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P.L. 2003, CHAPTER 284, *approved January 14, 2004*
Assembly, No. 1546 (*Third Reprint*)

1 AN ACT requiring ¹[meningitis] meningococcal¹ vaccinations for
2 students at ¹certain¹ institutions of higher education¹, amending
3 P.L.2000, c.25¹ and supplementing Title 18A of the New Jersey
4 Statutes.

5

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

8

9 1. Section 2 of P.L.2000, c.25 (C.18A:61D-7) is amended to read
10 as follows:

11 2. Beginning with the 2000-2001 school year, each four-year
12 public or private institution of higher education in this State, in a
13 manner prescribed by regulation of the Commissioner of Health and
14 Senior Services and consistent with the purposes of section 1 of
15 P.L.2000, c.25 (C.26:2X-1), shall:

16 a. provide information about meningitis, as well as the
17 meningococcal vaccination requirement established pursuant to section
18 2 of P.L. , c. (C.)(pending before the Legislature as this bill),
19 to all prospective students prior to their matriculation, and include
20 with that information notice of the availability and benefits of a
21 **[meningitis] meningococcal** vaccination; and

22 b. develop procedures for facilitating, receiving and recording
23 student responses to the information provided **[about meningitis and**
24 **the meningitis vaccination, including the student's decision]** pursuant
25 to subsection a. of this section, including: compliance with the
26 vaccination requirement established pursuant to section 2 of P.L. ,
27 c. (C.)(pending before the Legislature as this bill); and the
28 decision of any student who is exempted from that requirement to
29 receive the vaccination.¹

30 (cf: P.L.2000, s.25, s.2)

31

32 ¹[1.] 2. (New section)¹ a. Beginning ¹[with the 1998-99 school
33 year, every student enrolled as a full-time student] in September
34 ³[2003] 2004³, a new student enrolling in a program leading to an
35 academic degree¹ at a public or private institution of higher education
36 in this State¹, who resides in a campus dormitory.¹ shall ¹[be
37 vaccinated for meningitis] receive a meningococcal vaccination¹ as a

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 Assembly AHH committee amendments adopted December 16, 2002.

² Senate SHH committee amendments adopted March 10, 2003.

³ Senate floor amendments adopted December 11, 2003.

1 condition of attendance at that institution, except as provided in
2 section ¹[2] ³ of this act.

3 ¹As used in this act, "institution of higher education" means a
4 university or college that provides a four-year program of instruction.¹

5 b. ¹[Every student enrolled as a full-time student] A student¹
6 shall present evidence of the vaccination required pursuant to
7 subsection a. of this section to the institution in a manner prescribed
8 by the institution.

9 c. The Department of Health and Senior Services shall require each
10 public or private institution of higher education in this State to offer
11 the vaccination required pursuant to subsection a. of this section to its
12 ¹[full-time]¹ students¹ through the institution's student health services
13 program or through a contractual agreement with a community health
14 care provider¹.

15 d. The Commissioner of Health and Senior Services shall adopt
16 rules and regulations pursuant to the "Administrative Procedure Act,"
17 P.L.1968, c.410 (C.52:14B-1 et seq.) to carry out the purposes of
18 subsections a., b. and c. of this section and section ¹[2] ³ of this act.

19 ¹[e. The Student Assistance Board in but not of the Department of
20 the Treasury shall adopt rules and regulations to require that a public
21 or private institution of higher education in this State consider the cost
22 of the vaccination required pursuant to subsection a. of this section as
23 an educational cost for purposes of determining a student's eligibility
24 for financial aid.]¹

25 ²e. Nothing in this act shall be construed to require a student who
26 does not reside in a campus dormitory to receive a meningococcal
27 vaccination.²

28
29 ¹[2.] 3. (New section)¹ a. A student shall not be required to
30 receive a vaccination pursuant to subsection a. of section ¹[1] ² of
31 this act based upon one of the following:

32 (1) a written statement submitted to the institution of higher
33 education by a licensed physician indicating that the vaccine is
34 medically contraindicated for a specific period of time and the reasons
35 for the medical contraindication, based upon valid medical reasons as
36 determined by regulation of the Commissioner of Health and Senior
37 Services, which shall exempt the student from the vaccination for the
38 stated period of time; or

39 (2) a written statement submitted to the institution of higher
40 education by the student, or the student's parent or guardian if the
41 student is a minor, explaining how the administration of the vaccine
42 conflicts with the bona fide religious tenets or practices of the student,
43 or the parent or guardian, as appropriate; except that a general
44 philosophical or moral objection to the vaccination shall not be
45 sufficient for an exemption on religious grounds.

