

LEGISLATIVE HISTORY CHECKLIST

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LAWS of 1999

CHAPTER: 66

NJSA:26:2U-1 to 26:2U-3

(Chronic fatigue syndrome program -- Dept. of Health)

BILL NO:A507 (Substituted for S1028 -- 1st Reprint)

SPONSOR(S):Zecker and LeFevre

DATE INTRODUCED: Pre-filed

COMMITTEE:

*ASSEMBLY:*Health

*SENATE:*Health

AMENDED DURING PASSAGE:Yes

DATE OF PASSAGE:

*ASSEMBLY:*February 18, 1999

*SENATE:*January 12, 1999

DATE OF APPROVAL:April 16, 1999

THE FOLLOWING ARE ATTACHED IF AVAILABLE:

FINAL TEXT OF BILL: *Yes*2nd Reprint

(Amendments during passage denoted by superscript numbers)

A507

SPONSORS STATEMENT: *Yes*(Begins on page 2 of original bill)

COMMITTEE STATEMENT:

ASSEMBLY:*Yes*

SENATE:*Yes*

FLOOR AMENDMENT STATEMENTS: *No*

LEGISLATIVE FISCAL ESTIMATE: *No*

S1028

SPONSORS STATEMENT: *Yes*(Begins on page 2 of original bill)

COMMITTEE STATEMENT:

ASSEMBLY: *No*

SENATE: *Yes*

FLOOR AMENDMENT STATEMENTS:*No*

LEGISLATIVE FISCAL ESTIMATE: *No*

1st REPRINT (Last Version)*Yes*

GOVERNOR'S ACTIONS

VETO MESSAGE: *No*

GOVERNOR'S PRESS RELEASE ON SIGNING: *Yes*

THE FOLLOWING WERE PRINTED:

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REPORTS: *No*

HEARINGS: *No*

NEWSPAPER ARTICLES: *No*

ASSEMBLY, No. 507

STATE OF NEW JERSEY 208th LEGISLATURE

PRE-FILED FOR INTRODUCTION IN THE 1998 SESSION

Sponsored by:

Assemblyman GERALD H. ZECKER

District 34 (Essex and Passaic)

Assemblyman KENNETH C. LEFEVRE

District 2 (Atlantic)

SYNOPSIS

Establishes chronic fatigue syndrome program in Department of Health and Senior Services.

CURRENT VERSION OF TEXT

Introduced Pending Technical Review by Legislative Counsel.



(Sponsorship Updated As Of: 2/27/1998)

1 AN ACT establishing a program of services for persons with chronic
2 fatigue syndrome and supplementing Title 26 of the Revised
3 Statutes.

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

7
8 1. The Commissioner of Health and Senior Services shall establish
9 a Statewide network of resources to provide the following services to
10 persons with chronic fatigue syndrome, also known as chronic fatigue
11 immune dysfunction syndrome: information and referral services,
12 physician training and patient education programs, information on
13 disability services, a public awareness campaign, and clinical services
14 that provide diagnosis and treatment of persons with chronic fatigue
15 syndrome.

16
17 2. The Department of Health and Senior Services, in consultation
18 with the New Jersey Chronic Fatigue Syndrome Association, Inc., the
19 Academy of Medicine of New Jersey and the University of Medicine
20 and Dentistry of New Jersey, shall prepare and make available to all
21 health care providers in the State, upon request, a manual which
22 provides information about the clinical significance, diagnosis and
23 treatment of chronic fatigue syndrome. The manual may contain any
24 other information which the Commissioner of Health and Senior
25 Services deems necessary and may be revised by the department
26 whenever new information about chronic fatigue syndrome becomes
27 available. The department shall publicize and make available the
28 manual to the maximum extent possible.

29
30 3. The Commissioner of Health and Senior Services, pursuant to
31 the "Administrative Procedure Act," P.L.1968, c.410 (C.52:14B-1 et
32 seq.), shall adopt rules and regulations to effectuate the purposes of
33 this act.

34
35 4. This act shall take effect immediately.

36
37
38 STATEMENT

39
40 This bill requires the Commissioner of Health and Senior Services
41 to establish a Statewide network of resources to provide the following
42 services to persons with chronic fatigue syndrome (CFS): information
43 and referral services, physician and patient education and training
44 programs, information on disability services, a public awareness
45 campaign, and clinical services that provide diagnosis and treatment of
46 persons with CFS.

