

26:2-160

LEGISLATIVE HISTORY CHECKLIST
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NJSA: 26:2-160 (Minority Health Office)

LAWS OF: 1991 CHAPTER: 401

Bill No: S2063

Sponsor(s): Codey

Date Introduced: Pre-filed

Committee: Assembly: Appropriations, Health & Human Services

Senate: Revenue; Finance & Appropriations; Institutions,
Health & Welfare

Amended during passage: Yes Senate Committee Substitute (2R)

Date of Passage: Assembly: January 9, 1992

Senate: March 14, 1991

Date of Approval: January 17, 1992

Following statements are attached if available:

Sponsor statement: Yes

Committee Statement: Assembly: Yes 12-9-91 & 8-22-91

Senate: Yes 3-11-91 & 5-21-90

Fiscal Note: No

Veto Message: No

Message on signing: No

Following were printed:

Reports: No

Hearings: No

974.90 New Jersey Legislature. Senate.
H434 Institutions, Health & Welfare Committee
Public hearing on S2063, held 2-13-90
1990b held 3-20-90. Trenton, 1990

KBG/dgw

[SECOND REPRINT]

SENATE COMMITTEE SUBSTITUTE FOR
SENATE, No. 2063

STATE OF NEW JERSEY

ADOPTED MAY 21, 1990

Sponsored by Senators CODEY and STOCKMAN

1 AN ACT establishing the New Jersey Office on Minority Health
2 ¹[and making an appropriation therefor]¹.

3

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

6 1. The Legislature finds and declares that there are dramatic
7 differences in death, disease and injury rates between White and
8 minority populations in the State. For example, the non-White
9 infant mortality rate in 1987 was 18.7 per 1,000 live births,
10 whereas the rate for White infants was 7.1; esophageal cancer
11 death rates among Black males are three times greater than
12 among White males; of the cumulative total of AIDS cases
13 reported in 1988 in the State, 34% were White, 52% Black and
14 13% Hispanic; Black and Hispanic women represent 77% of all
15 female AIDS cases in the State; and chemical poisonings among
16 the employed Black population are almost three times greater
17 than that of the employed White population, as measured by the
18 frequency of hospitalization.

19 The Legislature further finds and declares that presently there
20 is no coordinated State effort to address the wide disparity in
21 death, disease and injury rates and, therefore, there is a need to
22 establish a New Jersey Office on Minority Health to identify and
23 develop innovative projects which will close the gap between the
24 health status of White and minority populations in this State, and
25 to coordinate current State programs which seek to address
26 minority health concerns.

27 2. There is established the New Jersey Office on Minority
28 Health in ²[the Executive Branch of the State government. For
29 the purposes of complying with the provisions of Article V,
30 Section IV, paragraph 1 of the New Jersey Constitution, the
31 office is allocated within]² the Department of Health²[, but
32 notwithstanding that allocation, the office shall be independent
33 of any supervision or control by the department or by any board
34 or officer thereof]².

35 3. The office shall:

36 a. Provide grants to community-based organizations to
37 conduct special research, demonstration and evaluation projects

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.

Matter enclosed in superscript numerals has been adopted as follows:

¹ Senate SRF committee amendments adopted March 11, 1991.

² Assembly AHH committee amendments adopted August 22, 1991.