46 b. In the event of an actual or threatened outbreak of meningitis at

1 a public or private institution of higher education in this State, the
2 institution may exclude from attendance a student who has been
3 exempted from the vaccination requirement of this act pursuant to
4 subsection a. of this section, as determined by the Commissioner of
5 Health and Senior Services.

6

7 ¹[3.] 4.¹ This act shall take effect immediately.

8

9

10

11

12 _____
13 Requires meningococcal vaccinations for new residential students at
four-year institutions of higher education.

ASSEMBLY, No. 1546

STATE OF NEW JERSEY

210th LEGISLATURE

PRE-FILED FOR INTRODUCTION IN THE 2002 SESSION

Sponsored by:

Assemblyman LOUIS D. GREENWALD

District 6 (Camden)

Assemblywoman MARY T. PREVITE

District 6 (Camden)

SYNOPSIS

Requires meningitis vaccinations for full-time students at institutions of higher education.

CURRENT VERSION OF TEXT

Introduced Pending Technical Review by Legislative Counsel.



(Sponsorship Updated As Of: 12/13/2002)

1 AN ACT requiring meningitis vaccinations for students at institutions
2 of higher education and supplementing Title 18A of the New Jersey
3 Statutes.

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

7
8 1. a. Beginning with the 1998-99 school year, every student
9 enrolled as a full-time student at a public or private institution of
10 higher education in this State shall be vaccinated for meningitis as a
11 condition of attendance at that institution, except as provided in
12 section 2 of this act.

13 b. Every student enrolled as a full-time student shall present
14 evidence of the vaccination required pursuant to subsection a. of this
15 section to the institution in a manner prescribed by the institution.

16 c. The Department of Health and Senior Services shall require
17 each public or private institution of higher education in this State to
18 offer the vaccination required pursuant to subsection a. of this section
19 to its full-time students.

20 d. The Commissioner of Health and Senior Services shall adopt
21 rules and regulations pursuant to the "Administrative Procedure Act,"
22 P.L.1968, c.410 (C.52:14B-1 et seq.) to carry out the purposes of
23 subsections a., b. and c. of this section and section 2 of this act.

24 e. The Student Assistance Board in but not of the Department of
25 the Treasury shall adopt rules and regulations to require that a public
26 or private institution of higher education in this State consider the cost
27 of the vaccination required pursuant to subsection a. of this section
28 as an educational cost for purposes of determining a student's
29 eligibility for financial aid.

30

31 2. a. A student shall not be required to receive a vaccination
32 pursuant to subsection a. of section 1 of this act based upon one of the
33 following:

34 (1) a written statement submitted to the institution of higher
35 education by a licensed physician indicating that the vaccine is
36 medically contraindicated for a specific period of time and the reasons
37 for the medical contraindication, based upon valid medical reasons as
38 determined by regulation of the Commissioner of Health and Senior
39 Services, which shall exempt the student from the vaccination for the
40 stated period of time; or

41 (2) a written statement submitted to the institution of higher
42 education by the student, or the student's parent or guardian if the
43 student is a minor, explaining how the administration of the vaccine
44 conflicts with the bona fide religious tenets or practices of the student,
45 or the parent or guardian, as appropriate; except that a general

1 philosophical or moral objection to the vaccination shall not be
2 sufficient for an exemption on religious grounds.

3 b. In the event of an actual or threatened outbreak of meningitis at
4 a public or private institution of higher education in this State, the
5 institution may exclude from attendance a student who has been
6 exempted from the vaccination requirement of this act pursuant to
7 subsection a. of this section, as determined by the Commissioner of
8 Health and Senior Services.

