

52:27D-360.8 TO 52:27D-360-10
LEGISLATIVE HISTORY CHECKLIST

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LAWS OF: 2015 **CHAPTER:** 115

NJSA: 52:27D-360.8 TO 52:27D-360-10 (Requires continuing care retirement communities to provide residents with information on influenza vaccines for older adults.)

BILL NO: A3890 (Substituted for S2754 (2R))

SPONSOR(S) Lampitt, Pamela R., and others

DATE INTRODUCED: December 4, 2014

COMMITTEE: **ASSEMBLY:** Health and Senior Services

SENATE: ---

AMENDED DURING PASSAGE: Yes

DATE OF PASSAGE: **ASSEMBLY:** 6/11/2015

SENATE: 5/18/2015

DATE OF APPROVAL: October 13, 2015

FOLLOWING ARE ATTACHED IF AVAILABLE:

FINAL TEXT OF BILL (Second Reprint enacted) Yes

A3890

INTRODUCED BILL: (Includes sponsor(s) statement) Yes

COMMITTEE STATEMENT: **ASSEMBLY:** Yes

SENATE: No

(Audio archived recordings of the committee meetings, corresponding to the date of the committee statement, *may possibly* be found at www.njleg.state.nj.us)

FLOOR AMENDMENT STATEMENT: Yes

LEGISLATIVE FISCAL ESTIMATE: No

S2754 (2R)

INTRODUCED BILL: (Includes sponsor(s) statement) Yes

COMMITTEE STATEMENT: **ASSEMBLY:** No

SENATE: Yes

(Audio archived recordings of the committee meetings, corresponding to the date of the committee statement, *may possibly* be found at www.njleg.state.nj.us)

FLOOR AMENDMENT STATEMENT: Yes

LEGISLATIVE FISCAL ESTIMATE: No

VETO MESSAGE: No

GOVERNOR'S PRESS RELEASE ON SIGNING: Yes

FOLLOWING WERE PRINTED:

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REPORTS: No

HEARINGS: No

NEWSPAPER ARTICLES: No

end

P.L.2015, CHAPTER 115, *approved October 13, 2015*
Assembly, No. 3890 (*Second Reprint*)

1 AN ACT concerning influenza vaccines for older adults and
2 supplementing Title 52 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. The Department of Health shall prepare and make
8 available on the department's Internet website, in an easily printable
9 format, information about the influenza vaccine for older adults,
10 ¹**[including, but not be limited to]** which shall include^{1 2}, but not be
11 limited to² :

12 (1) the role the influenza vaccine plays in the prevention of
13 influenza in older adults;

14 (2) ¹**[the health risks and complications associated with, and the**
15 morbidity and mortality rates among older adults suffering from,
16 influenza;

17 (3) ¹**]** the availability and efficacy of the influenza vaccine;

18 ¹**[(4)]** and

19 (3) a recommendation for each person to consult with a
20 physician to determine whether receiving the influenza vaccine is
21 recommended and appropriate for that person.

22 The department may additionally provide such other information
23 as it deems necessary and appropriate, including, but not limited to:
24 the health risks and complications associated with, and the
25 morbidity and mortality rates among older adults suffering from,
26 influenza;¹ the individual and community benefits of inoculating
27 older adults living in close proximity to each other, especially those
28 living in continuing care retirement communities; and

29 ¹**[(5)]**¹ influenza vaccination programs and health care
30 providers providing influenza vaccinations to older adults.

31 b. ²**[The department shall require each continuing care**
32 retirement community in the State to post the information
33 ¹**[specified in]** made available by the department pursuant to¹
34 subsection a. of this section in a conspicuous public place in the
35 facility ¹**[, by]** no later than¹ August 1 of each year. ¹**[The**
36 continuing care retirement community shall also be required to

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:

¹Assembly AHE committee amendments adopted January 12, 2015.

²Senate floor amendments adopted March 16, 2015.

1 provide the information to each resident within a reasonable time
2 and without cost.¹

3 c.² As used in this section, "continuing care retirement
4 community" means a continuing care facility that is operating under
5 a certificate of authority issued by the Department of Community
6 Affairs pursuant to P.L.1986, c.103 (C.52:27D-330 et seq.), and
7 which is registered with the Department of Community Affairs
8 ¹[.]¹ as a retirement community ¹[.]¹ pursuant to P.L.1977,
9 c.419 (C.45:22A-21 et seq.).