- 1 for targeted at-risk minority populations;
- 2 b. Develop and implement model public and private
3 partnerships in minority communities for health awareness
4 campaigns and to improve the access, acceptability and use of
5 public health services;
- 6 c. Serve as an information and resource center for minority
7 specific health information and data;
- 8 d. Review, recommend and develop culturally appropriate
9 health education materials;
- 10 e. Provide assistance to local school districts to develop
11 programs in elementary and secondary schools which stress good
12 nutrition and healthy lifestyles;
- 13 f. Function as an advocate for the adoption and
14 implementation of effective measures to improve minority health;
- 15 g. Improve existing data systems to ensure that the health
16 information that is collected includes specific race and ethnicity
17 identifiers;
- 18 h. Review the programs of the Departments of Health, Human
19 Services, Community Affairs and Education and any other
20 department of State government, as appropriate, that concern
21 minority health and make recommendations to the departments
22 that will enable them to better coordinate and improve the
23 effectiveness of their efforts; and
- 24 i. Within 18 months of the effective date of this act, develop a
25 Statewide plan for increasing the number of minority health care
26 professionals which includes recommendations for the financing
27 mechanisms and recruitment strategies necessary to carry out
28 the plan.
- 29 4. The office is authorized to:
- 30 a. Adopt rules and regulations pursuant to the "Administrative
31 Procedure Act," P.L.1968, c.410 (C.52:14B-1 et seq.), concerning
32 the operation of the office and other matters that may be
33 necessary to carry out the purposes of this act;
- 34 b. Maintain offices at such places within the State as it may
35 designate;
- 36 c. Employ ²[an executive] a² director and other personnel as
37 may be necessary. The ²[executive]² director shall be appointed
38 by the ²[Governor with the advice and consent of the Senate and
39 shall serve at the pleasure of the Governor. All professional
40 employees of the office except the executive director shall be in
41 the State unclassified service and all stenographic, clerical and
42 other secretarial assistants shall be in the career service pursuant
43 to Title 11A of the New Jersey Statutes] Commissioner of Health
44 and shall serve at the pleasure of the commissioner during the
45 commissioner's term of office and until the appointment and
46 qualification of the director's successor. The director shall
47 devote his entire time to the duties of the position and shall
48 receive a salary as provided by law²;
- 49 d. Apply for and accept any grant of money from the federal
50 government, private foundations or other sources, which may be

1 available for programs related to minority health;

2 e. Serve as the designated State agency for receipt of federal
3 funds specifically designated for minority health programs; and

4 f. Enter into contracts with individuals, organizations, and
5 institutions necessary for the performance of its duties under this
6 act.

7 5. There is established a New Jersey Office on Minority Health
8 Advisory Commission.

9 The commission shall consist of nine members, including the
10 Commissioner of Health or his designee, who shall serve ex
11 officio, and eight public members who are residents of the State
12 and who shall be appointed as follows: one member who is a
13 health care professional shall be appointed by the President of
14 the Senate; one member who is a health care professional shall be
15 appointed by the Speaker of the General Assembly; and six
16 members, at least two of whom are health care professionals, at
17 least one of whom represents health care facilities and at least
18 one of whom represents the health insurance industry, shall be
19 appointed by the Governor with the advice and consent of the
20 Senate.

21 The term of office of each public member shall be three years,
22 but of the members first appointed, two shall be appointed for a
23 term of one year, three shall be appointed for a term of two
24 years and three shall be appointed for a term of three years. A
25 member shall hold office for the term of his appointment and
26 until his successor has been appointed and qualified. All
27 vacancies shall be filled for the balance of the unexpired term in
28 the same manner as the original appointment. A member of the
29 commission is eligible for reappointment.

30 The public members of the commission shall not receive any
31 compensation for their services, but shall be reimbursed for the
32 actual and necessary expenses incurred in the performance of
33 their duties as members of the commission, within the limits of
34 funds available to the commission.

35 The members of the commission shall annually elect a
36 chairman and a vice-chairman from among the public members
37 and may select a secretary, who need not be a member of the
38 commission.

39 The New Jersey Office on Minority Health shall provide such
40 staff and assistance as the commission requires to carry out its
41 work.

42 6. The advisory commission shall:

43 a. Review and make recommendations to the New Jersey
44 Office on Minority Health on any rules, regulations and policies
45 proposed by the office;

46 b. Advise the office on the awarding of grants and
47 development of programs and services required pursuant to this
48 act;

49 c. Advise the office on the needs, priorities, programs and
50 policies relating to minority health in this State; and

1 d. Provide any other assistance to the office, as may be
2 requested by the ²[executive]² director.

3 The commission may accept from any governmental
4 department or agency, public or private body or any other source
5 grants or contributions to be used in carrying out its
6 responsibilities under this act.

7 7. The office shall report annually, by September 1 of each
8 year, to the Legislature and the Governor on the activities of the
9 office, including the projects and services developed and funded
10 by the office and the health care problems that the grant funds
11 are intended to ameliorate. The office may include in the report
12 any recommendations for administrative or legislative action that
13 it deems appropriate.