9

10 3. This act shall take effect immediately.

11

12

13

STATEMENT

14

15 This bill requires that, beginning with the 1998-99 school year,
16 every student enrolled as a full-time student at a public or private
17 institution of higher education in New Jersey shall be vaccinated for
18 meningitis as a condition of attendance at the institution. Each
19 full-time student shall present evidence of the vaccination to the
20 institution in a manner prescribed by the institution.

21 The bill provides that the Department of Health and Senior Services
22 shall require each public or private institution of higher education in
23 this State to offer the required vaccination to its full-time students.

24 The bill further provides that the Student Assistance Board in but
25 not of the Department of the Treasury shall adopt rules and
26 regulations to require that a public or private institution of higher
27 education in this State consider the cost of the meningitis vaccination
28 as an educational cost for purposes of determining a student's
29 eligibility for financial aid.

30 The bill does permit a student to be exempted from the meningitis
31 vaccination requirement based upon one of the following:

32 -- a written statement submitted to the institution of higher
33 education by a licensed physician indicating that the vaccine is
34 medically contraindicated for a specific period of time and the reasons
35 for the medical contraindication, based upon valid medical reasons as
36 determined by regulation of the Commissioner of Health and Senior
37 Services, which shall exempt the student from the vaccination for the
38 stated period of time; or

39 -- a written statement submitted to the institution of higher
40 education by the student, or the student's parent or guardian if the
41 student is a minor, explaining how the administration of the vaccine
42 conflicts with the bona fide religious tenets or practices of the student,
43 or the parent or guardian, as appropriate; except that a general
44 philosophical or moral objection to the vaccination shall not be
45 sufficient for an exemption on religious grounds.

46 The bill stipulates that, in the event of an actual or threatened

A1546 GREENWALD, PREVITE

4

1 outbreak of meningitis at a public or private institution of higher
2 education, the institution may exclude from attendance a student who
3 has been exempted from the vaccination requirement, as determined
4 by the Commissioner of Health and Senior Services.

ASSEMBLY HEALTH AND HUMAN SERVICES COMMITTEE

STATEMENT TO

ASSEMBLY, No. 1546

with committee amendments

STATE OF NEW JERSEY

DATED: DECEMBER 16, 2002

The Assembly Health and Human Services Committee reports favorably and with committee amendments Assembly Bill No. 1546.

As amended by the committee, this bill provides that, beginning in September 2003, every new student enrolling in a program leading to an academic degree at a public or private institution of higher education in New Jersey, who resides in a campus dormitory, is to receive a meningococcal vaccination as a condition of attendance at the institution. Each new full-time student is to present evidence of the vaccination to the institution in a manner prescribed by the institution.

The bill further provides that each four-year public or private institution of higher education in this State is to offer the required vaccination to its students through its student health services program or through a contractual agreement with a community health care provider.

The bill does permit a student to be exempted from the meningococcal vaccination requirement based upon one of the following:

-- a written statement submitted to the institution of higher education by a licensed physician indicating that the vaccine is medically contraindicated for a specific period of time and the reasons for the medical contraindication, based upon valid medical reasons as determined by regulation of the Commissioner of Health and Senior Services, which shall exempt the student from the vaccination for the stated period of time; or

-- a written statement submitted to the institution of higher education by the student, or the student's parent or guardian if the student is a minor, explaining how the administration of the vaccine conflicts with the bona fide religious tenets or practices of the student, or the parent or guardian, as appropriate; except that a general philosophical or moral objection to the vaccination is not sufficient for an exemption on religious grounds.

The bill stipulates that, in the event of an actual or threatened outbreak of meningitis at a four-year public or private institution of higher education, the institution may exclude from attendance a

student who has been exempted from the vaccination requirement, as determined by the Commissioner of Health and Senior Services.

The bill also amends N.J.S.A.18A:61D-7 to require that each four-year institution of higher education in New Jersey include information about the meningococcal vaccination requirement with the information about meningitis and the availability and benefits of a meningococcal vaccination that it is required to provide under current law to all prospective students prior to their matriculation.