10 ²c. Nothing in this section shall be deemed to require any
11 person in a continuing care retirement community to receive an
12 influenza vaccine.²

13
14 ²2. The Department of Community Affairs shall require each
15 continuing care retirement community in this State to post the
16 information made available by the Department of Health pursuant
17 to section 1 of P.L. , c. (C.) (pending before the Legislature
18 as this bill) in a conspicuous public place in the facility no later
19 than August 1 of each year.²

20
21 ²[2.] 3.² The Commissioner of Health ²and the Commissioner
22 of Community Affairs², pursuant to the "Administrative Procedure
23 Act," P.L.1968, c.410 (C.52:14B-1 et seq.), ²[shall] may² adopt
24 rules and regulations to effectuate the purposes of this act.

25
26 ²[3.] 4.² This act shall take effect immediately.

27
28
29 _____
30
31 Requires continuing care retirement communities to provide
32 residents with information on influenza vaccines for older adults.

ASSEMBLY, No. 3890

STATE OF NEW JERSEY 216th LEGISLATURE

INTRODUCED DECEMBER 4, 2014

Sponsored by:

Assemblywoman PAMELA R. LAMPITT

District 6 (Burlington and Camden)

SYNOPSIS

Requires continuing care retirement communities to provide residents with information on influenza vaccines for older adults.

CURRENT VERSION OF TEXT

As introduced.



1 AN ACT concerning influenza vaccines for older adults and
2 supplementing Title 52 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. The Department of Health shall prepare and make
8 available on the department's Internet website, in an easily printable
9 format, information about the influenza vaccine for older adults,
10 including, but not be limited to:

11 (1) the role the influenza vaccine plays in the prevention of
12 influenza in older adults;

13 (2) the health risks and complications associated with, and the
14 morbidity and mortality rates among older adults suffering from,
15 influenza;

16 (3) the availability and efficacy of the influenza vaccine;

17 (4) the individual and community benefits of inoculating older
18 adults living in close proximity to each other, especially those
19 living in continuing care retirement communities; and

20 (5) influenza vaccination programs and health care providers
21 providing influenza vaccinations to older adults.

22 b. The department shall require each continuing care retirement
23 community in the State to post the information specified in
24 subsection a. of this section in a conspicuous public place in the
25 facility, by August 1 of each year. The continuing care retirement
26 community shall also be required to provide the information to each
27 resident within a reasonable time and without cost.

28 c. As used in this section, "continuing care retirement
29 community" means a continuing care facility that is operating
30 under a certificate of authority issued by the Department of
31 Community Affairs pursuant to P.L.1986, c.103 (C.52:27D-330 et
32 seq.), and which is registered with the Department of Community
33 Affairs, as a retirement community, pursuant to P.L.1977, c.419
34 (C.45:22A-21 et seq.).

35

36 2. The Commissioner of Health, pursuant to the
37 "Administrative Procedure Act," P.L.1968, c.410 (C.52:14B-1 et
38 seq.), shall adopt rules and regulations to effectuate the purposes of
39 this act.

40

41 3. This act shall take effect immediately.

42

43

44

STATEMENT

45

46 This bill mandates the Department of Health (DOH) to prepare
47 and make available on its website, in an easily printable format,
48 information about the influenza vaccine for older adults, including,

1 but not limited to: the role the influenza vaccine plays in the
2 prevention of influenza in older adults; the health risks and
3 complications associated with, and the morbidity and mortality rates
4 among older adults suffering from, influenza; the availability and
5 efficacy of the influenza vaccine for older adults; the individual and
6 community benefits of inoculating older adults living in close
7 proximity to each other, especially those living in continuing care
8 retirement communities; and influenza vaccination programs and
9 health care providers providing influenza vaccinations to older
10 adults.

11 DOH would require each continuing care retirement community
12 in the State to post the information specified in the bill in a
13 conspicuous public place in the facility, by August 1 of each year.
14 The bill mandates that the community would also be responsible for
15 providing the information to each resident within a reasonable time
16 and without cost.

17 "Continuing care retirement community" is defined in the bill as
18 a continuing care facility operating under a certificate of authority
19 issued by the Department of Community Affairs (DCA) pursuant to
20 P.L.1986, c.103 (C.52:27D-330 et seq.), and as a retirement
21 community registered with DCA pursuant to P.L.1977, c.419
22 (C.45:22A-21 et seq.).