14 8. The office is entitled to call to its assistance, and avail
15 itself of, the services of employees of any State, county or
16 municipal department, board, bureau, commission or agency as it
17 may require and as may be available to it for its purposes. All
18 departments, agencies and divisions are authorized and directed,
19 to the extent not inconsistent with law, to cooperate with the
20 New Jersey Office on Minority Health.

21 ¹[9. There is appropriated \$500,000 from the General Fund to
22 the New Jersey Office on Minority Health to carry out the
23 provisions of this act.]¹

24 ¹[10.] 9.¹ This act shall take effect on the 60th day after
25 enactment.

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HEALTH

29

30

Establishes the New Jersey Office on Minority Health.

SENATE, No. 2063

STATE OF NEW JERSEY

Introduced Pending Technical Review by Legislative Counsel

PRE-FILED FOR INTRODUCTION IN THE 1990 SESSION

By Senator CODEY

1 AN ACT establishing an Office on Minority Health and making an
2 appropriation therefor.

3

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

6 1. The Legislature finds and declares that there are dramatic
7 differences in death, disease and injury rates between White and
8 minority populations in the State. For example, the non-White
9 infant mortality rate in 1987 was 18.7 per 1,000 live births,
10 whereas the rate for White infants was 7.1; esophageal cancer
11 death rates among Black males are three times greater than
12 among White males; of the cumulative total of AIDS cases
13 reported in 1988 in the State, 34% were White, 52% Black and
14 13% Hispanic; Black and Hispanic women represent 77% of all
15 female AIDS cases in the State; and chemical poisonings among
16 the employed Black population are almost three times greater
17 than that of the employed White population, as measured by the
18 frequency of hospitalization.

19 The Legislature further finds and declares that presently there
20 is no coordinated State effort to address the wide disparity in
21 death, disease and injury rates and, therefore, there is a need to
22 establish a State Office on Minority Health to identify and
23 develop innovative programs which will close the gap between the
24 health status of White and minority populations in this State, and
25 to coordinate current State programs which seek to address
26 minority health concerns.

27 2. There is established an Office on Minority Health in the
28 Department of Health for the purpose of promoting health and
29 the prevention of disease among members of minority groups.

30 The administrator and head of the office shall be a director
31 who shall be a person qualified by training and experience to
32 perform the duties of his office. The director shall be appointed
33 by the Commissioner of Health, and shall serve at the pleasure of
34 the commissioner during the commissioner's term of office and
35 until the appointment and qualification of the director's
36 successor. The director shall receive a salary which shall be
37 provided by law.

38 3. The office shall:

39 a. Review the findings and recommendations of the
40 Department of Health's Minority Health Task Force and other
41 research conducted by nonprofit organizations and institutions of

1 higher education in the State that concerns minority health issues.

2 b. Use the findings and recommendations of the Task Force and
3 other research as a basis to provide grants to community-based
4 health groups which will assist in the development of innovative,
5 culturally sensitive education materials and services for targeted,
6 at-risk minority populations.

7 c. Review the programs of the Departments of Health, Human
8 Services and Community Affairs that concern minority health and
9 make recommendations to the departments that will enable them
10 to better coordinate their efforts in order to ensure that
11 effective solutions to the problems of minority health are
12 achieved.

13 4. The Commissioner of Health shall report annually, by
14 September 1 of each year, to the Legislature and the Governor on
15 the activities of the office, including the programs and services
16 funded by the office and the health care problems that the grant
17 funds are intended to ameliorate. The commissioner may include
18 in the report any recommendations for administrative or
19 legislative action that he deems appropriate.

20 5. The office is entitled to call to its assistance, and avail
21 itself of, the services of employees of any State, county or
22 municipal department, board, bureau, commission or agency as it
23 may require and as may be available to it for its purposes. All
24 departments, agencies and divisions are authorized and directed,
25 to the extent not inconsistent with law, to cooperate with the
26 Office on Minority Health.