This bill was prefiled for introduction in the 2002-2003 session pending technical review. As reported, the bill includes the changes required by technical review which has been performed.

COMMITTEE AMENDMENTS:

The committee amendments to the bill:

- C substitute the term "meningococcal vaccination" for "meningitis vaccination";
- C amend N.J.S.A.18A:61D-7 to require that each four-year institution of higher education in New Jersey include information about the meningococcal vaccination requirement with the information about meningitis and the availability and benefits of a meningococcal vaccination that it is required to provide under current law to all prospective students prior to their matriculation;
- C limit the institutions of higher education to which the provisions of the bill would apply to universities or colleges that provide a four-year program of instruction;
- C provide that implementation of the meningococcal vaccination requirement is to begin in September 2003;
- C limit the vaccination requirement to new students enrolling in a program leading to an academic degree at a public or private institution of higher education, who reside in a campus dormitory;
- C permit an institution to offer the required vaccination to its students through its student health services program or through a contractual agreement with a community health care provider; and
- C delete language that would direct the Student Assistance Board to adopt rules and regulations to require that an institution of higher education consider the cost of the required vaccination as an educational cost for purposes of determining a student's eligibility for financial aid.

SENATE HEALTH, HUMAN SERVICES AND SENIOR
CITIZENS COMMITTEE

STATEMENT TO

[First Reprint]

ASSEMBLY, No. 1546

with committee amendments

STATE OF NEW JERSEY

DATED: MARCH 10, 2003

The Senate Health, Human Services and Senior Citizens Committee reports favorably and with committee amendments Assembly Bill No. 1546 (1R).

As amended by committee, this bill provides that, beginning in September 2003, every new student enrolling in a program leading to an academic degree at a public or private institution of higher education in New Jersey, who resides in a campus dormitory, is to receive a meningococcal vaccination as a condition of attendance at the institution. Each new full-time student is to present evidence of the vaccination to the institution in a manner prescribed by the institution.

The bill further provides that each four-year public or private institution of higher education in this State is to offer the required vaccination to its students through its student health services program or through a contractual agreement with a community health care provider.

The bill permits a student to be exempted from the meningococcal vaccination requirement based upon one of the following:

-- a written statement submitted to the institution of higher education by a licensed physician indicating that the vaccine is medically contraindicated for a specific period of time and the reasons for the medical contraindication, based upon valid medical reasons as determined by regulation of the Commissioner of Health and Senior Services, which shall exempt the student from the vaccination for the stated period of time; or

-- a written statement submitted to the institution of higher education by the student, or the student's parent or guardian if the student is a minor, explaining how the administration of the vaccine conflicts with the bona fide religious tenets or practices of the student, or the parent or guardian, as appropriate; except that a general

philosophical or moral objection to the vaccination is not sufficient for an exemption on religious grounds.

The bill stipulates that, in the event of an actual or threatened outbreak of meningitis at a four-year public or private institution of higher education, the institution may exclude from attendance a student who has been exempted from the vaccination requirement, as determined by the Commissioner of Health and Senior Services.

The bill also amends N.J.S.A.18A:61D-7 to require that each four-year institution of higher education in New Jersey include information about the meningococcal vaccination requirement with the information about meningitis and the availability and benefits of a meningococcal vaccination that it is required to provide under current law to all prospective students prior to their matriculation.

The committee adopted an amendment to clarify that the provisions of the bill shall not be construed to require a student who does not reside in a campus dormitory to receive a meningococcal vaccination.

As reported, this bill is identical to Senate Bill No. 1655 SCA (Vitale), which the committee also reported on this date.

STATEMENT TO
[Second Reprint]
ASSEMBLY, No. 1546

with Senate Floor Amendments
(Proposed By Senator VITALE)

ADOPTED: DECEMBER 11, 2003

This amendment changes, from September 2003 to September 2004, the date by which a new student enrolling in a program leading to an academic degree at a public or private institution of higher education in this State, who resides in a campus dormitory, is to receive a meningococcal vaccination as a condition of attendance at that institution.

