

**52:17B-139.7**  
**LEGISLATIVE HISTORY CHECKLIST**  
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**LAWS OF:** 2013                    **CHAPTER:** 29

**NJSA:** 52:17B-139.7 (Requires medical oxygen providers to notify fire department whenever they stop delivering oxygen to a local residence)

**BILL NO:** S503                    (Substituted for A2291)

**SPONSOR(S)** Bucco and others

**DATE INTRODUCED:** January 10, 2012

**COMMITTEE:**                    **ASSEMBLY:** Law and Public Safety

**SENATE:** Law and Public Safety

**AMENDED DURING PASSAGE:** No

**DATE OF PASSAGE:**                    **ASSEMBLY:** January 28, 2013

**SENATE:** February 13, 2012

**DATE OF APPROVAL:** March 12, 2013

**FOLLOWING ARE ATTACHED IF AVAILABLE:**

**FINAL TEXT OF BILL** (Introduced version of bill enacted)

**S503**

**SPONSOR'S STATEMENT:** (Begins on page 3 of introduced bill) Yes

**COMMITTEE STATEMENT:**                    **ASSEMBLY:** Yes

**SENATE:** Yes

(Audio archived recordings of the committee meetings, corresponding to the date of the committee statement, *may possibly* be found at [www.njleg.state.nj.us](http://www.njleg.state.nj.us))

**FLOOR AMENDMENT STATEMENT:** No

**LEGISLATIVE FISCAL NOTE:** No

**A2291**

**SPONSOR'S STATEMENT:** (Begins on page 3 of introduced bill) Yes

**COMMITTEE STATEMENT:**                    **ASSEMBLY:** Yes

**SENATE:** No

**FLOOR AMENDMENT STATEMENT:** No

**LEGISLATIVE FISCAL ESTIMATE:** No

**VETO MESSAGE:** No

**GOVERNOR'S PRESS RELEASE ON SIGNING:** No

**FOLLOWING WERE PRINTED:**

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**REPORTS:** No

**HEARINGS:** No

**NEWSPAPER ARTICLES:** No

LAW/KR

P.L.2013, CHAPTER 29, *approved March 12, 2013*  
Senate, No. 503

1 AN ACT concerning the delivery of medical oxygen to residences  
2 and amending P.L.2002, c.118.

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

6  
7 1. Section 1 of P.L.2002, c.118 (C.52:17B-139.7) is amended  
8 to read as follows:

9 1. A licensed pharmacist or other provider of oxygen or an  
10 oxygen delivery system who has supplied oxygen or an oxygen  
11 delivery system to a patient on an order from a licensed health care  
12 provider shall notify the appropriate fire department or company  
13 serving the municipality in which the patient resides of the name  
14 **[and]**, address, and age of the patient and the existence of the  
15 oxygen or oxygen delivery system at the patient's residence, in  
16 accordance with the provisions of this act.

17 a. Prior to notification, a pharmacist or other provider of  
18 oxygen or an oxygen delivery system shall inform the patient of the  
19 notification requirements of this act and obtain written informed  
20 consent from the patient for the notification.

21 If the patient is legally incompetent, the pharmacist or other  
22 provider of oxygen or an oxygen delivery system shall inform an  
23 authorized representative of the patient of the notification  
24 requirements of this act and obtain the written informed consent  
25 from the authorized representative.

26 b. Written informed consent shall consist of a statement, on a  
27 form or in a manner to be determined by the Director of the  
28 Division of Consumer Affairs in the Department of Law and Public  
29 Safety, signed by the patient or by an authorized representative of  
30 the patient, which acknowledges that the pharmacist or other  
31 provider of oxygen or an oxygen delivery system has provided the  
32 patient with information regarding the notification requirements of  
33 this act, and that the patient or authorized representative of the  
34 patient consents to the notification.

