

# 26:2H-5e

## LEGISLATIVE HISTORY CHECKLIST

Compiled by the NJ State Law Library

**LAWS OF:** 2004 **CHAPTER:** 90

**NJSA:** 26:2H-5e (Notification of patient deaths in health care facilities)

**BILL NO:** S1534 (Substituted for A2899)

**SPONSOR(S):** Kenny

**DATE INTRODUCED:** May 6, 2004

**COMMITTEE:** **ASSEMBLY:** Financial Institutions and Insurance  
**SENATE:** Health, Human Services and Senior Citizens

**AMENDED DURING PASSAGE:** Yes

**DATE OF PASSAGE:** **ASSEMBLY:** June 24, 2004

**SENATE:** May 20, 2004

**DATE OF APPROVAL:** July 9, 2004

**FOLLOWING ARE ATTACHED IF AVAILABLE:**

[FINAL TEXT OF BILL](#) 1<sup>st</sup> reprint enacted

### S1534

[SPONSOR'S STATEMENT:](#) (Begins on page 2 of original bill) [Yes](#)

**COMMITTEE STATEMENT:** [ASSEMBLY:](#) [Yes](#)

[SENATE:](#) [Yes](#)

**FLOOR AMENDMENT STATEMENT:** No

**LEGISLATIVE FISCAL ESTIMATE:** No

### A2899

[SPONSOR'S STATEMENT:](#) (Begins on page 2 of original bill) [Yes](#)

**COMMITTEE STATEMENT:** [ASSEMBLY:](#) [Yes](#)

**SENATE:** No

**FLOOR AMENDMENT STATEMENT:** No

**LEGISLATIVE FISCAL ESTIMATE:** No

**VETO MESSAGE:** No

**GOVERNOR'S PRESS RELEASE ON SIGNING:** No

**FOLLOWING WERE PRINTED:**

To check for circulating copies, contact New Jersey State Government Publications at the State Library (609) 278-2640 ext. 103 or <mailto:refdesk@njstatelib.org>

**REPORTS:**

No

**HEARINGS:**

No

**NEWSPAPER ARTICLES:**

No

P.L. 2004, CHAPTER 90, *approved July 9, 2004*

Senate, No. 1534 (*First Reprint*)

1 **AN ACT** concerning notification of patient deaths in health care  
2 facilities and supplementing Title 26 of the Revised Statutes.

3

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

6

7 1. A general or special hospital, nursing home or assisted living  
8 residence licensed pursuant to P.L.1971, c.136 (C.26:2H-1 et seq.)  
9 shall, commencing no later than the 180th day after the effective date  
10 of this act and as prescribed by regulation of the Commissioner of  
11 Health and Senior Services, adopt and maintain written policies and  
12 procedures to delineate the responsibilities of its staff for prompt  
13 notification of a family member<sup>1</sup>, guardian<sup>1</sup> or other designated person  
14 about a patient's death and confirmation and written documentation of  
15 that notification.

16

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

21

22 3. This act shall take effect immediately.

23

24

25

26

27 Requires health care facilities to adopt policies for notifying family  
28 members of patient deaths.

**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:

<sup>1</sup> Senate SHH committee amendments adopted May 13, 2004.

**SENATE, No. 1534**

---

**STATE OF NEW JERSEY**  
**211th LEGISLATURE**

---

INTRODUCED MAY 6, 2004

**Sponsored by:**

**Senator BERNARD F. KENNY, JR.**

**District 33 (Hudson)**

**SYNOPSIS**

Requires health care facilities to adopt policies for notifying family members of patient deaths.

**CURRENT VERSION OF TEXT**

As introduced.



1 AN ACT concerning notification of patient deaths in health care  
2 facilities and supplementing Title 26 of the Revised Statutes.

3

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

6

7 1. A general or special hospital, nursing home or assisted living  
8 residence licensed pursuant to P.L.1971, c.136 (C.26:2H-1 et seq.)  
9 shall, commencing no later than the 180th day after the effective date  
10 of this act and as prescribed by regulation of the Commissioner of  
11 Health and Senior Services, adopt and maintain written policies and  
12 procedures to delineate the responsibilities of its staff for prompt  
13 notification of a family member or other designated person about a  
14 patient's death and confirmation and written documentation of that  
15 notification.