27 6. The Commissioner of Health shall adopt rules and
28 regulations necessary to carry out the functions and
29 responsibilities of the Office on Minority Health, pursuant to the
30 "Administrative Procedure Act," P.L.1968, c.410 (C.52:14B-1 et
31 seq.).

32 7. There is appropriated to the Department of Health
33 \$500,000 from the General Fund to carry out the provisions of
34 this act.

35 8. This act shall take effect on the 60th day after enactment.
36
37

38 STATEMENT

39
40 This bill establishes an Office on Minority Health in the
41 Department of Health. The purpose of the office is to promote
42 health and the prevention of disease among members of minority
43 groups in the State.

44 Specifically, the office is directed to:

45 a. Review the findings and recommendations of the
46 Department of Health's Minority Health Task Force and other
47 research conducted by nonprofit organizations and institutions of
48 higher education in the State that concerns minority health issues.

49 b. Use the findings and recommendations of the Task Force and

1 other research as a basis to provide grants to community-based
2 health groups which will assist in the development of innovative,
3 culturally sensitive education materials and services for targeted,
4 at-risk minority populations.

5 c. Review the programs of the Departments of Health, Human
6 Services and Community Affairs that concern minority health and
7 make recommendations to the departments that will enable them
8 to better coordinate their efforts in order to ensure that
9 effective solutions to the problems of minority health are
10 achieved.

11 The bill appropriates \$500,000 to the office to carry out its
12 responsibilities under the bill and requires the Commissioner of
13 Health to report annually, by September 1 of each year, to the
14 Legislature and the Governor on the activities of the office.

15 The Department of Health's Minority Health Task Force found,
16 in its preliminary report Health Profile: Black and Minority
17 Populations in New Jersey, that there are wide differences in the
18 death, disease and injury rates between White and minority
19 populations in the State. Other studies by nonprofit organizations
20 in the State also confirm these findings and recommend that a
21 State agency be established to coordinate the efforts of various
22 State departments regarding programs for minority populations in
23 the State, so that effective solutions to the health problems of
24 minority populations can be achieved.

25

26

27

HEALTH

28

29 Establishes Office on Minority Health and appropriates \$500,000.

ASSEMBLY APPROPRIATIONS COMMITTEE

STATEMENT TO

[SECOND REPRINT]

SENATE COMMITTEE SUBSTITUTE

SENATE, No. 2063

STATE OF NEW JERSEY

DATED: DECEMBER 9, 1991

The Assembly Appropriations Committee reports favorably Senate Bill No. 2063 (Scs/2R).

Senate Bill No. 2063 (Scs/2R) establishes the New Jersey Office on Minority Health in the Department of Health, with the goal of promoting health and the prevention of disease among members of at-risk minority groups in the State. Such an office was created by administrative action in 1990; this bill establishes the office statutorily.

Specifically, the office is directed to:

- a. Provide grants to community-based organizations to conduct special projects for targeted at-risk minority populations;
- b. Develop and implement model public and private partnerships for health awareness campaigns and to improve the access to and use of public health services;
- c. Serve as an information and resource center;
- d. Review, recommend and develop health education materials;
- e. Provide assistance to schools to develop programs which stress good nutrition and healthy lifestyles;
- f. Function as an advocate for the adoption and implementation of effective measures to improve minority health;
- g. Improve existing data systems to ensure that the health information that is collected includes specific race and ethnicity identifiers;
- h. Review the programs of all State departments and make recommendations that will enable them to better coordinate and improve the effectiveness of their efforts; and
- i. Within 18 months of the effective date of this bill, develop a Statewide plan for increasing the number of minority health care professionals, including recommendations for financing mechanisms and recruitment strategies.

The Office on Minority Health shall be headed by a director who shall be appointed by the Commissioner of Health.

The bill also establishes a New Jersey Office on Minority Health Advisory Commission, consisting of nine members, including the Commissioner of Health and eight designated public members.

This bill is identical to Assembly Bill No. 2119 (ACS).

FISCAL IMPACT

This bill was not certified for a fiscal note; it makes no appropriation. The department funds this office within its current budget.