35 c. If the patient or his authorized representative declines to  
36 give his informed consent for the notification, the pharmacist or  
37 other provider of oxygen or an oxygen delivery system is required  
38 to inform the patient or his authorized representative that the patient  
39 or representative is obligated to notify the appropriate fire  
40 department or company of the patient's name **[and]**, address, age,  
41 and of the existence of oxygen or an oxygen delivery system at his  
42 residence. The pharmacist or other provider also shall inform 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 patient or his authorized representative that the patient or  
2 representative is obligated to notify the appropriate fire department  
3 or company whenever the supplying of oxygen or the providing of  
4 an oxygen delivery system to the patient is terminated and the  
5 oxygen or oxygen delivery system is removed from the patient's  
6 residence.

7 d. If the patient or his authorized representative declines to  
8 give his informed consent, the pharmacist or other provider of  
9 oxygen or an oxygen delivery system is exempt from the  
10 requirement to make the notification and is permitted to supply the  
11 oxygen or oxygen delivery system as directed by the licensed health  
12 care provider's order.

13 e. A copy of the written informed consent shall be attached to  
14 the order for the oxygen or oxygen delivery system or otherwise  
15 included in the patient's record or, if written consent is not given,  
16 the pharmacist or other provider of oxygen or an oxygen delivery  
17 system shall note on the order or in the patient's record that  
18 informed consent was not given.

19 f. A pharmacist or other provider of oxygen or an oxygen  
20 delivery system who complies with the provisions of this act shall  
21 be immune from civil liability if the patient fails to notify the  
22 appropriate fire department or company of the patient's name  
23 **[and]**, address, age, and the existence of oxygen or an oxygen  
24 delivery system at the patient's residence.

25 g. Whenever the supplying of oxygen or the providing of an  
26 oxygen delivery system to a patient is terminated and the oxygen or  
27 oxygen delivery system is removed from the patient's residence, the  
28 pharmacist or other provider of that oxygen or oxygen delivery  
29 system shall so notify the appropriate fire department or company.  
30 Notice shall be given in a manner, form, and within a time frame  
31 prescribed by the Director of the Division of Consumer Affairs. If  
32 the patient or his authorized representative notified the fire  
33 department or company of the existence of oxygen or an oxygen  
34 delivery system at his residence pursuant to subsection c. of this  
35 section, the patient or his authorized representative shall notify the  
36 fire department or company that the supplying of oxygen or the  
37 providing of an oxygen delivery system is terminated and that the  
38 oxygen or oxygen delivery system has been removed from the  
39 patient's residence. Notification shall be provided within 10 days  
40 of removal.

41 (cf: P.L.2002, c.118, s.1)

42  
43 2. This act shall take effect on the first day of the third month  
44 following enactment.

45  
46 \_\_\_\_\_  
47  
48 Requires medical oxygen providers to notify fire department  
49 whenever they stop delivering oxygen to a local residence.

# SENATE, No. 503

## STATE OF NEW JERSEY 215th LEGISLATURE

PRE-FILED FOR INTRODUCTION IN THE 2012 SESSION

**Sponsored by:**

**Senator ANTHONY R. BUCCO**

**District 25 (Morris and Somerset)**

**SYNOPSIS**

Requires medical oxygen providers to notify fire department whenever they stop delivering oxygen to a local residence.

**CURRENT VERSION OF TEXT**

Introduced Pending Technical Review by Legislative Counsel



1 AN ACT concerning the delivery of medical oxygen to residences  
2 and amending P.L.2002, c.118.

3

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

6

7 1. Section 1 of P.L.2002, c.118 (C.52:17B-139.7) is amended  
8 to read as follows:

9 1. A licensed pharmacist or other provider of oxygen or an  
10 oxygen delivery system who has supplied oxygen or an oxygen  
11 delivery system to a patient on an order from a licensed health care  
12 provider shall notify the appropriate fire department or company  
13 serving the municipality in which the patient resides of the name  
14 **[and]**, address, and age of the patient and the existence of the  
15 oxygen or oxygen delivery system at the patient's residence, in  
16 accordance with the provisions of this act.

17 a. Prior to notification, a pharmacist or other provider of  
18 oxygen or an oxygen delivery system shall inform the patient of the  
19 notification requirements of this act and obtain written informed  
20 consent from the patient for the notification.