16

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

21

22 3. This act shall take effect immediately.

23

24

25

#### STATEMENT

26

27 This bill is designed to ensure that licensed health care facilities in  
28 New Jersey promptly notify a patient's family or other designated  
29 person in the event of the patient's death in the facility.

30 Specifically, the bill requires that each licensed general or special  
31 hospital, nursing home or assisted living residence in the State,  
32 commencing no later than the 180th day after the effective date of the  
33 bill and as prescribed by regulation of the Commissioner of Health and  
34 Senior Services, adopt and maintain written policies and procedures  
35 to delineate the responsibilities of its staff for prompt notification of  
36 a family member or other designated person about a patient's death  
37 and confirmation and written documentation of that notification.

38 The bill directs the Commissioner of Health and Senior Services,  
39 pursuant to the "Administrative Procedure Act" (N.J.S.A.52:14B-1 et  
40 seq.), to adopt rules and regulations to effectuate its purposes.

ASSEMBLY FINANCIAL INSTITUTIONS AND INSURANCE  
COMMITTEE

STATEMENT TO

[First Reprint]  
**SENATE, No. 1534**

**STATE OF NEW JERSEY**

DATED: JUNE 21, 2004

The Assembly Financial Institutions and Insurance Committee reports favorably Senate Bill No. 1534 (1R).

This bill is designed to ensure that licensed health care facilities in New Jersey promptly notify a patient's family, guardian or other designated person in the event of the patient's death at the facility.

Specifically, the bill requires that each licensed general or special hospital, nursing home or assisted living residence in the State, commencing no later than the 180th day after the effective date of the bill and as prescribed by regulation of the Commissioner of Health and Senior Services, adopt and maintain written policies and procedures to delineate the responsibilities of its staff for prompt notification of a family member, guardian or other designated person about a patient's death and confirmation and written documentation of that notification.

The bill directs the Commissioner of Health and Senior Services to adopt rules and regulations to effectuate its purposes.

This bill is identical to Assembly Bill No. 2899, which was also reported favorably by the committee today.

SENATE HEALTH, HUMAN SERVICES AND SENIOR  
CITIZENS COMMITTEE

STATEMENT TO

**SENATE, No. 1534**

with committee amendments

**STATE OF NEW JERSEY**

DATED: MAY 13, 2004

The Senate Health, Human Services and Senior Citizens Committee reports favorably with committee amendments Senate Bill No. 1534.

This bill is designed to ensure that licensed health care facilities in New Jersey promptly notify a patient's family, guardian or other designated person in the event of the patient's death at the facility.

Specifically, the bill requires that each licensed general or special hospital, nursing home or assisted living residence in the State, commencing no later than the 180th day after the effective date of the bill and as prescribed by regulation of the Commissioner of Health and Senior Services, adopt and maintain written policies and procedures to delineate the responsibilities of its staff for prompt notification of a family member, guardian or other designated person about a patient's death and confirmation and written documentation of that notification.

The bill directs the Commissioner of Health and Senior Services to adopt rules and regulations to effectuate its purposes.

The committee amendment adds a patient's guardian to the list of persons to be notified in the event of a patient's death.