ASSEMBLY HEALTH AND HUMAN SERVICES COMMITTEE

STATEMENT TO

[FIRST REPRINT]

SENATE COMMITTEE SUBSTITUTE FOR

SENATE, No. 2063

with committee amendments

STATE OF NEW JERSEY

DATED: AUGUST 22, 1991

The Assembly Health and Human Services Committee favorably reports the Senate Committee Substitute for Senate Bill No. 2063 (1R) with committee amendments.

As amended by the committee, this substitute establishes by statute the New Jersey Office on Minority Health in the Department of Health. (An Office on Minority Health was created in 1990 by administrative action.) The purpose of this office is to promote health and the prevention of disease among members of at-risk minority groups in the State.

Specifically, the office is directed to:

a. Provide grants to community-based organizations to conduct special research, demonstration and evaluation projects for targeted at-risk minority populations;

b. Develop and implement model public and private partnerships in minority communities for health awareness campaigns and to improve the access, acceptability and use of public health services;

c. Serve as an information and resource center for minority specific health information and data;

d. Review, recommend and develop culturally appropriate health education materials;

e. Provide assistance to local school districts to develop programs in elementary and secondary schools which stress good nutrition and healthy lifestyles;

f. Function as an advocate for the adoption and implementation of effective measures to improve minority health;

g. Improve existing data systems to ensure that the health information that is collected includes specific race and ethnicity identifiers;

h. Review the programs of the Departments of Health, Human Services, Community Affairs and Education and any other department of State government, as appropriate, that concern minority health and make recommendations to the departments that will enable them to better coordinate and improve the effectiveness of their efforts; and

i. Within 18 months of the effective date of this substitute, develop a Statewide plan for increasing the number of minority health care professionals which includes recommendations for the financing mechanisms and recruitment strategies necessary to carry out the plan.

The Office on Minority Health shall be headed by a director who shall be appointed by the Commissioner of Health.

The substitute also establishes a New Jersey Office on Minority Health Advisory Commission. The commission shall consist of nine members, including the Commissioner of Health and eight public members who are residents of the State and who shall be appointed as follows: one member who is a health care professional shall be appointed by the President of the Senate; one member who is a health care professional shall be appointed by the Speaker of the General Assembly; and six members, at least two of whom are health care professionals, at least one of whom represents health care facilities and at least one of whom represents the health insurance industry, shall be appointed by the Governor with the advice and consent of the Senate.

The committee amended the substitute to:

- place the Office on Minority Health in the Department of Health, rather than in, but not of, the department;
- provide for appointment of the director of the new office by the Commissioner of Health, rather than by the Governor; and
- delete the provision that the professional employees of the office shall be unclassified personnel.

The committee amendments will enable the Department of Health to use funds which have been included in its budget for the Office on Minority Health and to continue to employ the existing office staff.

This substitute is identical to the Assembly Committee Substitute for Assembly Bill No. 2119 (Charles), which the committee also reported on this date.

SENATE REVENUE, FINANCE AND
APPROPRIATIONS COMMITTEE

STATEMENT TO

SENATE COMMITTEE SUBSTITUTE FOR

SENATE, No. 2063

with Senate committee amendments

STATE OF NEW JERSEY

DATED: MARCH 11, 1991

The Senate Revenue, Finance and Appropriations Committee reports favorably the Senate Committee Substitute for Senate Bill No. 2063, with committee amendments.

The Senate Committee Substitute for Senate Bill No. 2063, with committee amendments, establishes by statute the New Jersey Office on Minority Health in, but not of, the Department of Health. The purpose of the office is to promote health and the prevention of disease among members of at-risk minority groups in the State.

Specifically, the office is directed to:

a. Provide grants to community-based organizations to conduct special research, demonstration and evaluation projects for targeted at-risk minority populations;

b. Develop and implement model public and private partnerships in minority communities for health awareness campaigns and to improve the access, acceptability and use of public health services;

c. Serve as an information and resource center for minority specific health information and data;

d. Review, recommend and develop culturally appropriate health education materials;

e. Provide assistance to local school districts to develop programs in elementary and secondary schools which stress good nutrition and healthy lifestyles;

f. Function as an advocate for the adoption and implementation of effective measures to improve minority health;

g. Improve existing data systems to ensure that the health information that is collected includes specific race and ethnicity identifiers;

h. Review the programs of the Departments of Health, Human Services, Community Affairs and Education and any other department of State government, as appropriate, that concern minority health and make recommendations to the departments that will enable them to better coordinate and improve the effectiveness of their efforts; and

i. Within 18 months of the effective date of this act, develop a Statewide plan for increasing the number of minority health care professionals which includes recommendations for the financing mechanisms and recruitment strategies necessary to carry out the plan.