21 If the patient is legally incompetent, the pharmacist or other  
22 provider of oxygen or an oxygen delivery system shall inform an  
23 authorized representative of the patient of the notification  
24 requirements of this act and obtain the written informed consent  
25 from the authorized representative.

26 b. Written informed consent shall consist of a statement, on a  
27 form or in a manner to be determined by the Director of the  
28 Division of Consumer Affairs in the Department of Law and Public  
29 Safety, signed by the patient or by an authorized representative of  
30 the patient, which acknowledges that the pharmacist or other  
31 provider of oxygen or an oxygen delivery system has provided the  
32 patient with information regarding the notification requirements of  
33 this act, and that the patient or authorized representative of the  
34 patient consents to the notification.

35 c. If the patient or his authorized representative declines to  
36 give his informed consent for the notification, the pharmacist or  
37 other provider of oxygen or an oxygen delivery system is required  
38 to inform the patient or his authorized representative that the patient  
39 or representative is obligated to notify the appropriate fire  
40 department or company of the patient's name **[and]**, address, age,  
41 and of the existence of oxygen or an oxygen delivery system at his  
42 residence. The pharmacist or other provider also shall inform the  
43 patient or his authorized representative that the patient or  
44 representative is obligated to notify the appropriate fire department  
45 or company whenever the supplying of oxygen or the providing of

**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 an oxygen delivery system to the patient is terminated and the  
2 oxygen or oxygen delivery system is removed from the patient's  
3 residence.

4 d. If the patient or his authorized representative declines to  
5 give his informed consent, the pharmacist or other provider of  
6 oxygen or an oxygen delivery system is exempt from the  
7 requirement to make the notification and is permitted to supply the  
8 oxygen or oxygen delivery system as directed by the licensed health  
9 care provider's order.

10 e. A copy of the written informed consent shall be attached to  
11 the order for the oxygen or oxygen delivery system or otherwise  
12 included in the patient's record or, if written consent is not given,  
13 the pharmacist or other provider of oxygen or an oxygen delivery  
14 system shall note on the order or in the patient's record that  
15 informed consent was not given.

16 f. A pharmacist or other provider of oxygen or an oxygen  
17 delivery system who complies with the provisions of this act shall  
18 be immune from civil liability if the patient fails to notify the  
19 appropriate fire department or company of the patient's name  
20 **[and]**, address, age, and the existence of oxygen or an oxygen  
21 delivery system at the patient's residence.

22 g. Whenever the supplying of oxygen or the providing of an  
23 oxygen delivery system to a patient is terminated and the oxygen or  
24 oxygen delivery system is removed from the patient's residence, the  
25 pharmacist or other provider of that oxygen or oxygen delivery  
26 system shall so notify the appropriate fire department or company.  
27 Notice shall be given in a manner, form, and within a time frame  
28 prescribed by the Director of the Division of Consumer Affairs. If  
29 the patient or his authorized representative notified the fire  
30 department or company of the existence of oxygen or an oxygen  
31 delivery system at his residence pursuant to subsection c. of this  
32 section, the patient or his authorized representative shall notify the  
33 fire department or company that the supplying of oxygen or the  
34 providing of an oxygen delivery system is terminated and that the  
35 oxygen or oxygen delivery system has been removed from the  
36 patient's residence. Notification shall be provided within 10 days  
37 of removal.

38 (cf: P.L.2002, c.118, s.1)

39

40 2. This act shall take effect on the first day of the third month  
41 following enactment.

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STATEMENT

45

46 This bill makes certain changes to the provisions of current law  
47 that govern certain notification requirements that pertain to the

1 existence of oxygen and oxygen delivery systems at the residence of  
2 a patient within this State.

