

CHAPTER 57

COMMUNICABLE DISEASES

Authority

N.J.S.A. 26:1A-7, 26:4-1, 26:5C-5 et seq.

Source and Effective Date

R.1995 d.240, effective April 12, 1995.
See: 27 N.J.R. 420(a), 27 N.J.R. 1987(a).

Executive Order No. 66(1978) Expiration Date

Chapter 57, Communicable Diseases, expires April 12, 2000.

Chapter Historical Note

All provisions of this chapter became effective prior to September 1, 1969. Revisions became effective May 20, 1984 as R.1984 d.121. See: 6 N.J.R. 140(a), 6 N.J.R. 241(c). Subchapter 4 became effective May 16, 1975 as R.1975 d.121. See: 7 N.J.R. 154(a), 7 N.J.R. 264(a). Subchapter 5 became effective October 8, 1976 as R.1976 d.315. See: 8 N.J.R. 513(a). Further revisions became effective December 13, 1977 as R.1977 d.467. See: 10 N.J.R. 12(a). Further amendments became effective July 24, 1978 as R.1978 d.244. See: 10 N.J.R. 246(b), 10 N.J.R. 334(a). Further amendments became effective September 1, 1979 as R.1979 d.244. See: 10 N.J.R. 246(b), 10 N.J.R. 334(a). Further amendments became effective October 1, 1978 as R.1978 d.293. See: 10 N.J.R. 146(a), 10 N.J.R. 358(b). Subchapter 1 was readopted effective November 12, 1980 as R.1980 d.498. See: 12 N.J.R. 577(e), 13 N.J.R. 13(b). Further amendments became effective January 4, 1982 as R.1981 d.502. See: 13 N.J.R. 738(a), 14 N.J.R. 45(c). Subchapter 4 was readopted pursuant to Executive Order No. 66(1978) effective July 18, 1983 as R.1983 d.311. See: 15 N.J.R. 781(a), 15 N.J.R. 1253(a). Emergency amendments became effective January 22, 1985 as R.1985 d.40. See: 17 N.J.R. 483(a) to 4.16. N.J.A.C. 8:57-4.16 was readopted effective March 25, 1985 as R.1985 d.195. See: 17 N.J.R. 483(a), 17 N.J.R. 955(a). Further amendments became effective June 3, 1985 as R.1985 d.264. See: 17 N.J.R. 483(a), 17 N.J.R. 1414(a). Subchapter 1 was readopted pursuant to Executive Order No. 66(1978) as R.1985 d.363, effective June 18, 1985 (amendments effective July 15, 1985). See: 17 N.J.R. 784(a), 17 N.J.R. 1764(a).

Subchapter 6, Cancer Registry, was adopted as R.1986 d.277, effective June 16, 1986. See: 17 N.J.R. 2836(b), 18 N.J.R. 1283(a). Subchapter 6 was recodified as Chapter 57A, Cancer Registry, by R.1990 d.242, effective May 21, 1990. See: 21 N.J.R. 3909(a), 22 N.J.R. 1596(a).

Pursuant to Executive Order No. 66(1978), Chapter 57 was readopted as R.1990 d.243, effective April 20, 1990. As a part of R.1990 d.243, Subchapter 2, Isolation of Persons Ill or Infected with a Communicable Disease, and Subchapter 3, Poliomyelitis Vaccine Records, were repealed, effective June 4, 1990. See: 21 N.J.R. 3897(a), 22 N.J.R. 1766(a). Subchapter 2, Reporting of Acquired Immunodeficiency Syndrome and Infection with Human Immunodeficiency Virus, was adopted as R.1990 d.244, and Subchapter 3, Reportable Occupational and Environmental Diseases and Poisons, was adopted as R.1990 d.245, effective May 21, 1990 (operative June 4, 1990). See: 21 N.J.R. 3905(a), 22 N.J.R. 1592(a); 21 N.J.R. 3907(a), 22 N.J.R. 1595(a).

