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LAW/KR

P.L.2011, CHAPTER 53, *approved April 20, 2011*

Senate, No. 1712 (*First Reprint*)

1 AN ACT concerning the reporting of certain wounds and injuries by  
2 hospitals <sup>1</sup>**[and]** <sup>1</sup> amending N.J.S.2C:58-8 <sup>1</sup>, and  
3 supplementing Title 2C of the New Jersey Statutes<sup>1</sup>.  
4

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

7  
8 1. N.J.S.2C:58-8 is amended to read as follows:

9 2C:58-8. Certain Wounds and Injuries to be Reported. a. Every  
10 case of a wound, burn or any other injury arising from or caused by  
11 a firearm, destructive device, explosive or weapon shall be reported  
12 at once to the **[police authorities]** law enforcement agency of the  
13 municipality where the person reporting is located **[or]** and to the  
14 Division of State Police by the physician consulted, attending or  
15 treating the case or the **[manager, superintendent or other person in**  
16 **charge]** administrator or administrator's designee, whenever such  
17 case is presented for treatment or treated in a **[hospital, sanitarium**  
18 **or other institution]** general hospital licensed pursuant to P.L.1971,  
19 c.136 (C.26:2H-1 et seq.).

20 This subsection shall not, however, apply to wounds, burns or  
21 injuries received by a member of the armed forces of the United  
22 States or the State of New Jersey while engaged in the actual  
23 performance of duty.

24 b. Every case which contains the criteria defined in this  
25 subsection shall be reported at once to the **[police authorities]** law  
26 enforcement agency of the municipality where the person reporting  
27 is located, or to the Division of State Police, by the physician  
28 consulted, attending, or treating the injury, or by the **[manager,**  
29 **superintendent, or other person in charge]** administrator or  
30 administrator's designee, whenever such case is presented for  
31 treatment or treated in a **[hospital, sanitarium or any other**  
32 **institution, facility]** health care facility licensed pursuant to  
33 P.L.1971, c.136 (C.26:2H-1 et seq.), or an office where medical  
34 care is provided. This subsection shall not apply to injuries  
35 received by a member of the armed forces of the United States or  
36 the State of New Jersey while engaged in the actual performance of  
37 duty.

**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.

Matter enclosed in superscript numerals has been adopted as follows:

<sup>1</sup>Senate SLP committee amendments adopted May 27, 2010.

1 The defined criteria shall consist of a flame burn injury  
2 accompanied by one or more of the following factors:

3 (1) A fire accelerant was used in the incident causing the injury  
4 and the presence of an accelerant creates a reasonable suspicion that  
5 the patient committed arson in violation of N.J.S.2C:17-1.

6 (2) Treatment for the injury was sought after an unreasonable  
7 delay of time.

8 (3) Changes or discrepancies in the account of the patient or  
9 accompanying person concerning the cause of the injury which  
10 creates a reasonable suspicion that the patient committed arson in  
11 violation of N.J.S.2C:17-1.

12 (4) Voluntary statement by the patient or accompanying person  
13 that the patient was injured during the commission of arson in  
14 violation of N.J.S.2C:17-1.

15 (5) Voluntary statement by the patient or accompanying person  
16 that the patient was injured during a suicide attempt or the  
17 commission of criminal homicide in violation of N.J.S.2C:11-1.

18 (6) Voluntary statement by the patient or accompanying person  
19 that the patient has exhibited fire setting behavior prior to the injury  
20 or has received counseling for such behavior.

21 (7) Any other factor determined by the bureau of fire safety in  
22 the Department of Community Affairs from information in the burn  
23 patient arson registry established under section 4 of P.L.1991, c.433  
24 (C.52:27D-25d3) to typify a patient whose injuries were caused  
25 during the commission of arson in violation of N.J.S.2C:17-1.  
26 (cf: P.L.1991, c.433, s.1)

27  
28 2. The Commissioner of Health and Senior Services <sup>1</sup>~~and~~ <sub>2</sub>  
29 in consultation with<sup>1</sup> the Attorney General, pursuant to the  
30 "Administrative Procedure Act," P.L.1968, c.410 (C.52:14B-1 et  
31 seq.), shall adopt rules and regulations to effectuate the purposes of  
32 this act.