3 Under current law, pharmacists and other providers of oxygen or  
4 an oxygen delivery system are required to notify the local fire  
5 department or company when they deliver or supply medically  
6 ordered oxygen or an oxygen delivery system to a local residence of  
7 a patient. The provisions of current law also stipulate that if the  
8 patient or the patient's authorized representative declines to give  
9 informed consent for the notification, the pharmacist or other  
10 provider of oxygen is required to inform the patient or the patient's  
11 representative that the patient is obligated to notify the appropriate  
12 local fire department or company of the existence of oxygen or an  
13 oxygen delivery system at the patient's residence.

14 Current law, however, does not require pharmacists and other  
15 providers of oxygen to notify the local fire department or company  
16 when they stop providing medical oxygen to a particular residence,  
17 and does not require a patient or a patient's authorized  
18 representative, who initially declined to give informed consent, to  
19 notify the local fire department or company that the supplying of  
20 oxygen or the providing of an oxygen delivery system has been  
21 terminated.

22 This bill requires pharmacists and other providers of oxygen to  
23 provide such a notice to the local fire department or company when  
24 they stop supplying oxygen or stop providing an oxygen delivery  
25 system to a particular patient and the oxygen or oxygen delivery  
26 system has been removed from the patient's residence. The bill  
27 similarly requires that in any case where the patient or the patient's  
28 authorized representative provided the notification to the fire  
29 department or company, the patient or the patient's representative is  
30 required to notify the local fire department or company that the  
31 supplying of oxygen or the providing of an oxygen delivery system  
32 has been terminated and that the oxygen or oxygen delivery system  
33 has been removed from the residence.

34 The bill specifies that the notice of termination and removal  
35 required to be provided by a pharmacist or other provider of oxygen  
36 is to be given in a manner, form, and within a time frame prescribed  
37 by the Director of the Division of Consumer Affairs. The bill  
38 specifies that the notice of termination and removal required to be  
39 provided by a patient or a patient's authorized representative is to  
40 be given within 10 days of removal.

41 The bill provides that a pharmacist or other provider of oxygen  
42 is required to inform the patient or the patient's authorized  
43 representative that the patient is obligated to notify the appropriate  
44 local fire department or company when the supplying of oxygen or  
45 the providing of an oxygen delivery system is terminated and the  
46 oxygen or oxygen delivery system is removed from the patient's  
47 residence.



1       The bill provides that information related to the patient's age,  
2       along with the name and address of the patient, is required to be  
3       provided when notifying local fire departments or companies of the  
4       existence of oxygen or an oxygen delivery system at a particular  
5       residence.

6       Requiring providers of oxygen and oxygen delivery systems to  
7       give notice when they stop supplying or otherwise providing  
8       medical oxygen to a patient will enable local fire departments and  
9       emergency responders to continually update and revise their  
10      response plans based on current information.

# SENATE LAW AND PUBLIC SAFETY COMMITTEE

## STATEMENT TO

### SENATE, No. 503

# STATE OF NEW JERSEY

DATED: JANUARY 23, 2012

The Senate Law and Public Safety Committee reports favorably Senate Bill No. 503.

This bill revises current law governing certain notification requirements that pertain to the existence of oxygen and oxygen delivery systems at the residence of a patient within this State.

Under current law, pharmacists and other providers of oxygen or an oxygen delivery system are required to notify the local fire department or company when they deliver or supply medically ordered oxygen or an oxygen delivery system to a local residence of a patient. The provisions of current law also stipulate that if the patient or the patient's authorized representative declines to give informed consent for the notification, the pharmacist or other provider of oxygen is required to inform the patient or the patient's representative that the patient is obligated to notify the appropriate local fire department or company of the existence of oxygen or an oxygen delivery system at the patient's residence. It is the committee's understanding that the notice is given in order to enable firefighters and emergency responders to be aware of, and appropriately react to, the special safety hazards oxygen and oxygen delivery systems may pose in the event of a fire to the patient, neighboring residents, and firefighters.

Current law, however, does not require pharmacists and other providers of oxygen to notify the local fire department or company when they stop providing medical oxygen to a particular residence. In addition, current law does not require a patient or a patient's authorized representative, who initially declined to give informed consent, to notify the local fire department or company that the supplying of oxygen or the providing of an oxygen delivery system has been terminated.

