill also provides that any revenues collected from fees charged for the testing shall be applied to the testing and treatment procedures performed under the bill.

P.L. 1977, c. 321 currently mandates that all infants born in this State be tested for hypothyroidism, galactosemia and phenylketonuria. These are biochemical disorders which, when left untreated, may cause mental retardation or other permanent disabilities.

As reported by the committee, this bill is identical to Senate Bill No. 1351 (Rice), which the committee also reported favorably on this date.



# OFFICE OF THE GOVERNOR NEWS RELEASE

**CN-001**

**Contact:** JOHN SAMERJAN  
609-292-8956 OR 292-6000 EXT. 207

**TRENTON, N.J. 08625**

**Release:** THURS., MAY 26, 1988

Acting Governor John F. Russo, President of the New Jersey State Senate today signed A-2148, legislation to provide a permanent funding base for the costs of PKU formula, a treatment which can prevent mental retardation in infants.

PKU (phenylketonuria) is a genetic disorder which can cause severe mental retardation. The State Department of Health is permitted under this legislation to charge reasonable fees for testing infants for PKU and other metabolic diseases and to use those fees to cover the cost of testing and treatment.

The legislation is effective in 60 days.

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