1 The bill also requires the commissioner, in consultation with the
2 New Jersey Chronic Fatigue Syndrome Association, Inc., the Academy
3 of Medicine of New Jersey and the University of Medicine and
4 Dentistry of New Jersey, to prepare and make available to all health
5 care providers in the State, upon request, a manual which provides
6 information about the clinical significance, diagnosis and treatment of
7 chronic fatigue syndrome. The manual may contain any other
8 information which the Commissioner of Health and Senior Services
9 deems necessary and may be revised by the department whenever new
10 information about chronic fatigue syndrome becomes available. The
11 department shall publicize and make available the manual to the
12 maximum extent possible.

13 CFS is a scientifically recognized disease syndrome which manifests
14 itself across a spectrum of symptoms, ranging from people being
15 chronically tired to being confined to a wheelchair. The federal
16 Centers for Disease Control and Prevention recently raised CFS to a
17 "Priority 1" in its new re-emerging drug-resistant infectious disease
18 category. Other "Priority 1" diseases include cholera, malaria,
19 hepatitis C and tuberculosis.

20 For many who have it, CFS is a devastating and debilitating illness
21 characterized by both physical symptoms (joint pain, muscle weakness,
22 headaches, insomnia and exhaustion) and cognitive symptoms (such as
23 memory loss, inability to concentrate and mental "fog"). Many CFS
24 patients are totally disabled and unable to care for themselves. To
25 date, no cure has been found for the estimated one million persons
26 with CFS in this country, and research on CFS presents special
27 challenges because the causes and mechanisms of this disease are not
28 yet fully understood. It should be noted that the federal government
29 has recognized the seriousness of this disease. For example, several
30 institutes at the National Institutes of Health support research on CFS,
31 and the Centers for Disease Control and Prevention are engaged in
32 studying the epidemiology of CFS, particularly its incidence and
33 prevalence.

ASSEMBLY HEALTH COMMITTEE

STATEMENT TO

ASSEMBLY, No. 507

with committee amendments

STATE OF NEW JERSEY

DATED: FEBRUARY 23, 1998

The Assembly Health Committee reports favorably and with committee amendments Assembly Bill No. 507.

This bill requires the Commissioner of Health and Senior Services to establish a Statewide network of resources to provide the following services to persons with chronic fatigue syndrome (CFS): information and referral services, physician and patient education and training programs, information on disability services, and a public awareness campaign.

The bill also requires the commissioner, in consultation with the New Jersey Chronic Fatigue Syndrome Association, Inc., the Academy of Medicine of New Jersey and the University of Medicine and Dentistry of New Jersey, to prepare and make available to all health care providers in the State, upon request, a manual which provides information about the clinical significance, diagnosis and treatment of CFS. The manual may contain any other information which the Commissioner of Health and Senior Services deems necessary and may be revised by the department whenever new information about chronic fatigue syndrome becomes available. The department shall publicize and make available the manual to the maximum extent possible.

CFS is a scientifically recognized disease syndrome which manifests itself across a spectrum of symptoms, ranging from people being chronically tired to being confined to a wheelchair. The federal Centers for Disease Control and Prevention recently raised CFS to a "Priority 1" in its new re-emerging drug-resistant infectious disease category. Other "Priority 1" diseases include cholera, malaria, hepatitis C and tuberculosis.

For many who have it, CFS is a devastating and debilitating illness characterized by both physical symptoms (joint pain, muscle weakness, headaches, insomnia and exhaustion) and cognitive symptoms (such as memory loss, inability to concentrate and mental "fog"). Many CFS patients are totally disabled and unable to care for themselves. To date, no cure has been found for the estimated one million persons with CFS in this country, and research on CFS presents special

challenges because the causes and mechanisms of this disease are not yet fully understood. It should be noted that the federal government has recognized the seriousness of this disease. For example, several institutes at the National Institutes of Health support research on CFS, and the Centers for Disease Control and Prevention are engaged in studying the epidemiology of CFS, particularly its incidence and prevalence.

The committee amended the bill to clarify its intent by deleting the requirement that the Commissioner of Health and Senior Services provide for clinical services that provide diagnosis and treatment of persons with CFS; the purpose of the bill is provide information and increase public awareness about CFS and services for persons with CFS. The committee amendments also include a \$95,000 appropriation to the Department of Health and Senior Services to cover the cost of preparing a manual which provides information about the clinical significance, diagnosis and treatment of CFS.