This bill requires pharmacists and other providers of oxygen to provide such a notice to the local fire department or company when they stop supplying oxygen or providing an oxygen delivery system to a particular patient and the oxygen or oxygen delivery system has been removed from the patient's residence. The bill similarly requires that in any case where the patient or the patient's authorized representative provided the notification to the fire department or company, the patient or the patient's representative is required to notify the local fire department or company that the supplying of oxygen or the providing

of an oxygen delivery system has been terminated and that the oxygen or oxygen delivery system has been removed from the residence.

The bill specifies that the notice of termination and removal required to be provided by a pharmacist or other provider of oxygen is to be given in a manner, form, and within a time frame prescribed by the Director of the Division of Consumer Affairs. The bill specifies that the notice of termination and removal required to be provided by a patient or a patient's authorized representative is to be given within 10 days of removal.

The bill provides that a pharmacist or other provider of oxygen is required to inform the patient or the patient's authorized representative that the patient is obligated to notify the appropriate fire department or company when the supplying of oxygen or the providing of an oxygen delivery system is terminated and the oxygen or oxygen delivery system is removed from the patient's residence.

The bill provides that information related to the patient's age, along with the name and address of the patient, is required to be provided when notifying local fire departments or companies of the existence of oxygen or an oxygen delivery system at a particular residence.

According to the sponsor, requiring providers of oxygen and oxygen delivery systems to give notice when they stop supplying or otherwise providing medical oxygen to a patient will enable local fire departments and emergency responders to continually update and revise their response plans based on current information.

This bill was pre-filed for introduction in the 2012-2013 session pending technical review. As reported, the bill includes the changes required by technical review, which has been performed.

# ASSEMBLY LAW AND PUBLIC SAFETY COMMITTEE

## STATEMENT TO

### **SENATE, No. 503**

# **STATE OF NEW JERSEY**

DATED: JANUARY 14, 2013

The Assembly Law and Public Safety Committee reports favorably Senate Bill No. 503.

Senate Bill No. 503 revises current law governing certain notification requirements that pertain to the existence of oxygen and oxygen delivery systems at the residence of a patient within this State.

Under current law, pharmacists and other providers of oxygen or an oxygen delivery system are required to notify the local fire department or company when they deliver or supply medically ordered oxygen or an oxygen delivery system to a local residence of a patient. The provisions of current law also stipulate that if the patient or the patient's authorized representative declines to give informed consent for the notification, the pharmacist or other provider of oxygen is required to inform the patient or the patient's representative that the patient is obligated to notify the appropriate local fire department or company of the existence of oxygen or an oxygen delivery system at the patient's residence. It is the committee's understanding that the notice is given in order to enable firefighters and emergency responders to be aware of, and appropriately react to, the special safety hazards oxygen and oxygen delivery systems may pose in the event of a fire to the patient, neighboring residents, and firefighters.

Current law, however, does not require pharmacists and other providers of oxygen to notify the local fire department or company when they stop providing medical oxygen to a particular residence. In addition, current law does not require a patient or a patient's authorized representative, who initially declined to give informed consent, to notify the local fire department or company that the supplying of oxygen or the providing of an oxygen delivery system has been terminated.

This bill requires pharmacists and other providers of oxygen to provide such a notice to the local fire department or company when they stop supplying oxygen or providing an oxygen delivery system to a particular patient and the oxygen or oxygen delivery system has been removed from the patient's residence. The bill similarly requires that in any case where the patient or the patient's authorized representative provided the notification to the fire department or company, the patient or the patient's representative is required to notify the local fire department or company that the supplying of oxygen or the providing

of an oxygen delivery system has been terminated and that the oxygen or oxygen delivery system has been removed from the residence.

The bill specifies that the notice of termination and removal required to be provided by a pharmacist or other provider of oxygen is to be given in a manner, form, and within a time frame prescribed by the Director of the Division of Consumer Affairs. The bill specifies that the notice of termination and removal required to be provided by a patient or a patient's authorized representative is to be given within 10 days of removal.