SENATE, No. 1655

STATE OF NEW JERSEY
210th LEGISLATURE

INTRODUCED JUNE 13, 2002

Sponsored by:
Senator JOSEPH F. VITALE
District 19 (Middlesex)

SYNOPSIS

Requires meningitis vaccinations for full-time students at institutions of higher education.

CURRENT VERSION OF TEXT

As introduced.



1 AN ACT requiring meningitis vaccinations for students at institutions
2 of higher education and supplementing Title 18A of the New Jersey
3 Statutes.

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

7
8 1. a. Beginning with the 2002-03 school year, every student
9 enrolled as a full-time student at a public or private institution of
10 higher education in this State shall be vaccinated for meningitis as a
11 condition of attendance at that institution, except as provided in
12 section 2 of this act.

13 b. Every student enrolled as a full-time student shall present
14 evidence of the vaccination required pursuant to subsection a. of this
15 section to the institution in a manner prescribed by the institution.

16 c. The Department of Health and Senior Services shall require
17 each public or private institution of higher education in this State to
18 offer the vaccination required pursuant to subsection a. of this section
19 to its full-time students.

20 d. The Commissioner of Health and Senior Services shall adopt
21 rules and regulations pursuant to the "Administrative Procedure Act,"
22 P.L.1968, c.410 (C.52:14B-1 et seq.) to carry out the purposes of
23 subsections a., b. and c. of this section and section 2 of this act.

24 e. The Higher Education Student Assistance Authority in, but not
25 of, the Department of State shall adopt rules and regulations to require
26 that a public or private institution of higher education in this State
27 consider the cost of the vaccination required pursuant to subsection
28 a. of this section as an educational cost for purposes of determining a
29 student's eligibility for financial aid.

30

31 2. a. A student shall not be required to receive a vaccination
32 pursuant to subsection a. of section 1 of this act based upon one of the
33 following:

34 (1) a written statement submitted to the institution of higher
35 education by a licensed physician indicating that the vaccine is
36 medically contraindicated for a specific period of time and the reasons
37 for the medical contraindication, based upon valid medical reasons as
38 determined by regulation of the Commissioner of Health and Senior
39 Services, which shall exempt the student from the vaccination for the
40 stated period of time; or

41 (2) a written statement submitted to the institution of higher
42 education by the student, or the student's parent or guardian if the
43 student is a minor, explaining how the administration of the vaccine
44 conflicts with the bona fide religious tenets or practices of the student,
45 or the parent or guardian, as appropriate; except that a general

1 philosophical or moral objection to the vaccination shall not be
2 sufficient for an exemption on religious grounds.

3 b. In the event of an actual or threatened outbreak of meningitis at
4 a public or private institution of higher education in this State, the
5 institution may exclude from attendance a student who has been
6 exempted from the vaccination requirement of this act pursuant to
7 subsection a. of this section, as determined by the Commissioner of
8 Health and Senior Services.

9

10 3. This act shall take effect immediately.

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12

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STATEMENT

14

15 This bill requires that, beginning with the 2002-03 school year,
16 every student enrolled as a full-time student at a public or private
17 institution of higher education in New Jersey shall be vaccinated for
18 meningitis as a condition of attendance at the institution. Each
19 full-time student shall present evidence of the vaccination to the
20 institution in a manner prescribed by the institution.

21 The bill provides that the Department of Health and Senior Services
22 shall require each public or private institution of higher education in
23 this State to offer the required vaccination to its full-time students.

24 The bill further provides that the Higher Education Student
25 Assistance Authority shall adopt rules and regulations to require that
26 a public or private institution of higher education in this State consider
27 the cost of the meningitis vaccination as an educational cost for
28 purposes of determining a student's eligibility for financial aid.

