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REPORTS:

No

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No

NEWSPAPER ARTICLES:

Yes

"New Jersey law requires hepatitis B immunization..." 10-23-2002 Asbury Park Press, p. A5

§§1,2,4 -
C.18A:61D-8 to
18A:61D-10
§3 - C.18A:40-21.1
§§1,4 - Note to §3

P.L. 2002, CHAPTER 58, *approved August 3, 2002*
Assembly, No. 1888 (*Third Reprint*)

1 AN ACT requiring hepatitis B vaccinations for students ²in high school
2 and² at ²[¹certain¹]² institutions of higher education and
3 supplementing Title 18A of the New Jersey Statutes.

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

7
8 1. The Legislature finds and declares that:

9 a. Hepatitis B is a serious viral disease that attacks the liver and
10 can cause lifelong infection, cirrhosis of the liver, liver cancer, liver
11 failure and even death; after tobacco, hepatitis B is the world's leading
12 known cause of cancer;

13 b. Hepatitis B virus is spread through blood and other body fluids
14 and has been shown in some instances to remain infectious on
15 environmental surfaces for at least a month at room temperature; in
16 some settings, the virus can be up to 100 times more contagious than
17 the virus that causes AIDS;

18 c. Individuals are at greater risk of hepatitis B virus infection who:
19 have multiple sex partners; use injection drugs; have household contact
20 with an individual who has lifelong hepatitis B infection; and travel to
21 areas of the world where hepatitis B is common;

22 d. In 1999, an estimated 80,000 individuals in the United States
23 were infected with the hepatitis B virus, and one out of 20 individuals
24 in the United States will be infected with the virus at some time in
25 their lives; approximately 30% of individuals who are infected show
26 no signs or symptoms and can unknowingly pass the virus to others;

27 e. The highest rate of hepatitis B disease occurs in individuals
28 to 49 years of age; in 1998, 205 hepatitis B cases were reported in
29 New Jersey, with 60% of those occurring in individuals 25 to 44 years
30 of age;

31 f. Hepatitis B vaccine, which has been available since 1982,
32 prevents hepatitis B disease and its serious consequences; the federal
33 Centers for Disease Control and Prevention recommends routine
34 vaccination of individuals zero to 18 years of age for hepatitis B;

35 g. As of September 2001, the New Jersey Department of Health

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 May 9, 2002.

² Assembly floor amendments adopted May 20, 2002.

³ Senate floor amendments adopted June 20, 2002.

1 and Senior Services requires hepatitis B immunization prior to school
 2 entry for all children in the State, with a sixth grade catch-up dose for
 3 those not already immunized; and

4 h. Since the hepatitis B immunization requirement for school entry
 5 in the State was recently adopted and the highest rates of hepatitis B
 6 infection in the nation and State are occurring in individuals between
 7 20 and 50 years of age, it is appropriate for the State to require every
 8 ²high school student ^{3, 3} and each² ¹new¹ student ¹[enrolled]
 9 enrolling^{1 3} on a full-time basis³ in ³a program leading to an academic
 10 degree at³ an institution of higher education in the State^{3, 3} to be
 11 vaccinated for hepatitis B.

12

13 2. a. Beginning ¹[with the 2002-03 school year] ²[in January
 14 2003¹] with the 2008-09 school year², a ¹new¹ student ¹[enrolled]
 15 enrolling^{1 3} as a full-time² or part-time² student ¹in a program leading
 16 to an academic degree³ at a public or private institution of higher
 17 education in this State³, who registers for 12 or more credit hours of
 18 course study per semester or term,³ shall be vaccinated for hepatitis B
 19 ¹[or have received at least the first dose in the three-dose hepatitis B
 20 vaccination schedule as a condition of] within nine months of
 21 attendance as a condition of continued¹ attendance at that institution,
 22 except as provided in section ³[3] ⁴ of this act. ¹[A student who has
 23 not received the full three-dose hepatitis B vaccination prior to
 24 attendance shall have received the third and final dose within nine
 25 months of attendance as a condition of continued attendance at that
 26 institution.]

27 ²[As used in this act, "institution of higher education" means a
 28 university or college that provides a four-year program of
 29 instruction.¹]²

30 b. A student ¹[enrolled as a full-time student] ¹shall present
 31 evidence of the vaccination required pursuant to this section to the
 32 institution in a manner prescribed by the institution.

33 c. The Department of Health and Senior Services shall require each
 34 public or private institution of higher education in this State to offer
 35 the vaccination required pursuant to this section to its ²[full-time]²
 36 students ¹through the institution's student health services program or
 37 through a contractual agreement with a community health care
 38 provider¹.