This bill was prefiled for introduction in the 1998-99 session pending technical review. As reported, the bill includes the changes required by technical review which has been performed.

SENATE HEALTH COMMITTEE

STATEMENT TO

[First Reprint]

ASSEMBLY, No. 507

with committee amendments

STATE OF NEW JERSEY

DATED: NOVEMBER 23, 1998

The Senate Health Committee reports favorably and with committee amendments Assembly Bill No. 507 (1R).

As amended by committee, this bill requires the Commissioner of Health and Senior Services to establish a Statewide network of resources concerning chronic fatigue syndrome (CFS) to provide physician and patient education and training programs and a public awareness campaign about the syndrome.

The bill also requires the commissioner, in consultation with the New Jersey Chronic Fatigue Syndrome Association, Inc., the Academy of Medicine of New Jersey and the University of Medicine and Dentistry of New Jersey, to prepare and make available to all health care providers in the State, upon request, a manual which provides information about the clinical significance, diagnosis and treatment of CFS. The manual may contain any other information which the Commissioner of Health and Senior Services deems necessary and may be revised by the department whenever new information about CFS becomes available. The department shall publicize and make available the manual to the maximum extent possible.

The bill appropriates \$95,000 to the Department of Health and Senior Services to carry out the purposes of the bill.

According to the Centers for Disease Control and Prevention, CFS is a debilitating and complex disorder characterized by profound fatigue that is not improved by bed rest and that may be worsened by physical or mental activity. Persons with CFS often must function at a substantially lower level of activity than they were capable of before the onset of illness. Persons with CFS report various nonspecific symptoms, including weakness, muscle pain, impaired memory or mental concentration, insomnia and post-exertional fatigue lasting more than 24 hours. In some cases, CFS can persist for years. The cause of CFS has not been identified and no specific diagnostic tests are available.

The committee amended the bill to limit the services that would be

provided by the Statewide network of resources established by the Commissioner of Health and Senior Services. Amendments delete information and referral services and information on disability services.

This bill is identical to Senate Bill No.1028 (SCA)(Robertson), which the committee also reported on this date.

SENATE, No. 1028

STATE OF NEW JERSEY
208th LEGISLATURE

INTRODUCED MAY 14, 1998

Sponsored by:

Senator NORMAN M. ROBERTSON

District 34 (Essex and Passaic)

SYNOPSIS

Establishes chronic fatigue syndrome program in Department of Health and Senior Services; appropriates \$95,000.

CURRENT VERSION OF TEXT

As introduced.



S1028 ROBERTSON

2

1 **AN ACT** establishing a program of services for persons with chronic
2 fatigue syndrome, supplementing Title 26 of the Revised Statutes
3 and making an appropriation.

4

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

7

8 1. The Commissioner of Health and Senior Services shall establish
9 a Statewide network of resources to provide the following services to
10 persons with chronic fatigue syndrome, also known as chronic fatigue
11 immune dysfunction syndrome: information and referral services,
12 physician training and patient education programs, information on
13 disability services, and a public awareness campaign.

14

15 2. The Department of Health and Senior Services, in consultation
16 with the New Jersey Chronic Fatigue Syndrome Association, Inc., the
17 Academy of Medicine of New Jersey and the University of Medicine
18 and Dentistry of New Jersey, shall prepare and make available to all
19 health care providers in the State, upon request, a manual which
20 provides information about the clinical significance, diagnosis and
21 treatment of chronic fatigue syndrome. The manual may contain any
22 other information which the Commissioner of Health and Senior
23 Services deems necessary and may be revised by the department
24 whenever new information about chronic fatigue syndrome becomes
25 available. The department shall publicize and make available the
26 manual to the maximum extent possible.

27

28 3. The Commissioner of Health and Senior Services, pursuant to
29 the "Administrative Procedure Act," P.L.1968, c.410 (C.52:14B-1 et
30 seq.), shall adopt rules and regulations to effectuate the purposes of
31 this act.

32

33 4. There is appropriated \$95,000 from the General Fund to the
34 Department of Health and Senior Services to effectuate the purposes
35 of this act.

36

37 5. This act shall take effect immediately.

38

39

40

STATEMENT

41

42 This bill requires the Commissioner of Health and Senior Services
43 to establish a Statewide network of resources to provide the following
44 services to persons with chronic fatigue syndrome (CFS): information
45 and referral services, physician and patient education and training
46 programs, information on disability services, and a public awareness

1 campaign.

