

**CHAPTER 57**  
**COMMUNICABLE DISEASES**

**Authority**

N.J.S.A. 17:23A-13; 18A:61D-1 et seq., particularly 18A:61D-6, 18A:62-15, 15.1 and 15.2; 26:1A-7; 26:1A-15; 26:2-137.1; 26:4-1 et seq., particularly 26:4-2 and 26:4-70; 26:5C-1 et seq., particularly 26:5C-6 and 26:5C-20; and 30:9-57.

**Source and Effective Date**

R.2009 d.107, effective March 10, 2009.  
See: 40 N.J.R. 1962(a), 41 N.J.R. 1419(a).

**Chapter Expiration Date**

Chapter 57, Communicable Diseases, expires on March 10, 2014.

**Chapter Historical Note**

Chapter 57, Communicable Diseases, was adopted and became effective prior to September 1, 1969.

Subchapter 4, Immunization of Pupils in School, was adopted as R.1975 d.121, effective May 16, 1975. See: 7 N.J.R. 154(a), 7 N.J.R. 264(a).

Subchapter 5, New Jersey Influenza Immunization Program, was adopted as R.1976 d.315, effective October 8, 1976. See: 8 N.J.R. 513(a).

Pursuant to Executive Order No. 66(1978), Subchapter 1, Reportable Communicable Diseases, was readopted as R.1980 d.498, effective November 12, 1980. See: 12 N.J.R. 577(e), 13 N.J.R. 13(b).

Pursuant to Executive Order No. 66(1978), Subchapter 4, Immunization of Pupils in School, was readopted as R.1983 d.311, effective July 18, 1983. See: 15 N.J.R. 781(a), 15 N.J.R. 1253(a).

Pursuant to Executive Order No. 66(1978), Subchapter 1, Reportable Communicable Diseases, was readopted as R.1985 d.363, effective June 18, 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, Cancer Registry, was recodified as N.J.A.C. 8:57A 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, Communicable Diseases, was readopted as R.1990 d.243, effective April 20, 1990, and Subchapter 2, Isolation of Persons Ill or Infected with a Communicable Disease, Subchapter 3, Poliomyelitis Vaccine Records, and Subchapter 5, New Jersey Influenza Immunization Program, were repealed by R.1990 d.243, effective June 4, 1990.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 new rules by R.1990 d.244, effective May 21, 1990, operative June 4, 1990. See: 21 N.J.R. 3905(a), 22 N.J.R. 1592(a).

Subchapter 3, Reportable Occupational and Environmental Diseases and Poisons, was adopted as new rules by R.1990 d.245, effective May 21, 1990, operative June 4, 1990. See: 21 N.J.R. 3907(a), 22 N.J.R. 1595(a).

Pursuant to Executive Order No. 66(1978), Chapter 57, Communicable Diseases, was readopted as R.1995 d.240, effective April 12, 1995. See: 27 N.J.R. 420(a), 27 N.J.R. 1987(a).

Subchapter 1, Reportable Communicable Diseases, was repealed and Subchapter 1, Reportable Communicable Diseases, was adopted as new rules by R.1995 d.277, effective June 5, 1995. See: 27 N.J.R. 420(a), 27 N.J.R. 2216(a).

Subchapter 6, Higher Education Immunization, was adopted as emergency new rules by R.1995 d.518, effective August 21, 1995, to expire October 20, 1995. See: 27 N.J.R. 3631(a). The concurrent proposal of Subchapter 6 was adopted as R.1995 d.587, effective October 20, 1995, with changes effective November 20, 1995. See: 27 N.J.R. 3631(a), 27 N.J.R. 4701(a).

Subchapter 5, Confinement of Persons with Tuberculosis, was adopted as new rules by R.1996 d.130, effective March 18, 1996. See: 27 N.J.R. 3657(a), 28 N.J.R. 1507(a).

Subchapter 7, Student Health Insurance Coverage, was adopted as R.1997 d.347, effective August 18, 1997. See: 29 N.J.R. 2261(a), 29 N.J.R. 3727(a).