33  
34 3. This act shall take effect on the first day of the fifth month  
35 after enactment, except that the Commissioner of Health and Senior  
36 Services and the Attorney General may take such anticipatory  
37 administrative action in advance as shall be necessary for the  
38 implementation of the act.

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41 \_\_\_\_\_  
42  
43 Requires hospitals to report certain injuries to local and State  
44 police.

**SENATE, No. 1712**

**STATE OF NEW JERSEY**  
**214th LEGISLATURE**

INTRODUCED MARCH 11, 2010

**Sponsored by:**

**Senator SHIRLEY K. TURNER**

**District 15 (Mercer)**

**SYNOPSIS**

Requires hospitals to report certain injuries to local and State police.

**CURRENT VERSION OF TEXT**

As introduced.



S1712 TURNER

2

1 AN ACT concerning the reporting of certain wounds and injuries by  
2 hospitals and amending N.J.S.2C:58-8.

3

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

6

7 1. N.J.S.2C:58-8 is amended to read as follows:

8 2C:58-8. Certain Wounds and Injuries to be Reported. a. Every  
9 case of a wound, burn or any other injury arising from or caused by  
10 a firearm, destructive device, explosive or weapon shall be reported  
11 at once to the **[police authorities]** law enforcement agency of the  
12 municipality where the person reporting is located **[or]** and to the  
13 Division of State Police by the physician consulted, attending or  
14 treating the case or the **[manager, superintendent or other person in**  
15 **charge]** administrator or administrator's designee, whenever such  
16 case is presented for treatment or treated in a **[hospital, sanitarium**  
17 **or other institution]** general hospital licensed pursuant to P.L.1971,  
18 c.136 (C.26:2H-1 et seq.).

19 This subsection shall not, however, apply to wounds, burns or  
20 injuries received by a member of the armed forces of the United  
21 States or the State of New Jersey while engaged in the actual  
22 performance of duty.

23 b. Every case which contains the criteria defined in this  
24 subsection shall be reported at once to the **[police authorities]** law  
25 enforcement agency of the municipality where the person reporting  
26 is located, or to the Division of State Police, by the physician  
27 consulted, attending, or treating the injury, or by the **[manager,**  
28 **superintendent, or other person in charge]** administrator or  
29 administrator's designee, whenever such case is presented for  
30 treatment or treated in a **[hospital, sanitarium or any other**  
31 **institution, facility]** health care facility licensed pursuant to  
32 P.L.1971, c.136 (C.26:2H-1 et seq.), or an office where medical  
33 care is provided. This subsection shall not apply to injuries  
34 received by a member of the armed forces of the United States or  
35 the State of New Jersey while engaged in the actual performance of  
36 duty.

37 The defined criteria shall consist of a flame burn injury  
38 accompanied by one or more of the following factors:

39 (1) A fire accelerant was used in the incident causing the injury  
40 and the presence of an accelerant creates a reasonable suspicion that  
41 the patient committed arson in violation of N.J.S.2C:17-1.

42 (2) Treatment for the injury was sought after an unreasonable  
43 delay of time.

**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 (3) Changes or discrepancies in the account of the patient or  
2 accompanying person concerning the cause of the injury which  
3 creates a reasonable suspicion that the patient committed arson in  
4 violation of N.J.S.2C:17-1.

5 (4) Voluntary statement by the patient or accompanying person  
6 that the patient was injured during the commission of arson in  
7 violation of N.J.S.2C:17-1.

8 (5) Voluntary statement by the patient or accompanying person  
9 that the patient was injured during a suicide attempt or the  
10 commission of criminal homicide in violation of N.J.S.2C:11-1.

11 (6) Voluntary statement by the patient or accompanying person  
12 that the patient has exhibited fire setting behavior prior to the injury  
13 or has received counseling for such behavior.