Pursuant to Executive Order No. 66(1978), Chapter 57 was readopted as R.1995 d.240. See: Source and Effective Date.

Cross References

Blind and visually impaired services case management of clients with communicable diseases, see N.J.A.C. 10:91-5.7.

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SUBCHAPTER 1. REPORTABLE COMMUNICABLE DISEASES

Source and Effective Date

R.1995 d.277, effective June 5, 1995.
See: 27 N.J.R. 420(a), 27 N.J.R. 2216(a).

8:57-1.1 Purpose and scope

(a) The purpose of this subchapter is to expedite the reporting of certain diseases or outbreaks of disease so that appropriate action can be taken to protect the public health. The latest edition of the American Public Health Association's publication, "Control of Communicable Disease in Man," should be used as a reference, providing guidelines for the characteristics and control of communicable diseases, unless other guidelines are issued by the Department.

(b) For purposes of research, surveillance, and/or in response to technological developments in disease detection or control, the Commissioner, or his or her designee, is empowered to amend the diseases specified in this subchapter for such periods of time as may be necessary to control disease, in accordance with the Administrative Procedure Act, N.J.S.A. 52:14B-1 et seq.

Amended by R.1990 d.243, effective June 4, 1990.
See: 21 N.J.R. 3897(a), 22 N.J.R. 1766(a).

Purpose and scope text separated from Foreword; balance of Foreword deleted.

8:57-1.2 Definitions

The following words and terms, as used in this subchapter, shall have the following meanings, unless the context clearly indicates otherwise.

"Child care center" means any home or facility required to be licensed by the Department of Human Services which is maintained for the care, development, or supervision of six or more children under six years of age who attend for less than 24 hours a day.

"Commissioner" means the New Jersey State Commissioner of Health.

"Communicable disease" means an illness due to a specific infectious agent or its toxic products which arises through transmission of that agent or its products from an infected person, animal, or inanimate reservoir to a susceptible host, either directly or indirectly through an intermediate plant or animal host, vector, or the inanimate environment.

"Department" means the New Jersey State Department of Health.

"Health officer" means a holder of a license as health officer issued by the State Department of Health, pursuant to N.J.S.A. 26:1A-38 et seq., who is employed by a local board of health to function during all working hours of the regularly scheduled work week of the governmental unit to which the local health agency is attached and not regularly employed during the working hours of that scheduled work week in other activities for which he or she receives remuneration.

"Health care provider" means a person who is directly involved in the provision of health care services, such as the clinical diagnosis and prescribing of medications, and when required by State law, the individual has received professional training in the provision of such services and is licensed or certified for such provision. This includes physicians, physician assistants, and nurse practitioners.

"Hospital" means an institution, whether operated for profit or not, which maintains and operates facilities for the diagnosis, treatment, or care of two or more non-related individuals suffering from illness, injury or deformity and where emergency, out-patient, surgical, obstetrical, convalescent, or other medical and nursing care is rendered for periods exceeding 24 hours.

"Local health department" means the board of health of a region or municipality or the boards, bodies, or officers in such region or municipality lawfully exercising any of the powers of a local board of health under the laws governing such region or municipality.

"May" means that the action referred to is discretionary.

"N.J.A.C." means the New Jersey Administrative Code.

8:57-6.15 Reporting requirements

Each New Jersey institution of higher education shall report the suspected presence of any reportable communicable disease, as identified at N.J.A.C. 8:57-1.3 and N.J.A.C. 8:57-1.4, to the local health officer having jurisdiction over the locality in which such institution is located.

8:57-6.16 Modifications in the event of an outbreak

In the event of an outbreak or threatened outbreak, the State Commissioner of Health, his or her designee, or local

health officers may modify the immunization requirements as set forth in this subchapter to meet the emergency. These modifications may include obtaining immunization documentation or requiring specific immunizations for each student not covered by this subchapter. Each student failing to meet these additional requirements may be temporarily excluded from classes and from participation in institution-sponsored activities. This exclusion shall continue until the outbreak is over or until proof of the student's immunization or immunity is furnished.