2 The bill also requires the commissioner, in consultation with the
3 New Jersey Chronic Fatigue Syndrome Association, Inc., the Academy
4 of Medicine of New Jersey and the University of Medicine and
5 Dentistry of New Jersey, to prepare and make available to all health
6 care providers in the State, upon request, a manual which provides
7 information about the clinical significance, diagnosis and treatment of
8 CFS. The manual may contain any other information which the
9 Commissioner of Health and Senior Services deems necessary and
10 may be revised by the department whenever new information about
11 chronic fatigue syndrome becomes available. The department shall
12 publicize and make available the manual to the maximum extent
13 possible.

14 CFS is a scientifically recognized disease syndrome which manifests
15 itself across a spectrum of symptoms, ranging from people being
16 chronically tired to being confined to a wheelchair. The federal
17 Centers for Disease Control and Prevention recently raised CFS to a
18 "Priority 1" in its new re-emerging drug-resistant infectious disease
19 category. Other "Priority 1" diseases include cholera, malaria,
20 hepatitis C and tuberculosis.

21 For many who have it, CFS is a devastating and debilitating illness
22 characterized by both physical symptoms (joint pain, muscle weakness,
23 headaches, insomnia and exhaustion) and cognitive symptoms (such as
24 memory loss, inability to concentrate and mental "fog"). Many CFS
25 patients are totally disabled and unable to care for themselves. To
26 date, no cure has been found for the estimated one million persons
27 with CFS in this country, and research on CFS presents special
28 challenges because the causes and mechanisms of this disease are not
29 yet fully understood. It should be noted that the federal government
30 has recognized the seriousness of this disease. For example, several
31 institutes at the National Institutes of Health support research on CFS,
32 and the Centers for Disease Control and Prevention are engaged in
33 studying the epidemiology of CFS, particularly its incidence and
34 prevalence.

35 The bill also includes a \$95,000 appropriation to the Department of
36 Health and Senior Services to cover the cost of preparing a manual
37 which provides information about the clinical significance, diagnosis
38 and treatment of CFS.

SENATE HEALTH COMMITTEE

STATEMENT TO

SENATE, No. 1028

with committee amendments

STATE OF NEW JERSEY

DATED: NOVEMBER 23, 1998

The Senate Health Committee reports favorably and with committee amendments Senate Bill No. 1028.

As amended by committee, this bill requires the Commissioner of Health and Senior Services to establish a Statewide network of resources concerning chronic fatigue syndrome (CFS) to provide physician and patient education and training programs and a public awareness campaign about the syndrome.

The bill also requires the commissioner, in consultation with the New Jersey Chronic Fatigue Syndrome Association, Inc., the Academy of Medicine of New Jersey and the University of Medicine and Dentistry of New Jersey, to prepare and make available to all health care providers in the State, upon request, a manual which provides information about the clinical significance, diagnosis and treatment of CFS. The manual may contain any other information which the Commissioner of Health and Senior Services deems necessary and may be revised by the department whenever new information about CFS becomes available. The department shall publicize and make available the manual to the maximum extent possible.

The bill appropriates \$95,000 to the Department of Health and Senior Services to carry out the purposes of the bill.

According to the Centers for Disease Control and Prevention, CFS is a debilitating and complex disorder characterized by profound fatigue that is not improved by bed rest and that may be worsened by physical or mental activity. Persons with CFS often must function at a substantially lower level of activity than they were capable of before the onset of illness. Persons with CFS report various nonspecific symptoms, including weakness, muscle pain, impaired memory or mental concentration, insomnia and post-exertional fatigue lasting more than 24 hours. In some cases, CFS can persist for years. The cause of CFS has not been identified and no specific diagnostic tests are available.

The committee amended the bill to limit the services that would be provided by the Statewide network of resources established by the Commissioner of Health and Senior Services. Amendments delete information and referral services and information on disability services.

As amended by committee, this bill is identical to Assembly Bill No.507(1R)(SCA)(Zecker/LeFevre), which the committee also reported on this date.