14 (7) Any other factor determined by the bureau of fire safety in  
15 the Department of Community Affairs from information in the burn  
16 patient arson registry established under section 4 of P.L.1991, c.433  
17 (C.52:27D-25d3) to typify a patient whose injuries were caused  
18 during the commission of arson in violation of N.J.S.2C:17-1.  
19 (cf: P.L.1991, c.433, s.1)

20

21 2. The Commissioner of Health and Senior Services and the  
22 Attorney General, pursuant to the "Administrative Procedure Act,"  
23 P.L.1968, c.410 (C.52:14B-1 et seq.), shall adopt rules and  
24 regulations to effectuate the purposes of this act.

25

26 3. This act shall take effect on the first day of the fifth month  
27 after enactment, except that the Commissioner of Health and Senior  
28 Services and the Attorney General may take such anticipatory  
29 administrative action in advance as shall be necessary for the  
30 implementation of the act.

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STATEMENT

34

35 This bill requires hospitals to report to the local law enforcement  
36 agency, as well as to the State Police, every case of a wound, burn  
37 or any other injury arising from or caused by a firearm, destructive  
38 device, explosive or weapon.

39 Current law requires these reports to be made to either the local  
40 police or the State police. This bill is designed to ensure that  
41 hospitals notify both in the case of such an injury.

SENATE LAW AND PUBLIC SAFETY COMMITTEE

STATEMENT TO

**SENATE, No. 1712**

with committee amendments

**STATE OF NEW JERSEY**

DATED: MAY 27, 2010

The Senate Law and Public Safety Committee reports favorably and with committee amendments Senate Bill No. 1712.

This bill requires hospitals to report to the local law enforcement agency, as well as to the State Police, every case of a wound, burn or any other injury arising from or caused by a firearm, destructive device, explosive or weapon.

Current law requires these reports to be made to either the local police or the State police. This bill is designed to ensure that hospitals notify both in the case of such an injury.

These committee amendments are technical in nature.



ASSEMBLY LAW AND PUBLIC SAFETY COMMITTEE

STATEMENT TO

[First Reprint]

**SENATE, No. 1712**

**STATE OF NEW JERSEY**

DATED: NOVEMBER 8, 2010

The Assembly Law and Public Safety Committee reports favorably Senate Bill No. 1712 (1R).

Senate Bill No. 1712 (1R) requires hospitals to report to the local law enforcement agency, as well as to the State Police, every case of a wound, burn, or any other injury arising from or caused by a firearm, destructive device, explosive, or weapon.

Current law requires these reports to be made to either the local police or the State police. This bill is designed to ensure that hospitals notify both in the case of such an injury.

As reported by the committee, this bill is identical to Assembly Bill No. 3263, also reported by the committee on this same date.

# ASSEMBLY, No. 3263

## STATE OF NEW JERSEY 214th LEGISLATURE

INTRODUCED SEPTEMBER 30, 2010

**Sponsored by:**

**Assemblyman GORDON M. JOHNSON**  
**District 37 (Bergen)**

**Co-Sponsored by:**

**Assemblyman Chivukula**

**SYNOPSIS**

Requires hospitals to report certain injuries to local and State police.

**CURRENT VERSION OF TEXT**

As introduced.



**(Sponsorship Updated As Of: 11/23/2010)**

1 AN ACT concerning the reporting of certain wounds and injuries by  
2 hospitals, amending N.J.S.2C:58-8, and supplementing Title 2C of  
3 the New Jersey Statutes.

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

7  
8 1. N.J.S.2C:58-8 is amended to read as follows:

9 2C:58-8. Certain Wounds and Injuries to be Reported. a. Every  
10 case of a wound, burn or any other injury arising from or caused by  
11 a firearm, destructive device, explosive or weapon shall be reported  
12 at once to the **[police authorities]** law enforcement agency of the  
13 municipality where the person reporting is located **[or]** and to the  
14 Division of State Police by the physician consulted, attending or  
15 treating the case or the **[manager, superintendent or other person in**  
16 **charge]** administrator or administrator's designee, whenever such  
17 case is presented for treatment or treated in a **[hospital, sanitarium**  
18 **or other institution]** general hospital licensed pursuant to P.L.1971,  
19 c.136 (C.26:2H-1 et seq.).

