

26:2-112 to 26:2-116

LEGISLATIVE HISTORY CHECKLIST

NJSA 26:2-112 to 26:2-116 (DES (Drug)--establish program for location and referral of women exposed to drug)

LAWS 1981 CHAPTER 288

Bill No. S1179

Sponsor(s) Skevin and others

Date Introduced April 17, 1980

Committee: Assembly Institutions, Health & Welfare

Senate Institutions, Health & Welfare

Amended during passage Yes ~~No~~ Amendments during passage denoted by asterisks

Date of Passage: Assembly June 11, 1981

Senate June 26, 1980

Date of approval Sept. 23, 1981

Following statements are attached if available:

Sponsor statement	Yes	No
Committee Statement: Assembly	Yes	No
Senate	Yes	No
Fiscal Note	Yes	No
Veto Message	Yes	No
Message on signing	Yes	No

Following were printed:

Reports	Yes	No
Hearings	Yes	No

6/22/81

[OFFICIAL COPY REPRINT]
SENATE, No. 1179

STATE OF NEW JERSEY

INTRODUCED APRIL 17, 1980

By Senators SKEVIN, A. RUSSO, HAMILTON, DWYER, HAGEDORN, MUSTO, SCARDINO, HERBERT, VREELAND, RODGERS and SHEIL

Referred to Committee on Institutions, Health and Welfare

AN ACT requiring the Department of Health to establish programs to identify, diagnose and refer persons who have been exposed to the drug diethylstilbestrol and educate health care professionals in the detection and treatment of DES-related disorders ***[and making an appropriation]***.

1 BE IT ENACTED *by the Senate and General Assembly of the State*
2 *of New Jersey:*

1 1. The Legislature finds that the effective identification, diag-
2 nosis, care and treatment of persons who have been exposed to
3 diethylstilbestrol, commonly referred to as DES, is of paramount
4 public importance; that DES, a synthetic estrogen-type hormone,
5 was extensively administered between 1940 and 1970 to pregnant
6 women threatened with miscarriage; that, subsequently, a causal
7 relationship was found between DES and an unusual type of
8 cervical and vaginal cancer in the daughters of persons who took
9 the drug during pregnancy; that use of DES during pregnancy has
10 been discontinued as a result of these findings, but that as many as
11 75,000 persons in New Jersey may have been exposed to the drug
12 during its period of usage.

13 The Legislature further finds that the magnitude of this problem
14 may only be realized in the next few years as the daughters of
15 women exposed to the drug reach reproductive age, the time when
16 such abnormalities become apparent; that the situation is com-
17 pounded by the relative newness of the studies associating DES
18 with cancer and the uncertainty over the implications of recent
19 research; and that many physicians are not yet familiar with
20 detection and treatment techniques because the problem has been
21 relatively recently identified.

EXPLANATION—Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted in the law.

22 Therefore, the Legislature declares that it is imperative that
23 programs be established to identify and diagnose persons who have
24 been exposed to the drug diethylstilbestrol, to refer them to sources
25 of care and treatment, and to provide an education program for
26 physicians and other health care professionals so that exposed
27 persons may benefit from the best possible diagnostic procedures
28 and treatment.

1 2. As used in this act:

2 a. "Primary screening" means the initial evaluation of a person
3 through history, physical examination and routine tests to deter-
4 mine the possible existence of physical changes due to diethyl-
5 stilbestrol exposure; and

6 b. "Secondary screening" means a follow-up evaluation with
7 specialized diagnostic measures of a person identified in a primary
8 screening as having a high probability of being diethylstilbestrol
9 exposed, in order to confirm the existence of changes attributed to
10 that exposure.

1 3. The Commissioner of the Department of Health shall
2 establish:

3 a. A program to educate the public and health care professionals
4 involved in primary screening about the potential hazards and
5 afflictions which may be related to exposure to diethylstilbestrol and
6 the symptoms and prevention of associated malignancies. The
7 program shall include a public information campaign on diethyl-
8 stilbestrol to encourage persons exposed to the drug to seek medical
9 care for the prevention or treatment of any malignant condition.

10 b. Secondary screening programs for diethylstilbestrol exposed
11 persons through contract with licensed health care facilities. In
12 contracting for the secondary screening programs, consideration
13 shall be given to the location of the facility in relation to the con-
14 centration of population within the State and the capacity of the
15 facility to properly conduct a secondary screening program. Each
16 contract for a secondary screening program shall be upon such
17 terms and conditions as the Commissioner of Health determines;
18 but each facility shall charge each person receiving services a fee as
19 determined by the commissioner. Where provided, all third party
20 payors shall be accepted and utilized in securing payment for
21 services.

22 c. Continuing education programs for health care professionals
23 involved in the diagnosis and treatment of diethylstilbestrol ex-
24 posed persons.

1 4. The Commissioner of the Department of Health shall maintain
2 a registry of women who took diethylstilbestrol during pregnancy

3 and their offspring who were exposed to diethylstilbestrol pre-
4 nately for the purpose of follow-up care and treatment of long term
5 problems associated with diethylstilbestrol exposure. Enrollment
6 in the registry shall be upon a voluntary basis.