ASSEMBLY HEALTH AND SENIOR SERVICES COMMITTEE

STATEMENT TO

ASSEMBLY, No. 3890

with committee amendments

STATE OF NEW JERSEY

DATED: JANUARY 12, 2015

The Assembly Health and Senior Services Committee reports favorably and with committee amendments Assembly Bill No. 3890.

As amended, this bill requires the Department of Health (DOH) to prepare and make available on its website, in an easily printable format, information about the influenza vaccine for older adults. This information will include the role the influenza vaccine plays in the prevention of influenza in older adults, the availability and efficacy of the influenza vaccine for older adults, and a recommendation that each person consult with a physician to determine if receiving the influenza vaccine is recommended and appropriate for that person. DOH may additionally provide such information as it deems necessary and appropriate, including, but not limited to: the health risks and complications associated with, and the morbidity and mortality rates among older adults suffering from, influenza; the individual and community benefits of inoculating older adults living in close proximity to each other, especially those living in continuing care retirement communities; and influenza vaccination programs and health care providers providing influenza vaccinations to older adults.

Under the bill, DOH will require each continuing care retirement community in the State to post this influenza vaccination information in a conspicuous public place in the facility no later than August 1 of each year.

COMMITTEE AMENDMENTS:

The committee amendments make certain revisions to the information to be provided by the Department of Health concerning influenza vaccinations for older adults. The department will be required to provide information concerning the role the influenza vaccine plays in the prevention of influenza in older adults, the availability and efficacy of the influenza vaccine for older adults, and a recommendation that each person consult with a physician to determine if receiving the influenza vaccine is recommended and appropriate for that person. The department will additionally have discretion to provide any other information it deems necessary and appropriate.

The committee amendments remove a requirement that the influenza vaccine information be individually distributed to each resident of a continuing care retirement community.

The committee amendments make certain technical revisions to the bill.

STATEMENT TO
[First Reprint]
ASSEMBLY, No. 3890

with Senate Floor Amendments
(Proposed by Senator GORDON)

ADOPTED: MARCH 16, 2015

These floor amendments clarify that the Department of Community Affairs (DCA) must require each continuing care retirement community in the State to post information about the influenza vaccine for older adults provided by DCA in a conspicuous public place in the facility no later than August 1 of each year.

The amendments also provide that nothing in the bill shall be deemed to require any person in a continuing care retirement community to receive an influenza vaccine.

Finally, the amendments provide that the Commissioners of Health and Community Affairs may adopt rules and regulations to effectuate the purposes of the bill. As introduced, the bill required the Commissioner of Health to adopt rules and regulations.

SENATE, No. 2754

STATE OF NEW JERSEY
216th LEGISLATURE

INTRODUCED FEBRUARY 9, 2015

Sponsored by:

Senator ROBERT M. GORDON

District 38 (Bergen and Passaic)

SYNOPSIS

Requires continuing care retirement communities to provide residents with information on influenza vaccines for older adults.

CURRENT VERSION OF TEXT

As introduced.



1 AN ACT concerning influenza vaccines for older adults and
2 supplementing Title 52 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. The Department of Health shall prepare and make
8 available on the department's Internet website, in an easily printable
9 format, information about the influenza vaccine for older adults,
10 which shall include:

11 (1) the role the influenza vaccine plays in the prevention of
12 influenza in older adults;

13 (2) the availability and efficacy of the influenza vaccine; and

14 (3) a recommendation for each person to consult with a
15 physician to determine whether receiving the influenza vaccine is
16 recommended and appropriate for that person.

17 The department may additionally provide such other information
18 as it deems necessary and appropriate, including, but not limited to:
19 the health risks and complications associated with, and the
20 morbidity and mortality rates among older adults suffering from,
21 influenza; the individual and community benefits of inoculating
22 older adults living in close proximity to each other, especially those
23 living in continuing care retirement communities; and influenza
24 vaccination programs and health care providers providing influenza
25 vaccinations to older adults.

26 b. The department shall require each continuing care retirement
27 community in the State to post the information made available by
28 the department pursuant to subsection a. of this section in a
29 conspicuous public place in the facility no later than August 1 of
30 each year.

31 c. As used in this section, "continuing care retirement
32 community" means a continuing care facility that is operating under
33 a certificate of authority issued by the Department of Community
34 Affairs pursuant to P.L.1986, c.103 (C.52:27D-330 et seq.), and
35 which is registered with the Department of Community Affairs as a
36 retirement community pursuant to P.L.1977, c.419 (C.45:22A-21 et
37 seq.).

