

26:1A-3

**LEGISLATIVE HISTORY CHECKLIST**  
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(Commissioner of Health --  
qualifications)

**NJSA:** 26:1A-3

**LAWS OF:** 1994 **CHAPTER:** 35

**BILL NO:** A1752

**SPONSOR(S):** Kavanaugh and others

**DATE INTRODUCED:** May 9, 1994

**COMMITTEE:** **ASSEMBLY:** Health  
**SENATE:** Health

**AMENDED DURING PASSAGE:** No

**DATE OF PASSAGE:** **ASSEMBLY:** May 16, 1994  
**SENATE:** May 23, 1994

**DATE OF APPROVAL:** May 26, 1994

**FOLLOWING STATEMENTS ARE ATTACHED IF AVAILABLE:**

**SPONSOR STATEMENT:** Yes

**COMMITTEE STATEMENT:** **ASSEMBLY:** Yes  
**SENATE:** Yes

**FISCAL NOTE:** No

**VETO MESSAGE:** No

**MESSAGE ON SIGNING:** No

**FOLLOWING WERE PRINTED:**

**REPORTS:** No

**HEARINGS:** No

KBG:pp

Handwritten notes and stamps on the right side of the page, including a vertical stamp that appears to say "COPY" and some illegible scribbles.

P.L.1994, CHAPTER 35, approved May 26, 1994  
1994 Assembly No. 1752

1 AN ACT concerning the Department of Health and amending  
2 P.L.1947, c.177.

3  
4 BE IT ENACTED by the Senate and General Assembly of the  
5 State of New Jersey:

6 1. Section 3 of P.L.1947, c.177 (C.26:1A-3) is amended to read  
7 as follows:

8 3. a. The head and chief administrative officer of the  
9 department shall be the State Commissioner of Health, who shall  
10 be [a duly licensed physician, a graduate of a regularly chartered  
11 and legally constituted medical school or college, with skill in  
12 sanitary science, and with at least 5 years of full time experience  
13 in an administrative or executive capacity in a public health  
14 agency or with experience in the field of community health  
15 facilities planning and at least 10 years of full time experience in  
16 community medical service. He shall be] appointed by the  
17 Governor, with the advice and consent of the Senate, and shall  
18 serve at the pleasure of the Governor during the Governor's term  
19 of office and until the appointment and qualification of the  
20 commissioner's successor. The commissioner shall be a person  
21 with recognized professional, executive or administrative  
22 experience in any capacity in which he has demonstrated a  
23 substantial knowledge of the activities of the department and the  
24 principal public health policy issues affecting the State.

25 [He] The commissioner shall devote his entire time and  
26 attention to the duties of [his] the office and shall receive such  
27 salary as shall be provided by law.

28 b. The commissioner shall delegate such of his powers as the  
29 commissioner deems appropriate for the efficient administration  
30 of the department, to be exercised under the commissioner's  
31 direction and supervision by one or more deputy commissioners,  
32 one of whom shall be the Deputy Commissioner for Public Health  
33 Services. If the commissioner is not a duly licensed physician and  
34 a graduate of a regularly chartered and legally constituted  
35 medical school or college, then the Deputy Commissioner for  
36 Public Health Services shall be a duly licensed physician and a  
37 graduate of a regularly chartered and legally constituted medical  
38 school or college, with skill in sanitary science, who, in addition  
39 to his other duties, shall advise the commissioner on medical  
40 issues. The Deputy Commissioner for Public Health Services  
41 shall fulfill the duties of the office of commissioner in the event  
42 of a vacancy in that office, until the Governor appoints a  
43 successor to the commissioner.

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

Matter underlined thus is new matter.

1 The deputy commissioner shall devote his entire time and  
2 attention to the duties of that office and shall receive such salary  
3 as the commissioner deems appropriate.

4 (cf: P.L.1970, c.2, s.1)

5 2. This act shall take effect immediately.

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8 STATEMENT

9  
10 This bill changes the requirement that the Commissioner of  
11 Health be a duly licensed physician, to provide that the  
12 commissioner shall be a person with recognized professional,  
13 executive or administrative experience in any capacity in which  
14 he has demonstrated a substantial knowledge of the activities of  
15 the Department of Health and the principal public health policy  
16 issues affecting New Jersey.