39 d. The Commissioner of Health and Senior Services shall adopt
 40 rules and regulations pursuant to the "Administrative Procedure Act,"
 41 P.L.1968, c.410 (C.52:14B-1 et seq.) to carry out the purposes of
 42 subsections a., b. and c. of this section and ³[section] sections^{3 3 3} and
 43 4³ of this act.

44 ³[e. The ²Higher Education² Student Assistance ²[Board]
 45 Authority² in, but not of, the Department of ²[the Treasury] State²

1 shall adopt rules and regulations to require that a public or private
 2 institution of higher education in this State consider the cost of the
 3 vaccination required pursuant to this section as an educational cost for
 4 purposes of determining a student's eligibility for financial aid.]³

5
 6 ²3. The Commissioner of Health and Senior Services shall require
 7 the immunization of a child for hepatitis B as a condition of enrollment
 8 in grades nine through 12.

9 b. Beginning with the 2003-2004 school year, a principal, director
 10 or other person in charge of a public or private school in this State
 11 shall not knowingly admit or retain in grades nine through 12 a child
 12 whose parent or guardian has not submitted acceptable evidence of the
 13 child's immunization for hepatitis B prior to or during enrollment in
 14 ninth grade, as provided by regulation of the Commissioner of Health
 15 and Senior Services.

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

20
 21 ²[3.] 4.² A student shall not be required to receive a vaccination
 22 pursuant to ²[section] sections² 2 ²or 3² of this act based upon one
 23 of the following:

24 a. a written statement submitted to the ²secondary school or²
 25 institution of higher education², as applicable,² by a licensed physician
 26 indicating that the vaccine is medically contraindicated for a specific
 27 period of time and the reasons for the medical contraindication, based
 28 upon valid medical reasons as determined by regulation of the
 29 Commissioner of Health and Senior Services, which shall exempt the
 30 student from the vaccination for the stated period of time; or

31 b. a written statement submitted to the ²secondary school or²
 32 institution of higher education², as applicable,² by the student, or the
 33 student's parent or guardian if the student is a minor, explaining how
 34 the administration of the vaccine conflicts with the bona fide religious
 35 tenets or practices of the student, or the parent or guardian, as
 36 appropriate; except that a general philosophical or moral objection to
 37 the vaccination shall not be sufficient for an exemption on religious
 38 grounds.

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 40 ²[4.] 5.² This act shall take effect immediately.

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 44
 45 Requires hepatitis B vaccinations for high school students and new
 46 full-time students at institutions of higher education.

ASSEMBLY, No. 1888

STATE OF NEW JERSEY
210th LEGISLATURE

INTRODUCED FEBRUARY 21, 2002

Sponsored by:

Assemblyman LOUIS D. GREENWALD

District 6 (Camden)

Assemblywoman LORETTA WEINBERG

District 37 (Bergen)

Co-Sponsored by:

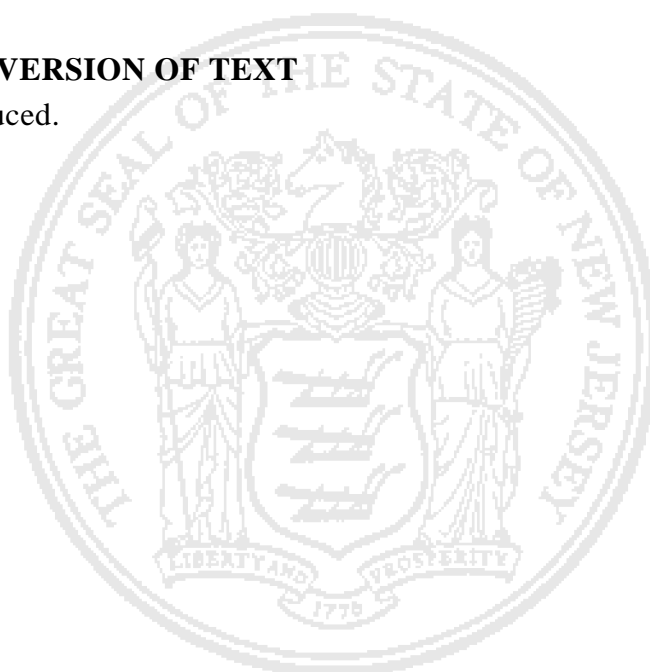
**Assemblymen Conaway, Green, Assemblywoman Pou, Assemblyman
Edwards and Assemblywoman Quigley**

SYNOPSIS

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

CURRENT VERSION OF TEXT

As introduced.