38

39 2. The Commissioner of Health, pursuant to the
40 "Administrative Procedure Act," P.L.1968, c.410 (C.52:14B-1 et
41 seq.), shall adopt rules and regulations to effectuate the purposes of
42 this act.

43

44 3. This act shall take effect immediately.

45

46 STATEMENT

47

48 This bill requires the Department of Health (DOH) to prepare
49 and make available on its website, in an easily printable format,

1 information about the influenza vaccine for older adults.

2 This information will include the role the influenza vaccine plays
3 in the prevention of influenza in older adults, the availability and
4 efficacy of the influenza vaccine for older adults, and a
5 recommendation that each person consult with a physician to
6 determine if receiving the influenza vaccine is recommended and
7 appropriate for that person. DOH may additionally provide such
8 information as it deems necessary and appropriate, including, but
9 not limited to: the health risks and complications associated with,
10 and the morbidity and mortality rates among older adults suffering
11 from, influenza; the individual and community benefits of
12 inoculating older adults living in close proximity to each other,
13 especially those living in continuing care retirement communities;
14 and influenza vaccination programs and health care providers
15 providing influenza vaccinations to older adults.

16 Under the bill, DOH will require each continuing care retirement
17 community in the State to post this influenza vaccination
18 information in a conspicuous public place in the facility no later
19 than August 1 of each year.

SENATE HEALTH, HUMAN SERVICES AND SENIOR
CITIZENS COMMITTEE

STATEMENT TO
SENATE, No. 2754

with committee amendments

STATE OF NEW JERSEY

DATED: MARCH 9, 2015

The Senate Health, Human Services and Senior Citizens Committee reports favorably and with amendments Senate Bill No. 2754.

This bill requires the Department of Health (DOH) to prepare and make available on its website, in an easily printable format, information about the influenza vaccine for older adults.

This information will include the role the influenza vaccine plays in the prevention of influenza in older adults, the availability and efficacy of the influenza vaccine for older adults, and a recommendation that each person consult with a physician to determine if receiving the influenza vaccine is recommended and appropriate for that person. DOH may additionally provide such information as it deems necessary and appropriate, including, but not limited to: the health risks and complications associated with, and the morbidity and mortality rates among older adults suffering from, influenza; the individual and community benefits of inoculating older adults living in close proximity to each other, especially those living in continuing care retirement communities; and influenza vaccination programs and health care providers providing influenza vaccinations to older adults.

Under the bill, DOH will require each continuing care retirement community in the State to post this influenza vaccination information in a conspicuous public place in the facility no later than August 1 of each year.

The committee amended the bill to clarify that nothing in the bill would be deemed to require any person in a continuing care retirement community to receive an influenza vaccine.

STATEMENT TO
[First Reprint]
SENATE, No. 2754

with Senate Floor Amendments
(Proposed by Senator GORDON)

ADOPTED: MARCH 16, 2015

These floor amendments clarify that the Department of Community Affairs (DCA) must require each continuing care retirement community in the State to post information about the influenza vaccine for older adults provided by DCA in a conspicuous public place in the facility no later than August 1 of each year.

The amendments also provide that the Commissioners of Health and Community Affairs may adopt rules and regulations to effectuate the purposes of the bill. As introduced, the bill required the Commissioner of Health to adopt rules and regulations.

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Governor Christie Takes Action To Help Prevent Over-the-Counter Drug Abuse

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Trenton, NJ – Adding to the Administration’s broad-based approach of preventing and treating drug addiction, Governor Christie took action today to prohibit the sale of medications containing dextromethorphan, a substance found in more than 120 over-the-counter cold medications, to any person under the age of 18 unless they have a prescription. The legislation, A-622/1469 (Moriarty, Diegnan, Wimberly, Vainieri Huttle, Gusciora, Sumter, Angelini, Munoz/Barnes), addresses the growing problem of teenagers overusing or abusing dextromethorphan to get high, leading them down a path of addiction in the future.

The bill also requires the Department of Health to post a link on its website containing a list of products in which dextromethorphan is an active ingredient. The new law will take effect on Feb. 1, 2016.

The Governor also took the following action on other pending legislation:

BILL SIGNING:

A-3890/S-2754 (Lampitt, Lagana, Jimenez, Eustace, Mazzeo/Gordon, Allen) - Requires continuing care retirement communities to provide residents with information on influenza vaccines for older adults

AJR-67/SJR-51 (Munoz, Lampitt, Benson/Singer, Vitale) - Designates third Wednesday in May as "ALS Awareness Day" and May as "ALS Awareness Month" in NJ

###

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