29 The bill does permit a student to be exempted from the meningitis
30 vaccination requirement based upon one of the following:

31 -- a written statement submitted to the institution of higher
32 education by a licensed physician indicating that the vaccine is
33 medically contraindicated for a specific period of time and the reasons
34 for the medical contraindication, based upon valid medical reasons as
35 determined by regulation of the Commissioner of Health and Senior
36 Services, which shall exempt the student from the vaccination for the
37 stated period of time; or

38 -- a written statement submitted to the institution of higher
39 education by the student, or the student's parent or guardian if the
40 student is a minor, explaining how the administration of the vaccine
41 conflicts with the bona fide religious tenets or practices of the student,
42 or the parent or guardian, as appropriate; except that a general
43 philosophical or moral objection to the vaccination shall not be
44 sufficient for an exemption on religious grounds.

S1655 VITALE

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1 The bill stipulates that, in the event of an actual or threatened
2 outbreak of meningitis at a public or private institution of higher
3 education, the institution may exclude from attendance a student who
4 has been exempted from the vaccination requirement, as determined
5 by the Commissioner of Health and Senior Services.

SENATE HEALTH, HUMAN SERVICES AND SENIOR
CITIZENS COMMITTEE

STATEMENT TO

SENATE, No. 1655

with committee amendments

STATE OF NEW JERSEY

DATED: MARCH 10, 2003

The Senate Health, Human Services and Senior Citizens Committee reports favorably and with committee amendments Senate Bill No. 1655.

As amended by committee, this bill provides that, beginning in September 2003, every new student enrolling in a program leading to an academic degree at a public or private institution of higher education in New Jersey, who resides in a campus dormitory, is to receive a meningococcal vaccination as a condition of attendance at the institution. Each new full-time student is to present evidence of the vaccination to the institution in a manner prescribed by the institution.

The bill further provides that each four-year public or private institution of higher education in this State is to offer the required vaccination to its students through its student health services program or through a contractual agreement with a community health care provider.

The bill permits a student to be exempted from the meningococcal vaccination requirement based upon one of the following:

-- a written statement submitted to the institution of higher education by a licensed physician indicating that the vaccine is medically contraindicated for a specific period of time and the reasons for the medical contraindication, based upon valid medical reasons as determined by regulation of the Commissioner of Health and Senior Services, which shall exempt the student from the vaccination for the stated period of time; or

-- a written statement submitted to the institution of higher education by the student, or the student's parent or guardian if the student is a minor, explaining how the administration of the vaccine conflicts with the bona fide religious tenets or practices of the student, or the parent or guardian, as appropriate; except that a general philosophical or moral objection to the vaccination is not sufficient for an exemption on religious grounds.

The bill stipulates that, in the event of an actual or threatened

outbreak of meningitis at a four-year public or private institution of higher education, the institution may exclude from attendance a student who has been exempted from the vaccination requirement, as determined by the Commissioner of Health and Senior Services.

The bill also amends N.J.S.A.18A:61D-7 to require that each four-year institution of higher education in New Jersey include information about the meningococcal vaccination requirement with the information about meningitis and the availability and benefits of a meningococcal vaccination that it is required to provide under current law to all prospective students prior to their matriculation.

The committee amended the bill to:

- C substitute the term "meningococcal vaccination" for "meningitis vaccination";
- C amend N.J.S.A.18A:61D-7 to require that each four-year institution of higher education in New Jersey include information about the meningococcal vaccination requirement with the information about meningitis and the availability and benefits of a meningococcal vaccination that it is required to provide under current law to all prospective students prior to their matriculation;
- C limit the institutions of higher education to which the provisions of the bill would apply to universities or colleges that provide a four-year program of instruction;
- C provide that implementation of the meningococcal vaccination requirement is to begin in September 2003;
- C limit the vaccination requirement to new students enrolling in a program leading to an academic degree at a public or private institution of higher education, who reside in a campus dormitory;
- C permit an institution to offer the required vaccination to its students through its student health services program or through a contractual agreement with a community health care provider;
- C delete language that would direct the Student Assistance Board to adopt rules and regulations to require that an institution of higher education consider the cost of the required vaccination as an educational cost for purposes of determining a student's eligibility for financial aid; and
- C clarify that the provisions of the bill shall not be construed to require a student who does not reside in a campus dormitory to receive a meningococcal vaccination.

As amended, this bill is identical to Assembly Bill No. 1546 (1R) SCA (Greenwald/Previte), which the committee also reported on this date.