1 AN ACT requiring hepatitis B 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. The Legislature finds and declares that:

9 a. Hepatitis B is a serious viral disease that attacks the liver and
10 can cause lifelong infection, cirrhosis of the liver, liver cancer, liver
11 failure and even death; after tobacco, hepatitis B is the world's leading
12 known cause of cancer;

13 b. Hepatitis B virus is spread through blood and other body fluids
14 and has been shown in some instances to remain infectious on
15 environmental surfaces for at least a month at room temperature; in
16 some settings, the virus can be up to 100 times more contagious than
17 the virus that causes AIDS;

18 c. Individuals are at greater risk of hepatitis B virus infection who:
19 have multiple sex partners; use injection drugs; have household contact
20 with an individual who has lifelong hepatitis B infection; and travel to
21 areas of the world where hepatitis B is common;

22 d. In 1999, an estimated 80,000 individuals in the United States
23 were infected with the hepatitis B virus, and one out of 20 individuals
24 in the United States will be infected with the virus at some time in
25 their lives; approximately 30% of individuals who are infected show
26 no signs or symptoms and can unknowingly pass the virus to others;

27 e. The highest rate of hepatitis B disease occurs in individuals 20
28 to 49 years of age; in 1998, 205 hepatitis B cases were reported in
29 New Jersey, with 60% of those occurring in individuals 25 to 44 years
30 of age;

31 f. Hepatitis B vaccine, which has been available since 1982,
32 prevents hepatitis B disease and its serious consequences; the federal
33 Centers for Disease Control and Prevention recommends routine
34 vaccination of individuals zero to 18 years of age for hepatitis B;

35 g. As of September 2001, the New Jersey Department of Health
36 and Senior Services requires hepatitis B immunization prior to school
37 entry for all children in the State, with a sixth grade catch-up dose for
38 those not already immunized; and

39 h. Since the hepatitis B immunization requirement for school entry
40 in the State was recently adopted and the highest rates of hepatitis B
41 infection in the nation and State are occurring in individuals between
42 20 and 50 years of age, it is appropriate for the State to require every
43 student enrolled in an institution of higher education in the State to be
44 vaccinated for hepatitis B.

45

46 2. a. Beginning with the 2002-03 school year, a student enrolled

1 as a full-time student at a public or private institution of higher
2 education in this State shall be vaccinated for hepatitis B or have
3 received at least the first dose in the three-dose hepatitis B vaccination
4 schedule as a condition of attendance at that institution, except as
5 provided in section 3 of this act. A student who has not received the
6 full three-dose hepatitis B vaccination prior to attendance shall have
7 received the third and final dose within nine months of attendance as
8 a condition of continued attendance at that institution.

9 b. A student enrolled as a full-time student shall present evidence
10 of the vaccination required pursuant to this section to the institution
11 in a manner prescribed by the institution.

12 c. The Department of Health and Senior Services shall require each
13 public or private institution of higher education in this State to offer
14 the vaccination required pursuant to this section to its full-time
15 students.

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

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

25
26 3. A student shall not be required to receive a vaccination pursuant
27 to section 2 of this act based upon one of the following:

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

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

42
43 4. This act shall take effect immediately.

STATEMENT

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This bill requires that, beginning with the 2002-03 school year, every student enrolled as a full-time student at a public or private institution of higher education in New Jersey shall be vaccinated for hepatitis B or have received at least the first dose in the three-dose hepatitis B vaccination schedule as a condition of attendance at the institution. A student who has not received the full three-dose hepatitis B vaccination prior to attendance shall have received the third and final dose within nine months of attendance as a condition of continued attendance at that institution. Each full-time student shall present evidence of the vaccination to the institution in a manner prescribed by the institution.

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

The bill further provides that the Student Assistance Board shall adopt rules and regulations to require that a public or private institution of higher education in this State consider the cost of the hepatitis B vaccination as an educational cost for purposes of determining a student's eligibility for financial aid.

The bill does permit a student to be exempted from the hepatitis B 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 shall not be sufficient for an exemption on religious grounds.

ASSEMBLY HEALTH AND HUMAN SERVICES COMMITTEE

STATEMENT TO

ASSEMBLY, No. 1888

with committee amendments

STATE OF NEW JERSEY

DATED: MAY 9, 2002

The Assembly Health and Human Services Committee reports favorably and with committee amendments Assembly Bill No. 1888.

As amended by the committee, this bill provides that, beginning in January 2003, every new student enrolled as a full-time student at a four-year public or private institution of higher education in New Jersey is to be vaccinated for hepatitis B within nine months of attendance as a condition of continued 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 full-time students through its student health services program or through a contractual agreement with a community health care provider.