The bill provides that a pharmacist or other provider of oxygen is required to inform the patient or the patient's authorized representative that the patient is obligated to notify the appropriate fire department or company when the supplying of oxygen or the providing of an oxygen delivery system is terminated and the oxygen or oxygen delivery system is removed from the patient's residence.

The bill provides that information related to the patient's age, along with the name and address of the patient, is required to be provided when notifying local fire departments or companies of the existence of oxygen or an oxygen delivery system at a particular residence.

According to the sponsor, requiring providers of oxygen and oxygen delivery systems to give notice when they stop supplying or otherwise providing medical oxygen to a patient will enable local fire departments and emergency responders to continually update and revise their response plans based on current information.

As reported by the committee, this bill is identical to Assembly Bill No. 2291, also reported by the committee on this same date.

# ASSEMBLY, No. 2291

## STATE OF NEW JERSEY 215th LEGISLATURE

INTRODUCED FEBRUARY 2, 2012

**Sponsored by:**

**Assemblyman DANIEL R. BENSON**

**District 14 (Mercer and Middlesex)**

**Assemblyman ANTHONY M. BUCCO**

**District 25 (Morris and Somerset)**

**SYNOPSIS**

Requires medical oxygen providers to notify fire department whenever they stop delivering oxygen to a local residence.

**CURRENT VERSION OF TEXT**

As introduced.



(Sponsorship Updated As Of: 1/15/2013)

1 AN ACT concerning the delivery of medical oxygen to residences  
2 and amending P.L.2002, c.118.

3

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

6

7 1. Section 1 of P.L.2002, c.118 (C.52:17B-139.7) is amended  
8 to read as follows:

9 1. A licensed pharmacist or other provider of oxygen or an  
10 oxygen delivery system who has supplied oxygen or an oxygen  
11 delivery system to a patient on an order from a licensed health care  
12 provider shall notify the appropriate fire department or company  
13 serving the municipality in which the patient resides of the name  
14 **[and]**, address, and age of the patient and the existence of the  
15 oxygen or oxygen delivery system at the patient's residence, in  
16 accordance with the provisions of this act.

17 a. Prior to notification, a pharmacist or other provider of  
18 oxygen or an oxygen delivery system shall inform the patient of the  
19 notification requirements of this act and obtain written informed  
20 consent from the patient for the notification.

21 If the patient is legally incompetent, the pharmacist or other  
22 provider of oxygen or an oxygen delivery system shall inform an  
23 authorized representative of the patient of the notification  
24 requirements of this act and obtain the written informed consent  
25 from the authorized representative.

26 b. Written informed consent shall consist of a statement, on a  
27 form or in a manner to be determined by the Director of the  
28 Division of Consumer Affairs in the Department of Law and Public  
29 Safety, signed by the patient or by an authorized representative of  
30 the patient, which acknowledges that the pharmacist or other  
31 provider of oxygen or an oxygen delivery system has provided the  
32 patient with information regarding the notification requirements of  
33 this act, and that the patient or authorized representative of the  
34 patient consents to the notification.

35 c. If the patient or his authorized representative declines to  
36 give his informed consent for the notification, the pharmacist or  
37 other provider of oxygen or an oxygen delivery system is required  
38 to inform the patient or his authorized representative that the patient  
39 or representative is obligated to notify the appropriate fire  
40 department or company of the patient's name **[and]**, address, age,  
41 and of the existence of oxygen or an oxygen delivery system at his  
42 residence. The pharmacist or other provider also shall inform the  
43 patient or his authorized representative that the patient or  
44 representative is obligated to notify the appropriate fire department  
45 or company whenever the supplying of oxygen or the providing of

**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 an oxygen delivery system to the patient is terminated and the  
2 oxygen or oxygen delivery system is removed from the patient's  
3 residence.

4 d. If the patient or his authorized representative declines to  
5 give his informed consent, the pharmacist or other provider of  
6 oxygen or an oxygen delivery system is exempt from the  
7 requirement to make the notification and is permitted to supply the  
8 oxygen or oxygen delivery system as directed by the licensed health  
9 care provider's order.