20 This subsection shall not, however, apply to wounds, burns or  
21 injuries received by a member of the armed forces of the United  
22 States or the State of New Jersey while engaged in the actual  
23 performance of duty.

24 b. Every case which contains the criteria defined in this  
25 subsection shall be reported at once to the **[police authorities]** law  
26 enforcement agency of the municipality where the person reporting  
27 is located, or to the Division of State Police, by the physician  
28 consulted, attending, or treating the injury, or by the **[manager,**  
29 **superintendent, or other person in charge]** administrator or  
30 administrator's designee, whenever such case is presented for  
31 treatment or treated in a **[hospital, sanitarium or any other**  
32 **institution, facility]** health care facility licensed pursuant to  
33 P.L.1971, c.136 (C.26:2H-1 et seq.), or an office where medical  
34 care is provided. This subsection shall not apply to injuries  
35 received by a member of the armed forces of the United States or  
36 the State of New Jersey while engaged in the actual performance of  
37 duty.

38 The defined criteria shall consist of a flame burn injury  
39 accompanied by one or more of the following factors:

40 (1) A fire accelerant was used in the incident causing the injury  
41 and the presence of an accelerant creates a reasonable suspicion that  
42 the patient committed arson in violation of N.J.S.2C:17-1.

43 (2) Treatment for the injury was sought after an unreasonable  
44 delay of time.

**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 (3) Changes or discrepancies in the account of the patient or  
2 accompanying person concerning the cause of the injury which  
3 creates a reasonable suspicion that the patient committed arson in  
4 violation of N.J.S.2C:17-1.

5 (4) Voluntary statement by the patient or accompanying person  
6 that the patient was injured during the commission of arson in  
7 violation of N.J.S.2C:17-1.

8 (5) Voluntary statement by the patient or accompanying person  
9 that the patient was injured during a suicide attempt or the  
10 commission of criminal homicide in violation of N.J.S.2C:11-1.

11 (6) Voluntary statement by the patient or accompanying person  
12 that the patient has exhibited fire setting behavior prior to the injury  
13 or has received counseling for such behavior.

14 (7) Any other factor determined by the bureau of fire safety in  
15 the Department of Community Affairs from information in the burn  
16 patient arson registry established under section 4 of P.L.1991, c.433  
17 (C.52:27D-25d3) to typify a patient whose injuries were caused  
18 during the commission of arson in violation of N.J.S.2C:17-1.

19 (cf: P.L.1991, c.433, s.1)

20

21 2. (New section) The Commissioner of Health and Senior  
22 Services, in consultation with the Attorney General, pursuant to the  
23 "Administrative Procedure Act," P.L.1968, c.410 (C.52:14B-1 et  
24 seq.), shall adopt rules and regulations to effectuate the purposes of  
25 this act.

26

27 3. This act shall take effect on the first day of the fifth month  
28 after enactment, except that the Commissioner of Health and Senior  
29 Services and the Attorney General may take such anticipatory  
30 administrative action in advance as shall be necessary for the  
31 implementation of the act.

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#### STATEMENT

35

36 This bill requires hospitals to report to the local law enforcement  
37 agency, as well as to the State Police, every case of a wound, burn  
38 or any other injury arising from or caused by a firearm, destructive  
39 device, explosive or weapon.

40 Current law requires these reports to be made to either the local  
41 police or the State police. This bill is designed to ensure that  
42 hospitals notify both in the case of such an injury.

ASSEMBLY LAW AND PUBLIC SAFETY COMMITTEE

STATEMENT TO

**ASSEMBLY, No. 3263**

**STATE OF NEW JERSEY**

DATED: NOVEMBER 8, 2010

The Assembly Law and Public Safety Committee reports favorably Assembly Bill No. 3263.

Assembly Bill No. 3263 requires hospitals to report to the local law enforcement agency, as well as to the State Police, every case of a wound, burn, or any other injury arising from or caused by a firearm, destructive device, explosive, or weapon.

Current law requires these reports to be made to either the local police or the State police. This bill is designed to ensure that hospitals notify both in the case of such an injury.

As reported by the committee, this bill is identical to Senate Bill No. 1712 (1R), also reported by the committee on this same date.