17 The bill directs the commissioner to delegate such of his  
18 powers as the commissioner deems appropriate for the efficient  
19 administration of the department, to be exercised under the  
20 commissioner's direction and supervision by one or more deputy  
21 commissioners, one of whom shall be the Deputy Commissioner  
22 for Public Health Services. The bill stipulates that if the  
23 commissioner is not a duly licensed physician and a graduate of a  
24 regularly chartered and legally constituted medical school or  
25 college, then the Deputy Commissioner for Public Health  
26 Services shall be a duly licensed physician and a graduate of a  
27 regularly chartered and legally constituted medical school or  
28 college, with skill in sanitary science, who, in addition to his  
29 other duties, shall advise the commissioner on medical issues.

30 The bill provides that the Deputy Commissioner for Public  
31 Health Services shall fulfill the duties of the office of  
32 commissioner in the event of a vacancy in that office, until the  
33 Governor appoints a successor to the commissioner.

34 Finally, the bill requires that the deputy commissioner devote  
35 his entire time and attention to the duties of that office and  
36 receive such salary as the commissioner deems appropriate.

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Deletes requirement that Commissioner of Health be a physician.

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8                                     STATEMENT

9

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13     executive or administrative experience in any capacity in which  
14     he has demonstrated a substantial knowledge of the activities of  
15     the Department of Health and the principal public health policy  
16     issues affecting New Jersey.

17     The bill directs the commissioner to delegate such of his  
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ASSEMBLY HEALTH AND HUMAN SERVICES COMMITTEE

STATEMENT TO

ASSEMBLY, No. 1752

STATE OF NEW JERSEY

DATED: MAY 12, 1994

The Assembly Health and Human Services Committee favorably reports Assembly Bill No. 1752.

This bill changes the requirement that the Commissioner of Health be a duly licensed physician, to provide that the commissioner shall be a person with recognized professional, executive or administrative experience in any capacity in which he has demonstrated a substantial knowledge of the activities of the Department of Health and the principal public health policy issues affecting New Jersey.

The bill directs the commissioner to delegate such of his powers as the commissioner deems appropriate for the efficient administration of the department, to be exercised under the commissioner's direction and supervision by one or more deputy commissioners, one of whom shall be the Deputy Commissioner for Public Health Services. The bill stipulates that if the commissioner is not a duly licensed physician and a graduate of a regularly chartered and legally constituted medical school or college, then the Deputy Commissioner for Public Health Services shall be a duly licensed physician and a graduate of a regularly chartered and legally constituted medical school or college, with skill in sanitary science, who, in addition to his other duties, shall advise the commissioner on medical issues.

The bill provides that the Deputy Commissioner for Public Health Services shall fulfill the duties of the office of commissioner in the event of a vacancy in that office, until the Governor appoints a successor to the commissioner.

Finally, the bill requires that the deputy commissioner devote his entire time and attention to the duties of that office and receive such salary as the commissioner deems appropriate.

SENATE HEALTH COMMITTEE

STATEMENT TO

ASSEMBLY, No. 1752

STATE OF NEW JERSEY

DATED: MAY 19, 1994

The Senate Health Committee favorably reports Assembly Bill No. 1752.

This bill changes the requirement that the Commissioner of Health be a duly licensed physician, to provide that the commissioner shall be a person with recognized professional, executive or administrative experience in any capacity in which he has demonstrated a substantial knowledge of the activities of the Department of Health and the principal public health policy issues affecting New Jersey.

The bill directs the commissioner to delegate such of his powers as the commissioner deems appropriate for the efficient administration of the department, to be exercised under the commissioner's direction and supervision by one or more deputy commissioners, one of whom shall be the Deputy Commissioner for Public Health Services. The bill stipulates that if the commissioner is not a duly licensed physician and a graduate of a regularly chartered and legally constituted medical school or college, then the Deputy Commissioner for Public Health Services shall be a duly licensed physician and a graduate of a regularly chartered and legally constituted medical school or college, with skill in sanitary science, who, in addition to his other duties, shall advise the commissioner on medical issues.

The bill provides that the Deputy Commissioner for Public Health Services shall fulfill the duties of the office of commissioner in the event of a vacancy in that office, until the Governor appoints a successor to the commissioner.

This bill is identical to Senate Bill No. 1057 SCA (Ewing), which was also reported favorably by this committee on this date.