[First Reprint]

SENATE, No. 1028

STATE OF NEW JERSEY
208th LEGISLATURE

INTRODUCED MAY 14, 1998

Sponsored by:

Senator NORMAN M. ROBERTSON

District 34 (Essex and Passaic)

Senator DIANE ALLEN

District 7 (Burlington and Camden)

Co-Sponsored by:

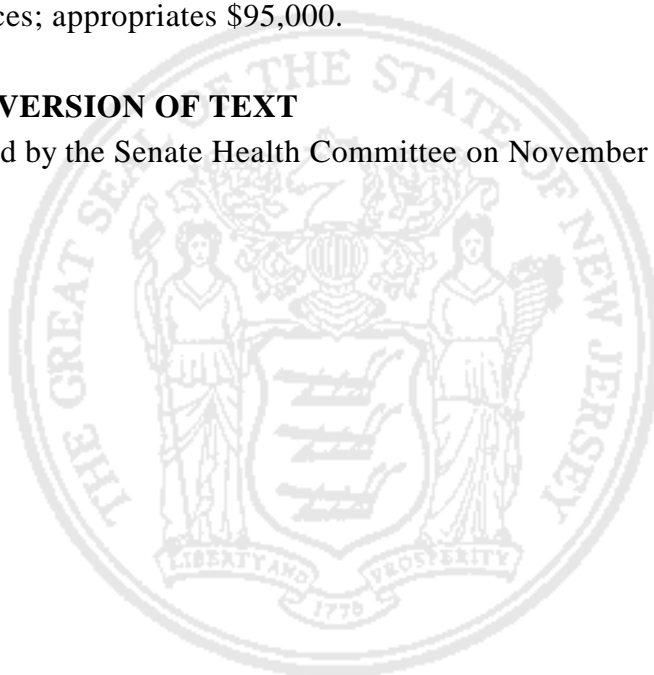
Senator Bucco

SYNOPSIS

Establishes chronic fatigue syndrome program in Department of Health and Senior Services; appropriates \$95,000.

CURRENT VERSION OF TEXT

As reported by the Senate Health Committee on November 23, 1998, with amendments.



(Sponsorship Updated As Of: 1/13/1999)

1 AN ACT establishing a program of services for persons with chronic
2 fatigue syndrome, supplementing Title 26 of the Revised Statutes
3 and making an appropriation.

4

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

7

8 1. The Commissioner of Health and Senior Services shall establish
9 a Statewide network of resources to provide the following services to
10 persons with chronic fatigue syndrome, also known as chronic fatigue
11 immune dysfunction syndrome: ¹[information and referral services,¹
12 physician training and patient education programs¹], information on
13 disability services,¹ and a public awareness campaign.

14

15 2. The Department of Health and Senior Services, in consultation
16 with the New Jersey Chronic Fatigue Syndrome Association, Inc., the
17 Academy of Medicine of New Jersey and the University of Medicine
18 and Dentistry of New Jersey, shall prepare and make available to all
19 health care providers in the State, upon request, a manual which
20 provides information about the clinical significance, diagnosis and
21 treatment of chronic fatigue syndrome. The manual may contain any
22 other information which the Commissioner of Health and Senior
23 Services deems necessary and may be revised by the department
24 whenever new information about chronic fatigue syndrome becomes
25 available. The department shall publicize and make available the
26 manual to the maximum extent possible.

27

28 3. The Commissioner of Health and Senior Services, pursuant to
29 the "Administrative Procedure Act," P.L.1968, c.410 (C.52:14B-1 et
30 seq.), shall adopt rules and regulations to effectuate the purposes of
31 this act.

32

33 4. There is appropriated \$95,000 from the General Fund to the
34 Department of Health and Senior Services to effectuate the purposes
35 of this act.

36

37 5. This act shall take effect immediately.

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

Matter underlined thus is new matter.

Matter enclosed in superscript numerals has been adopted as follows:

¹ Senate SHH committee amendments adopted November 23, 1998.

Office of the Governor
NEWS RELEASE

PO BOX 004
TRENTON, NJ 08625

CONTACT: Jayne O'Connor
609-777-2600

RELEASE: April 16, 1999

Gov. Christie Whitman today signed the following pieces of legislation:

A-2915/S-1717, sponsored by Assembly Speaker Jack Collins (R-Salem/Cumberland/Gloucester) and Assemblywoman Arline M. Friscia (D-Middlesex) and Senator Leonard T. Connors, Jr. (R-Atlantic/Burlington/Ocean) and Senate President Donald DiFrancesco (R-Middlesex/ Morris/ Somerset/Union), extends the filing deadline for applications for the homestead property tax reimbursement, under the senior citizen property tax freeze law. The bill extends the deadline for tax year 1998 from December 31, 1998 to April 15, 1999. This extension is only for the 1998 tax year and the deadline will return to December 31 in subsequent years.