1 5. The Department of Health shall make an annual report to the
2 Legislature, through the President of the Senate, Speaker of the
3 General Assembly and Chairmen of the Senate and Assembly In-
4 stitutions, Health and Welfare Committees of its findings and
5 recommendations concerning the effectiveness, impact and benefits
6 derived from the programs created herein, and any recommenda-
7 tions for legislative changes deemed necessary.

1 ***[6.** There is appropriated to the Department of Health
2 \$75,000.00 to carry out the purposes of this act.]*

1 ***[7.]*** *6.* This act shall take effect immediately.

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5 problems associated with diethylstilbestrol exposure. Enrollment
6 in the registry shall be upon a voluntary basis.

1 5. The Department of Health shall make an annual report to the
2 Legislature, through the President of the Senate, Speaker of the
3 General Assembly and Chairmen of the Senate and Assembly In-
4 stitutions, Health and Welfare Committees of its findings and
5 recommendations concerning the effectiveness, impact and benefits
6 derived from the programs created herein, and any recommenda-
7 tions for legislative changes deemed necessary.

1 6. There is appropriated to the Department of Health \$75,000.00
2 to carry out the purposes of this act.

1 7. This act shall take effect immediately.

STATEMENT

This bill requires the Commissioner of Health to establish: a program to educate the public and health care professionals about diethylstilbestrol (DES); screening programs for DES exposed persons; and continuing education programs for health care professionals involved in the diagnosis and treatment of DES exposed persons. Also, the commissioner is required to maintain a voluntary registry of persons who have been exposed to DES for the purpose of follow-up care and treatment of longterm problems associated with DES exposure. The bill appropriates \$75,000.00 to carry out the purposes of the act.

The obstacles to treating persons exposed to DES are threefold. They are: the lack of information on the part of the public and some health care providers concerning the potential problems associated with DES exposure and the resulting need for primary screening; the lack of health care facilities in the State that are equipped for and capable of providing more specialized secondary screening; and the lack of continuing education programs for health care providers involved in the specialized area of screening for and treatment of the conditions attributed to DES exposure. The intent of this bill is to overcome these obstacles.

51179 (1980)

ASSEMBLY INSTITUTIONS, HEALTH AND WELFARE
COMMITTEE

STATEMENT TO

SENATE, No. 1179

[OFFICIAL COPY REPRINT]

STATE OF NEW JERSEY

DATED: MAY 14, 1981

Diethylstilbestrol (DES) is a synthetic estrogen hormone in use from 1940 until 1970 to treat women threatened with miscarriage. Since that time, a relationship apparently has been found between DES and a type of cervical and vaginal cancer appearing in the daughters of women who took the drug during pregnancy.

It is estimated that approximately 75,000 women in New Jersey may have been exposed to DES during the period in question. The number of young women possibly affected should become apparent in the next few years as daughters of DES users reach reproduction age, which is the time when such abnormalities appear.

This bill requires the Commissioner of Health to establish: (1) a program to educate the public and health care professionals about diethylstilbestrol (DES); (2) secondary screening programs for DES-exposed persons; (3) continuing education programs for health care professionals involved in the diagnosis and treatment of DES-exposed persons; and (4) a registry of DES-exposed persons for follow-up care and treatment of long-term problems. Enrollment in the registry is voluntary.

The committee agreed with the purpose of this legislation and released the bill without amendment.

SENATE INSTITUTIONS, HEALTH AND WELFARE
COMMITTEE

STATEMENT TO

SENATE, No. 1179

with Senate committee amendments

STATE OF NEW JERSEY

DATED: JUNE 12, 1980

This bill requires the Commissioner of Health to establish: a program to educate the public and health care professionals about diethylstilbestrol (DES); screening programs for DES exposed persons; and continuing education programs for health care professionals involved in the diagnosis and treatment of DES exposed persons. Also, the commissioner is required to maintain a voluntary registry of persons who have been exposed to DES for the purpose of follow-up care and treatment of longterm problems associated with DES exposure.

The obstacles to treating persons exposed to DES are threefold. They are: the lack of information on the part of the public and some health care providers concerning the potential problems associated with DES exposure and the resulting need for primary screening; the lack of health care facilities in the State that are equipped for and capable of providing more specialized secondary screening; and the lack of continuing education programs for health care providers involved in the specialized area of screening for and treatment of the conditions attributed to DES exposure. The intent of this bill is to overcome these obstacles.

The committee amended the bill to delete the appropriation because the Joint Appropriations Committee has included an appropriation for DES programs in the budget for fiscal year 1981.

FOR IMMEDIATE RELEASE

FOR FURTHER INFORMATION

SEPTEMBER 23, 1981

KATHRIN FORSYTH

Acting Governor Joseph P. Merlino today signed the following bill into law:

S-1179, sponsored by Senator John Skevin (D-Bergen), requiring the Department of Health to locate, diagnose and refer for proper treatment women who have been exposed to the drug diethylstilbestrol (DES).

DES is a synthetic hormone that was extensively administered between 1940 and 1970 to pregnant women who were threatened with miscarriage. Studies have found that DES causes cancer in the daughters of these women.

The bill requires the Department to set up a program to educate the public and health care professionals about DES and to establish screening programs for women who have been exposed to the drug.

It must also establish voluntary registration programs for these people so they can get follow-up and any necessary treatment for long-term problems associated with the drug, and continuing education programs for the health care professionals who are involved in the diagnosis and treatment of these women.

The bill appropriates \$50,000.

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