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end

P.L. 2022, CHAPTER 106, *approved September 15, 2022*
Assembly, No. 2021

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.

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. This act shall take effect 180 days after the date of
2 enactment.

3

4

5

6

7 _____

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

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)

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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.

1 STATEMENT

2

3 This bill requires embryo storage facilities to record and report
4 health information of patients in a manner that is consistent with
5 certain federal laws.

6 Under the bill, within 90 days after the bill's effective date, as a
7 condition of continued or new licensure, an embryo storage facility
8 that is required to record or report the health information of a
9 patient, is to record and report the patient's health information using
10 a program that is compliant with the "Health Insurance Portability
11 and Accountability Act of 1996," Pub.L.104-191 and requirements
12 adopted by the U.S. Department of Health and Human Services
13 regarding functions, technological capabilities, and security features
14 within the program.

ASSEMBLY HEALTH COMMITTEE

STATEMENT TO

ASSEMBLY, No. 2021

STATE OF NEW JERSEY

DATED: FEBRUARY 3, 2022

The Assembly Human Services Committee reports favorably Assembly Bill No. 2021.

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

Under the bill, within 90 days after the bill's effective date, as a condition of continued or new licensure, an embryo storage facility that is required to record or report the health information of a patient, is to record and report the patient's health information using a program that is compliant with the "Health Insurance Portability and Accountability Act of 1996," Pub.L.104-191 and requirements adopted by the U.S. Department of Health and Human Services regarding functions, technological capabilities, and security features within the program.

This bill was pre-filed for introduction in the 2022-2023 session pending technical review. As reported, the bill includes the changes required by technical review, which has been performed.

SENATE HEALTH, HUMAN SERVICES AND SENIOR
CITIZENS COMMITTEE

STATEMENT TO

ASSEMBLY, No. 2021

STATE OF NEW JERSEY

DATED: JUNE 23, 2022

The Senate Health, Human Services and Senior Citizens Committee reports favorably Assembly Bill No. 2021.

This bill requires embryo storage facilities to record and report the health information of patients in a manner that is consistent with federal privacy laws.

Specifically, the bill requires that, as a condition of continued or new licensure, an embryo storage facility that is required to record or report the health information of a patient is to record and report the patient's health information using a program that is compliant with the "Health Insurance Portability and Accountability Act of 1996," Pub.L.104-191 and requirements adopted by the U.S. Department of Health and Human Services regarding functions, technological capabilities, and security features within the program. The requirement will take effect 90 days after the effective date of the bill.

As reported by the committee, Assembly Bill No. 2021 is identical to Senate Bill No. 1138, which was also reported by the committee on this date.

SENATE, No. 1138

STATE OF NEW JERSEY
220th LEGISLATURE

INTRODUCED JANUARY 31, 2022

Sponsored by:
Senator VIN GOPAL
District 11 (Monmouth)

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

As introduced.



S1138 GOPAL

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SENATE HEALTH, HUMAN SERVICES AND SENIOR
CITIZENS COMMITTEE

STATEMENT TO

SENATE, No. 1138

STATE OF NEW JERSEY

DATED: JUNE 23, 2022

The Senate Health, Human Services and Senior Citizens Committee reports favorably Senate Bill No. 1138.

This bill requires embryo storage facilities to record and report the health information of patients in a manner that is consistent with federal privacy laws.

Specifically, the bill requires that, as a condition of continued or new licensure, an embryo storage facility that is required to record or report the health information of a patient is to record and report the patient's health information using a program that is compliant with the "Health Insurance Portability and Accountability Act of 1996," Pub.L.104-191 and requirements adopted by the U.S. Department of Health and Human Services regarding functions, technological capabilities, and security features within the program. The requirement will take effect 90 days after the effective date of the bill.

As reported by the committee, Senate Bill No. 1138 is identical to Assembly Bill No. 2021, which was also reported by the committee on this date.

Governor Murphy Takes Action on Legislation

09/15/2022

TRENTON – Today, Governor Murphy signed the following bills and resolutions into law:

A-2021/S-1138 (Conaway, Benson/Gopal) - Requires embryo storage facilities to record and report health information of patients in manner that is consistent with certain federal laws

A-3329/S-994 (McKnight/Ruiz) - Requires BPU to conduct study of effect of coronavirus 2019 pandemic on local and public utility service and to quarterly collect and publish certain local and public utility service and customer information

A-3694/S-1800 (Moen, McKnight/Gopal, Stanfield) - Establishes “Purple Star Schools Program” in DOE to recognize schools which emphasize importance of assisting children of military families

A-4127/S-2743 (Stanley, Spearman, Murphy/Greenstein, Singleton) - Mandates access to periodic cancer screening examinations for professional firefighters not enrolled in SHBP; makes appropriation

A-4254/S-2852 (Coughlin, Karabinchak, Kennedy, Lopez/Diegnan) - Excludes electricity supplied to recycled materials manufacturing facilities from renewable energy portfolio standards

A-4373/S-2900 (Calabrese, Speight/Sarlo) - Permits municipal emergency management coordinators to reside within reasonable proximity to municipality in which they are employed

AJR-57/SJR-47 (Moen, Mukherji, Dancer/Beach, Cruz-Perez) - Expresses support for commissioning of SSN-796, U.S.S. New Jersey, in New Jersey

The Governor vetoed the following bills:

A-793/S-1427 (Timberlake, Tucker, Reynolds-Jackson/Gill, Turner) – **CONDITIONAL** - Creates “Community Wealth Preservation Program”; expands access for certain buyers to purchase property from sheriff’s sales

[Copy of Statement](#)

A-3149/S-438 (McKeon, Dancer, Benson/Smith, Codey) - **CONDITIONAL** - Changes entity responsible for management of NJ School of Conservation to nonprofit organization, and directs DOE to request funding for center annually

[Copy of Statement](#)

A-4101/S-2666 (Lopez, Coughlin/Vitale, Corrado) - **CONDITIONAL** - Requires MVC to prompt applicant for certain documents to enter information into "Next-of-Kin Registry

[Copy of Statement](#)

A-4107/S-2768 (Schaer, Conaway, Verrelli/Vitale, Singer) - **CONDITIONAL** - Makes various changes concerning regulation of emergency medical services; establishes mobile integrated health program and new State Emergency Medical Services Medical Director in DOH

[Copy of Statement](#)

A-2676/S-1212 (McClellan/Testa) – **ABSOLUTE** - Revises permitting thresholds for certain types of development requiring CAFRA permit from DEP