In addition, the bill directs the Student Assistance Board in, but not of, the Department of the Treasury to adopt rules and regulations to require that a four-year public or private institution of higher education in this State consider the cost of the hepatitis B vaccination as an educational cost for purposes of determining a student's eligibility for financial aid.

The bill does permit a student to be exempted from the hepatitis B 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.

COMMITTEE AMENDMENTS

The committee amendments to the bill:

(1) 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;

(2) defer the implementation of the hepatitis B vaccination requirement from the beginning of the 2002-03 school year to January 2003;

(3) limit the vaccination requirement to new full-time students;

(4) require that a student be vaccinated within nine months of attendance as a condition of continued attendance at the institution; and

(5) permit an institution to offer the vaccination through its student health services program or through a contractual agreement with a community health care provider.

As amended, this bill is identical to Senate Bill, No. 1119 (SCA) (Vitale), which was reported favorably by the Senate Health, Human Services and Senior Citizens Committee on this date.

STATEMENT TO
[First Reprint]
ASSEMBLY, No. 1888

with Assembly Floor Amendments
(Proposed By Assemblyman GREENWALD)

ADOPTED: MAY 20, 2002

These amendments expand the provisions of this bill to extend the requirement for hepatitis B vaccination to:

- C all full-time and part-time students at all institutions of higher education in the State, beginning with the 2008-09 school year; and
- C all students in grades nine through 12, beginning with the 2003-04 school year.

In addition, the amendments make a technical change to clarify that the Higher Education Student Assistance Authority is to require an institution of higher education to consider the cost of the required vaccination as an educational cost for purposes of determining a student's eligibility for financial aid.

STATEMENT TO
[Second Reprint]
ASSEMBLY, No. 1888

with Senate Floor Amendments
(Proposed By Senator VITALE)

ADOPTED: JUNE 20, 2002

These amendments limit the requirement for hepatitis B vaccination for new students at a public or private institution of higher education in this State to those enrolling in a program leading to an academic degree and registering for 12 or more credit hours of course study per semester or term.

In addition, the amendments delete language that would direct the Higher Education Student Assistance Authority to adopt rules and regulations to require that an institution of higher education consider the cost of the hepatitis B vaccination as an educational cost for purposes of determining a student's eligibility for financial aid.

SENATE, No. 1119

STATE OF NEW JERSEY
210th LEGISLATURE

INTRODUCED FEBRUARY 21, 2002

Sponsored by:

Senator JOSEPH F. VITALE

District 19 (Middlesex)

Co-Sponsored by:

Senators Codey, Singer, Matheussen and Sweeney

SYNOPSIS

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

CURRENT VERSION OF TEXT

As introduced.



(Sponsorship Updated As Of: 5/17/2002)

1 AN ACT requiring hepatitis B 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. The Legislature finds and declares that:

9 a. Hepatitis B is a serious viral disease that attacks the liver and
10 can cause lifelong infection, cirrhosis of the liver, liver cancer, liver
11 failure and even death; after tobacco, hepatitis B is the world's leading
12 known cause of cancer;

13 b. Hepatitis B virus is spread through blood and other body fluids
14 and has been shown in some instances to remain infectious on
15 environmental surfaces for at least a month at room temperature; in
16 some settings, the virus can be up to 100 times more contagious than
17 the virus that causes AIDS;

18 c. Individuals are at greater risk of hepatitis B virus infection who:
19 have multiple sex partners; use injection drugs; have household contact
20 with an individual who has lifelong hepatitis B infection; and travel to
21 areas of the world where hepatitis B is common;

22 d. In 1999, an estimated 80,000 individuals in the United States
23 were infected with the hepatitis B virus, and one out of 20 individuals
24 in the United States will be infected with the virus at some time in
25 their lives; approximately 30% of individuals who are infected show
26 no signs or symptoms and can unknowingly pass the virus to others;

27 e. The highest rate of hepatitis B disease occurs in individuals 20
28 to 49 years of age; in 1998, 205 hepatitis B cases were reported in
29 New Jersey, with 60% of those occurring in individuals 25 to 44 years
30 of age;

31 f. Hepatitis B vaccine, which has been available since 1982,
32 prevents hepatitis B disease and its serious consequences; the federal
33 Centers for Disease Control and Prevention recommends routine
34 vaccination of individuals zero to 18 years of age for hepatitis B;

35 g. As of September 2001, the New Jersey Department of Health
36 and Senior Services requires hepatitis B immunization prior to school
37 entry for all children in the State, with a sixth grade catch-up dose for
38 those not already immunized; and

39 h. Since the hepatitis B immunization requirement for school entry
40 in the State was recently adopted and the highest rates of hepatitis B
41 infection in the nation and State are occurring in individuals between
42 20 and 50 years of age, it is appropriate for the State to require every
43 student enrolled in an institution of higher education in the State to be
44 vaccinated for hepatitis B.