10 e. A copy of the written informed consent shall be attached to  
11 the order for the oxygen or oxygen delivery system or otherwise  
12 included in the patient's record or, if written consent is not given,  
13 the pharmacist or other provider of oxygen or an oxygen delivery  
14 system shall note on the order or in the patient's record that  
15 informed consent was not given.

16 f. A pharmacist or other provider of oxygen or an oxygen  
17 delivery system who complies with the provisions of this act shall  
18 be immune from civil liability if the patient fails to notify the  
19 appropriate fire department or company of the patient's name  
20 **[and]**, address, age, and the existence of oxygen or an oxygen  
21 delivery system at the patient's residence.

22 g. Whenever the supplying of oxygen or the providing of an  
23 oxygen delivery system to a patient is terminated and the oxygen or  
24 oxygen delivery system is removed from the patient's residence, the  
25 pharmacist or other provider of that oxygen or oxygen delivery  
26 system shall so notify the appropriate fire department or company.  
27 Notice shall be given in a manner, form, and within a time frame  
28 prescribed by the Director of the Division of Consumer Affairs. If  
29 the patient or his authorized representative notified the fire  
30 department or company of the existence of oxygen or an oxygen  
31 delivery system at his residence pursuant to subsection c. of this  
32 section, the patient or his authorized representative shall notify the  
33 fire department or company that the supplying of oxygen or the  
34 providing of an oxygen delivery system is terminated and that the  
35 oxygen or oxygen delivery system has been removed from the  
36 patient's residence. Notification shall be provided within 10 days  
37 of removal.

38 (cf: P.L.2002, c.118, s.1)

39

40 2. This act shall take effect on the first day of the third month  
41 following enactment.

42

43

44

STATEMENT

45

46 This bill revises current law governing certain notification  
47 requirements that pertain to the existence of oxygen and oxygen  
48 delivery systems at the residence of a patient within this State.



1 Under current law, pharmacists and other providers of oxygen or  
2 an oxygen delivery system are required to notify the local fire  
3 department or company when they deliver or supply medically  
4 ordered oxygen or an oxygen delivery system to a local residence of  
5 a patient. The provisions of current law also stipulate that if the  
6 patient or the patient's authorized representative declines to give  
7 informed consent for the notification, the pharmacist or other  
8 provider of oxygen is required to inform the patient or the patient's  
9 representative that the patient is obligated to notify the appropriate  
10 local fire department or company of the existence of oxygen or an  
11 oxygen delivery system at the patient's residence. The notice is  
12 given in order to enable firefighters and emergency responders to be  
13 aware of, and appropriately react to, the special safety hazards  
14 oxygen and oxygen delivery systems may pose in the event of a fire  
15 to the patient, neighboring residents, and firefighters.

16 Current law, however, does not require pharmacists and other  
17 providers of oxygen to notify the local fire department or company  
18 when they stop providing medical oxygen to a particular residence.  
19 In addition, current law does not require a patient or a patient's  
20 authorized representative, who initially declined to give informed  
21 consent, to notify the local fire department or company that the  
22 supplying of oxygen or the providing of an oxygen delivery system  
23 has been terminated.

24 This bill requires pharmacists and other providers of oxygen to  
25 provide such a notice to the local fire department or company when  
26 they stop supplying oxygen or providing an oxygen delivery system  
27 to a particular patient and the oxygen or oxygen delivery system has  
28 been removed from the patient's residence. The bill similarly  
29 requires that in any case where the patient or the patient's  
30 authorized representative provided the notification to the fire  
31 department or company, the patient or the patient's representative is  
32 required to notify the local fire department or company that the  
33 supplying of oxygen or the providing of an oxygen delivery system  
34 has been terminated and that the oxygen or oxygen delivery system  
35 has been removed from the residence.