A-507/S-1028, sponsored by Assembly Members Gerald H. Zecker (R-Essex/Passaic) and Kenneth C. LeFevre(R-Atlantic) and Senator Norman M. Robertson (R-Essex/Passaic), establishes a chronic fatigue syndrome program in the Department of Health and Senior Services and designates \$95,000 for the program.

The legislation requires the Commissioner to establish a statewide network of resources to provide training and education to doctors and patients and create a public awareness campaign regarding chronic fatigue syndrome (CFS).

The Commissioner must also prepare and make available, to all health care providers in the state who request it, a manual with information about the clinical significance, diagnosis, and treatment of CFS. The Commissioner will consult with the New Jersey Chronic Fatigue Syndrome Association, Inc., the Academy of Medicine of New Jersey and the University of Medicine and Dentistry of New Jersey. The manual will contain information that the Commissioner deems necessary and can be revised when new information is made available about CFS. The Department must publicize and make the manual as accessible as possible.

CFS is a scientifically recognized disease which manifests itself through various symptoms. Symptoms range from fatigue to wheelchair confinement. CFS is often characterized by both physical symptoms -joint pain, muscle weakness, headaches, insomnia, and exhaustion-and cognitive symptoms -memory loss, inability to concentrate and mental "fog." To date, no cure has been found for the estimated one million sufferers of CFS in the United States. The federal Centers for Disease Control and Prevention recently raised CFS to a "Priority 1" in the new re- emerging drug-resistant infectious disease category. Other diseases in this category include cholera, malaria, hepatitis C and tuberculosis.

S-500/A-2390, sponsored by Senator Andrew R. Ciesla (R-Monmouth/Ocean)and Assemblymen James Holzapfel(R-Monmouth/Ocean) and David W. Wolfe (R-Monmouth/Ocean), permits the Commissioner of Transportation to privately sell certain excess lands to contiguous property owners.

The legislation provides that the Commissioner must first offer to sell, at a private sale, remainder parcels of land no longer required for highway purposes to the owner of the real property whose frontage is contiguous to the parcel being sold. This applies only if there are no capital improvements on the parcel being sold and the parcel being sold is less than the minimum size required for development under the municipal zoning ordinance. The law currently requires such land to be sold at public auction to the highest bidder.

In addition, the legislation requires that any such sale must not be for less than the fair market value of the remainder parcel. In the instance where there is more than one owner with real property whose frontage is contiguous to the State land, the bill says the parcel must be sold to the highest bidder among such owners.

The bill does not affect the right of first refusal for previous owners of the property and the bill does not affect the ability of the Commissioner of Transportation to sell the lands at a private sale to public entities.

S-1584/A-2742, Sponsored by Senators Leonard T. Connors, Jr.(R-Atlantic/Burlington/Ocean) and Ronald L. Rice (D-Essex) and Assemblyman Jeffrey W. Moran (R-Atlantic/ Burlington/ Ocean),clarifies the status of employees of the Council on Local Mandates and revises certain restrictions applicable to council members.

The bill will provide the Council with more flexibility in hiring its staff and will modify current law regarding Council members' ability to hold other State or local public offices.

In order to give the Council more hiring flexibility, the bill:

- Eliminates the provision of the law which places clerical and secretarial personnel in the career service of the civil service law;
- Allows the Council to employ operational and administrative personnel; and
- clarifies that the Council may employ an administrator and coordinator who would serve at the pleasure of the Council for no more than two years without reappointment.

Current law prohibits Council members, while serving on the Council and for two years thereafter, from holding any other state or local public office. The legislation modifies these restrictions in the following manner:

- while serving on the Council, a member would be prohibited from holding any other State or local public office;
- while serving on the Council and for two years thereafter, a member would be prohibited from holding elective State or local public office;
- for a period of two years after serving on the Council, a member would be prohibited from being employed with a county, municipality, or school district which filed a complaint with the Council while the member served on the Council;
- for a period of two years after serving on the Council, a member would be prohibited from employment with a State agency that promulgated a rule or regulation which was the subject of a complaint during the member's service on the Council; and
- members would be allowed to serve on a study commission or similar advisory body for which no compensation is paid, other than reimbursement of expenses.