# ASSEMBLY, No. 2899

## STATE OF NEW JERSEY 211th LEGISLATURE

INTRODUCED MAY 24, 2004

**Sponsored by:**

**Assemblyman JOHN F. MCKEON**

**District 27 (Essex)**

**Assemblyman MIMS HACKETT, JR.**

**District 27 (Essex)**

**Co-Sponsored by:**

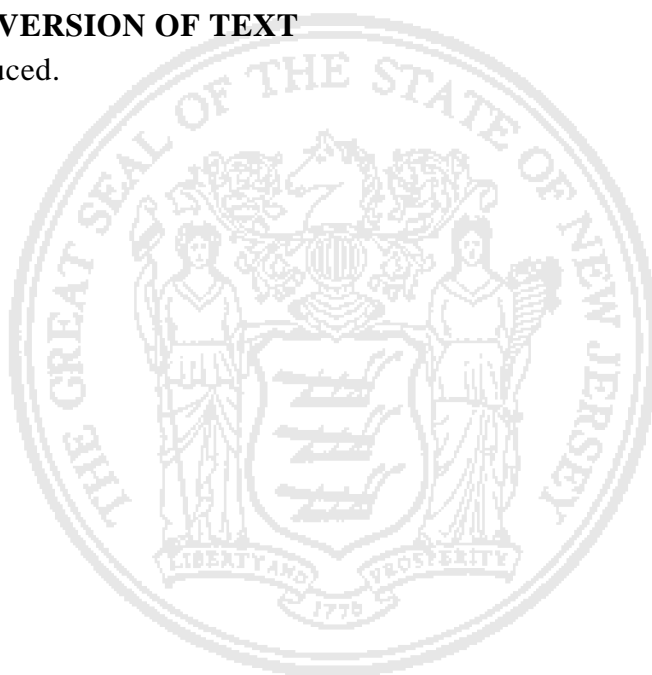
**Assemblyman Baroni**

**SYNOPSIS**

Requires health care facilities to adopt policies for notifying family members of patient deaths.

**CURRENT VERSION OF TEXT**

As introduced.



**(Sponsorship Updated As Of: 6/22/2004)**



1 AN ACT concerning notification of patient deaths in health care  
2 facilities and supplementing Title 26 of the Revised Statutes.

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

6  
7 1. A general or special hospital, nursing home or assisted living  
8 residence licensed pursuant to P.L.1971, c.136 (C.26:2H-1 et seq.)  
9 shall, commencing no later than the 180th day after the effective date  
10 of this act and as prescribed by regulation of the Commissioner of  
11 Health and Senior Services, adopt and maintain written policies and  
12 procedures to delineate the responsibilities of its staff for prompt  
13 notification of a family member, guardian or other designated person  
14 about a patient's death and confirmation and written documentation of  
15 that notification.

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

21  
22 3. This act shall take effect immediately.

23  
24  
25 STATEMENT

26  
27 This bill is designed to ensure that licensed health care facilities in  
28 New Jersey promptly notify a patient's family, guardian or other  
29 designated person in the event of the patient's death at the facility.

30 Specifically, the bill requires that each licensed general or special  
31 hospital, nursing home or assisted living residence in the State,  
32 commencing no later than the 180th day after the effective date of the  
33 bill and as prescribed by regulation of the Commissioner of Health and  
34 Senior Services, adopt and maintain written policies and procedures  
35 to delineate the responsibilities of its staff for prompt notification of  
36 a family member, guardian or other designated person about a patient's  
37 death and confirmation and written documentation of that notification.

38 The bill directs the Commissioner of Health and Senior Services to  
39 adopt rules and regulations to effectuate its purposes.

ASSEMBLY FINANCIAL INSTITUTIONS AND INSURANCE  
COMMITTEE

STATEMENT TO

**ASSEMBLY, No. 2899**

**STATE OF NEW JERSEY**

DATED: JUNE 21, 2004

The Assembly Financial Institutions and Insurance Committee reports favorably Assembly Bill No. 2899.

This bill is designed to ensure that licensed health care facilities in New Jersey promptly notify a patient's family, guardian or other designated person in the event of the patient's death at the facility.

Specifically, the bill requires that each licensed general or special hospital, nursing home or assisted living residence in the State, commencing no later than the 180th day after the effective date of the bill and as prescribed by regulation of the Commissioner of Health and Senior Services, adopt and maintain written policies and procedures to delineate the responsibilities of its staff for prompt notification of a family member, guardian or other designated person about a patient's death and confirmation and written documentation of that notification.

The bill directs the Commissioner of Health and Senior Services to adopt rules and regulations to effectuate its purposes.

This bill is identical to Senate Bill No. 1534 (1R), which was also reported favorably by the committee today.