36 The bill specifies that the notice of termination and removal  
37 required to be provided by a pharmacist or other provider of oxygen  
38 is to be given in a manner, form, and within a time frame prescribed  
39 by the Director of the Division of Consumer Affairs. The bill  
40 specifies that the notice of termination and removal required to be  
41 provided by a patient or a patient's authorized representative is to  
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44 required to inform the patient or the patient's authorized  
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46 fire department or company when the supplying of oxygen or the  
47 providing of an oxygen delivery system is terminated and the

1 oxygen or oxygen delivery system is removed from the patient's  
2 residence.

3 The bill provides that information related to the patient's age,  
4 along with the name and address of the patient, is required to be  
5 provided when notifying local fire departments or companies of the  
6 existence of oxygen or an oxygen delivery system at a particular  
7 residence.

8 Requiring providers of oxygen and oxygen delivery systems to  
9 give notice when they stop supplying or otherwise providing  
10 medical oxygen to a patient will enable local fire departments and  
11 emergency responders to continually update and revise their  
12 response plans based on current information.

# ASSEMBLY LAW AND PUBLIC SAFETY COMMITTEE

## STATEMENT TO

### ASSEMBLY, No. 2291

# STATE OF NEW JERSEY

DATED: JANUARY 14, 2013

The Assembly Law and Public Safety Committee reports favorably Assembly Bill No. 2291.

Assembly Bill No. 2291 revises current law governing certain notification requirements that pertain to the existence of oxygen and oxygen delivery systems at the residence of a patient within this State.

Under current law, pharmacists and other providers of oxygen or an oxygen delivery system are required to notify the local fire department or company when they deliver or supply medically ordered oxygen or an oxygen delivery system to a local residence of a patient. The provisions of current law also stipulate that if the patient or the patient's authorized representative declines to give informed consent for the notification, the pharmacist or other provider of oxygen is required to inform the patient or the patient's representative that the patient is obligated to notify the appropriate local fire department or company of the existence of oxygen or an oxygen delivery system at the patient's residence. The notice is given in order to enable firefighters and emergency responders to be aware of, and appropriately react to, the special safety hazards oxygen and oxygen delivery systems may pose in the event of a fire to the patient, neighboring residents, and firefighters.

Current law, however, does not require pharmacists and other providers of oxygen to notify the local fire department or company when they stop providing medical oxygen to a particular residence. In addition, current law does not require a patient or a patient's authorized representative, who initially declined to give informed consent, to notify the local fire department or company that the supplying of oxygen or the providing of an oxygen delivery system has been terminated.

This bill requires pharmacists and other providers of oxygen to provide such a notice to the local fire department or company when they stop supplying oxygen or providing an oxygen delivery system to a particular patient and the oxygen or oxygen delivery system has been removed from the patient's residence. The bill similarly requires that in any case where the patient or the patient's authorized representative provided the notification to the fire department or company, the patient or the patient's representative is required to notify the local fire department or company that the supplying of oxygen or the providing

of an oxygen delivery system has been terminated and that the oxygen or oxygen delivery system has been removed from the residence.

The bill specifies that the notice of termination and removal required to be provided by a pharmacist or other provider of oxygen is to be given in a manner, form, and within a time frame prescribed by the Director of the Division of Consumer Affairs. The bill specifies that the notice of termination and removal required to be provided by a patient or a patient's authorized representative is to be given within 10 days of removal.

The bill provides that a pharmacist or other provider of oxygen is required to inform the patient or the patient's authorized representative that the patient is obligated to notify the appropriate fire department or company when the supplying of oxygen or the providing of an oxygen delivery system is terminated and the oxygen or oxygen delivery system is removed from the patient's residence.

The bill provides that information related to the patient's age, along with the name and address of the patient, is required to be provided when notifying local fire departments or companies of the existence of oxygen or an oxygen delivery system at a particular residence.

Requiring providers of oxygen and oxygen delivery systems to give notice when they stop supplying or otherwise providing medical oxygen to a patient will enable local fire departments and emergency responders to continually update and revise their response plans based on current information.

As reported by the committee, this bill is identical to Senate Bill No. 503, also reported by the committee on this same date.