The Office on Minority Health shall be headed by an executive director who shall be appointed by the Governor with the advice and consent of the Senate.

The substitute also establishes a New Jersey Office on Minority Health Advisory Commission. The commission shall consist of nine members, including the Commissioner of Health and eight public members who are residents of the State and who shall be appointed as follows: one member who is a health care professional shall be appointed by the President of the Senate; one member who is a health care professional shall be appointed by the Speaker of the General Assembly; and six members, at least two of whom are health care professionals, at least one of whom represents health care facilities and at least one of whom represents the health insurance industry, shall be appointed by the Governor with the advice and consent of the Senate.

COMMITTEE AMENDMENTS

The committee amendments remove the appropriation of \$500,000 to the Department of Health to support the operation of the Office on Minority Health.

FISCAL IMPACT

As amended, the substitute makes no appropriation. The Department of Health currently operates an Office on Minority Health. If grants are to be awarded pursuant to this substitute, a source of funding would be required.

SENATE INSTITUTIONS, HEALTH AND WELFARE COMMITTEE

STATEMENT TO

SENATE COMMITTEE SUBSTITUTE FOR

SENATE, No. 2063

STATE OF NEW JERSEY

DATED: MAY 21, 1990

The Senate Institutions, Health and Welfare Committee favorably reports a Senate Committee Substitute for Senate Bill No. 2063.

This substitute establishes the New Jersey Office on Minority Health in, but not of, the Department of Health. The purpose of the office is to promote health and the prevention of disease among members of at-risk minority groups in the State.

Specifically, the office is directed to:

- a. Provide grants to community-based organizations to conduct special research, demonstration and evaluation projects for targeted at-risk minority populations;
- b. Develop and implement model public and private partnerships in minority communities for health awareness campaigns and to improve the access, acceptability and use of public health services;
- c. Serve as an information and resource center for minority specific health information and data;
- d. Review, recommend and develop culturally appropriate health education materials;
- e. Provide assistance to local school districts to develop programs in elementary and secondary schools which stress good nutrition and healthy lifestyles;
- f. Function as an advocate for the adoption and implementation of effective measures to improve minority health;
- g. Improve existing data systems to ensure that the health information that is collected includes specific race and ethnicity identifiers;
- h. Review the programs of the Departments of Health, Human Services, Community Affairs and Education and any other department of State government, as appropriate, that concern minority health and make recommendations to the departments that will enable them to better coordinate and improve the effectiveness of their efforts; and
- i. Within 18 months of the effective date of this act, develop a Statewide plan for increasing the number of minority health care professionals which includes recommendations for the financing mechanisms and recruitment strategies necessary to carry out the plan.

The substitute also establishes a New Jersey Office on Minority Health Advisory Commission. The commission shall consist of nine members, including the Commissioner of Health and eight public members who are residents of the State and who shall be appointed as follows: one member who is a health care professional shall be appointed by the President of the Senate; one member who is a health care professional shall be appointed by the Speaker of the General Assembly; and six members, at least two of whom are health care professionals, at least one of whom represents health care facilities and at least one of whom represents the health insurance industry, shall be appointed by the Governor with the advice and consent of the Senate.

The substitute appropriates \$500,000 to the office to carry out its responsibilities and requires the office to report annually, by September 1 of each year, to the Legislature and the Governor on the activities of the office.

The Department of Health's Minority Health Task Force found, in its preliminary report Health Profile: Black and Minority Populations in New Jersey, that there are wide differences in the death, disease and injury rates between White and minority populations in the State. Other studies by nonprofit organizations in the State confirm these findings and recommend that a State agency be established to coordinate the efforts of various State departments regarding programs for minority populations in the State, so that effective solutions to the health problems of minority populations can be achieved.