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# N.J.A.C. 8:57 PROPOSED RULE REVISIONS

REQUEST FOR STAKEHOLDER FEEDBACK

APRIL 2023



# OVERVIEW

## Standards

- Reporting, investigation, and other activities attendant to the identification of cases of communicable diseases and diseases occurring in animals
- Childhood immunization and immunization of collegians entering and attending institutions of higher education
- Electronic immunization registry, known as the “New Jersey Immunization Information System”
- Student health insurance and childhood immunization insurance coverage. Recodification of Subchapter 7 to a separate chapter and Repeal of Subchapter 8.

2010 last revision; 2016 adopted without change

Lessons learned in addressing communicable diseases, including during COVID-19 resulted in substantive revisions

Extension of current rules granted until February 8, 2024

# SCOPE & AUTHORITY (N.J.A.C. 8:57-1)

## Broadens scope of required reporters and groups responsible to comply with chapter

- Facilities under jurisdiction of other agencies, farm or migrant camps, group homes and other residential healthcare facilities (DCA, human services, addiction services), juvenile detention/custodial facilities (Juvenile Justice Commission)
- Employers, persons in charge at food, drug and cosmetics establishments

## More explicit authority to access premises and things to enforce health laws

- Access to public or private place and records/things at these premises to enforce, administer or confirm compliance with health laws

## CONFIDENTIALITY & DATA RELEASE (N.J.A.C. 8:57-1)

Better describes confidentiality and authorized release of data

- E.g., CDC reporting, research, and to protect health of individuals

Excludes records that contain health information for individuals from “government records” subject to public access

- Consistent with protections under Emergency Health Powers Act

Clarifies FERPA allowance for release of Personal Identifying Information (PII) for protection of public health

# PUBLIC HEALTH INVESTIGATION (N.J.A.C. 8:57-1)

## Hospitals

- Grants NJDOH and local health department access to electronic health records needed for public health investigation

## LHDs

- Introduces disease prioritization guidance as standard for timeliness of investigation
- Further defines LHD investigation responsibilities (rather than reporting)
  - Collaboration with NJDOH on health notifications, including press releases
  - Addressing jurisdictional issues for exposure/investigation
  - Cadence of reporting to NJDOH

# REPORTABLE DISEASE LIST AND TIMING OF REPORTS (N.J.A.C. 8:57-1)

Authority to designate diseases as reportable

Edits to timeframes and based on whether healthcare provider or laboratory reported

- Acknowledges role and timeframes of electronic laboratory reporting (ELR)
- Certain diseases designated as laboratory-only reporting
- Modifies timeframes for healthcare provider reporting

Multiple additions/edits to reportable disease list



**Broadened scope** - Added animal rescue organization managers (in addition to veterinarians, animal control officers, animal facility managers)



**New requirement** for laboratory reporting (domestic companion animals)



**Adds authority** for isolation & quarantine of domestic companion animals (currently pet birds only)

ZOONOTIC DISEASE REPORTING (N.J.A.C. 8:57-1)

# NEW JERSEY IMMUNIZATION INFORMATION SYSTEM (N.J.A.C. 8:57-3)

- Expansion of Reporting Requirements
  - Increases the upper age limit of who is required to be reported into NJIIS.
- Modification of Data Entry Requirement
  - Shortened timeframe for reporting patient vaccination.



# IMMUNIZATION OF PUPILS IN SCHOOL (N.J.A.C. 8:57-4)

Align immunization requirements specified in this subchapter with the current ACIP recommendations.

Limit the timeframe in which provisional students will have to receive vaccine.

Not limit a private entity's ability to add additional vaccination requirements that are recommended by the ACIP but not required by NJDOH.

Shorten the flu vaccine requirement deadline.

Shorten the Annual Immunization Status Report deadline.

Utilize NJDOH's Request for Medical Exemption from Mandatory Immunization (IMM-53) form to file all medical exemptions.

Add a 10-day grace period for the transfer of a child's immunization record to the new facility in accordance with the McKinney-Vento Homeless Act.

# SYPHILIS & TUBERCULOSIS (N.J.A.C. 8:57-5)

## STD: Syphilis

- Clarifies lab reporting requirements to receive ancillary laboratory test results when syphilis test is positive
- Requirement for confirmatory testing when a non-treponema test is positive in the absence of a prior positive confirmatory test result on file at the laboratory. This will help healthcare providers to interpret results and eliminate unnecessary blood draws for patients.

## Tuberculosis (TB)

- Removes a reference to a “standard of practice” which was NOT a standard
- Updates hospital discharge for TB with the full removal of only one negative NAAT necessary to discharge
- Incorporates updated source documents from the CDC highlighting patient-centered care and treatment of drug susceptible TB.

# HIGHER EDUCATION IMMUNIZATION (N.J.A.C. 8:57-6)

Add the new meningococcal vaccine requirement in accordance with the ACIP recommendations as a condition of attendance to comply with (C.18A:62-15.1).

- Extend the compliance requirement for meningococcal vaccine to 10 days after the first day of the semester in lieu of compliance upon enrollment.

Not limit a private entity's ability add additional vaccination requirements that are recommended by the ACIP but not required by NJDOH.

Designate an Institutional Liaison to serve as the POC to NJ VPDP and provide oversight on the institution's compliance with the requirements.

Limit the timeframe in which provisional students will have to receive MMR vaccine (not applicable to Hep B or Meningococcal).

# SURVEILLANCE (N.J.A.C. 8:57 NEW SECTION)

- New section requiring establishment and maintenance of surveillance system to detect and investigate health threats (now voluntary)
  - Syndromic surveillance reporting (hospitals)
  - Absenteeism and aggregate case counts (schools)
  - Post-acute care facilities on situations of public health importance
  - Private healthcare payors for medical claims
  - Vector surveillance and testing (county mosquito control)
  - Laboratory – influenza and respiratory specimens

# STAKEHOLDER FEEDBACK

- Feedback welcome on existing N.J.A.C. 8:57 and on proposed updates contained herein
- To access existing rules:
  - Go to [www.lexisnexis.com/hottopics/njcode](http://www.lexisnexis.com/hottopics/njcode)
  - Select “I Agree”
  - Click on the plus sign next to Title 8 to expand level
  - Click on the plus sign next to the Chapter 57
  - Click on the plus sign next to the subchapter (1, 2,3,4, and/or 6)
  - Select the appropriate link to view the requirements

Comments due May 31, 2023

Click → **Survey** to provide feedback to NJDOH