1 2. a. Beginning with the 2002-03 school year, a student enrolled
2 as a full-time student at a public or private institution of higher
3 education in this State shall be vaccinated for hepatitis B or have
4 received at least the first dose in the three-dose hepatitis B vaccination
5 schedule as a condition of attendance at that institution, except as
6 provided in section 3 of this act. A student who has not received the
7 full three-dose hepatitis B vaccination prior to attendance shall have
8 received the third and final dose within nine months of attendance as
9 a condition of continued attendance at that institution.

10 b. A student enrolled as a full-time student shall present evidence
11 of the vaccination required pursuant to this section to the institution
12 in a manner prescribed by the institution.

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

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

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

28 3. A student shall not be required to receive a vaccination pursuant
29 to section 2 of this act based upon one of the following:

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

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

45 4. This act shall take effect immediately.

STATEMENT

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This bill requires that, beginning with the 2002-03 school year, every student enrolled as a full-time student at a public or private institution of higher education in New Jersey shall be vaccinated for hepatitis B or have received at least the first dose in the three-dose hepatitis B vaccination schedule as a condition of attendance at the institution. A student who has not received the full three-dose hepatitis B vaccination prior to attendance shall have received the third and final dose within nine months of attendance as a condition of continued attendance at that institution. Each full-time student shall present evidence of the vaccination to the institution in a manner prescribed by the institution.

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

The bill further provides that the Student Assistance Board shall adopt rules and regulations to require that a public or private institution of higher education in this State consider the cost of the hepatitis B vaccination as an educational cost for purposes of determining a student's eligibility for financial aid.

The bill does permit a student to be exempted from the hepatitis B 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 shall not be sufficient for an exemption on religious grounds.

SENATE HEALTH, HUMAN SERVICES AND SENIOR
CITIZENS COMMITTEE

STATEMENT TO

SENATE, No. 1119

with committee amendments

STATE OF NEW JERSEY

DATED: MAY 9, 2002

The Senate Health, Human Services and Senior Citizens Committee reports favorably and with committee amendments Senate Bill No. 1119.

As amended by the committee, this bill requires that, beginning in January 2003, every new student enrolling as a full-time student at a four-year public or private institution of higher education in New Jersey shall be vaccinated for hepatitis B within nine months of attendance as a condition of continued attendance at that institution. The student shall present evidence of the vaccination to the institution in a manner prescribed by the institution.

The bill provides that the Department of Health and Senior Services shall require each four-year public or private institution of higher education in the State to offer the required vaccination to its full-time students through the institution's student health services program or through a contractual agreement with a community health care provider.

The bill further provides that the Student Assistance Board shall adopt rules and regulations to require that a four-year public or private institution of higher education in this State consider the cost of the hepatitis B vaccination as an educational cost for purposes of determining a student's eligibility for financial aid.

The bill does permit a student to be exempted from the hepatitis B 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 shall not be sufficient for an exemption on religious grounds.

The committee amended the bill to:

- change the vaccine requirement from beginning with the 2002-03 school year to beginning in January 2003;
- limit the vaccination requirement to new students;
- limit the vaccination requirement to public or private institutions of higher education in the State that provide a four-year program of instruction;
- eliminate the requirement that the student have received at least the first dose in the three-dose hepatitis B vaccination schedule as a condition of attendance at an institution; and
- permit an institution to enter a contractual agreement with a community service provider to offer the vaccination.

As amended by the committee, this bill is identical to Assembly Bill No. 1888 (ACA) (Greenwald/Weinberg), which was reported favorably by the Assembly Health and Human Services Committee on this date.

STATEMENT TO

[First Reprint]

SENATE, No. 1119

with Senate Floor Amendments
(Proposed By Senator VITALE)

ADOPTED: JUNE 20, 2002

These amendments expand the provisions of this bill to extend the requirement for hepatitis B vaccination to:

- C all new students enrolling in a program leading to an academic degree at a public or private institution of higher education in this State and registering for 12 or more credit hours of course study per semester or term, beginning with the 2008-09 school year; and
- C all students in grades nine through 12, beginning with the 2003-04 school year.

In addition, the amendments delete language that would direct the Student Assistance Board in, but not of, the Department of the Treasury to adopt rules and regulations to require that an institution of higher education consider the cost of the hepatitis B vaccination as an educational cost for purposes of determining a student's eligibility for financial aid.