Subchapter 8, Childhood Immunization Insurance Coverage, was adopted as R.1998 d.434, effective August 17, 1998. See: 30 N.J.R. 44(a), 30 N.J.R. 3101(a).

Pursuant to Executive Order No. 66(1978), Chapter 57, Communicable Diseases, expired on April 12, 2000.

Chapter 57, Communicable Diseases, was adopted as new rules by R.2000 d.378, effective September 18, 2000. See: 32 N.J.R. 965(a), 32 N.J.R. 3463(a).

Chapter 57, Communicable Diseases, was readopted as R.2003 d.412, effective September 25, 2003. See: 34 N.J.R. 3945(a), 35 N.J.R. 4883(b).

Chapter 57, Communicable Diseases, was readopted as R.2009 d.107, effective March 10, 2009. As a part of R.2009 d.107, Subchapter 3, Reportable Occupational and Environmental Diseases, Injuries and Poisons, was repealed in part and recodified in part to Chapter 58; and Subchapter 5, Confinement of Persons with Tuberculosis, was renamed Management of Tuberculosis, effective April 6, 2009. See: Source and Effective Date. See, also, section annotations.

**Cross References**

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

**CHAPTER TABLE OF CONTENTS**

**SUBCHAPTER 1. REPORTABLE COMMUNICABLE DISEASES**

8:57-1.1 Purpose and scope  
8:57-1.2 Incorporated documents  
8:57-1.3 Definitions  
8:57-1.4 Health care provider and administrator reporting of reportable communicable diseases  
8:57-1.5 Reportable communicable diseases  
8:57-1.6 Method of reporting and content of report  
8:57-1.7 Reporting of positive laboratory results denoting diseases  
8:57-1.8 Reporting of zoonotic diseases and any disease outbreaks in domestic companion animals by veterinarians, certified animal control officers, and animal facility management  
8:57-1.9 Reporting of diseases by health officers  
8:57-1.10 Health officer investigations  
8:57-1.11 Isolation and quarantine for communicable disease  
8:57-1.12 Medical examination and specimen submission  
8:57-1.13 Foodhandlers ill or infected with communicable diseases  
8:57-1.14 Confidentiality  
8:57-1.15 Enforcement

**APPENDIX A**

**APPENDIX B**

**SUBCHAPTER 2. REPORTING OF ACQUIRED IMMUNODEFICIENCY SYNDROME AND INFECTION WITH HUMAN IMMUNODEFICIENCY VIRUS**

- 8:57-2.1 Purpose and scope
- 8:57-2.2 Incorporated documents
- 8:57-2.3 Definitions
- 8:57-2.4 Reporting HIV Infection for health care providers and responsible parties
- 8:57-2.5 Reporting HIV infection for clinical laboratories
- 8:57-2.6 Reporting children perinatally exposed to HIV
- 8:57-2.7 Reporting AIDS for health care providers and responsible parties
- 8:57-2.8 Reporting AIDS for Clinical Laboratories
- 8:57-2.9 Testing procedures
- 8:57-2.10 Specimen submissions
- 8:57-2.11 Access to information
- 8:57-2.12 Failure to comply with reporting requirements

## APPENDIX A

## APPENDIX B

## APPENDIX C

## APPENDIX D

## APPENDIX E

## APPENDIX F

## APPENDIX G

## SUBCHAPTER 3. (RESERVED)

**SUBCHAPTER 4. IMMUNIZATION OF PUPILS IN SCHOOL**

- 8:57-4.1 Applicability
- 8:57-4.2 Proof of immunization
- 8:57-4.3 Medical exemptions
- 8:57-4.4 Religious exemptions
- 8:57-4.5 Provisional admission
- 8:57-4.6 Documents accepted as evidence of immunization
- 8:57-4.7 Records required
- 8:57-4.8 Reports to be sent to Department of Health and Senior Services
- 8:57-4.9 Records available for inspection
- 8:57-4.10 Diphtheria and tetanus toxoids and pertussis vaccine
- 8:57-4.11 Poliovirus vaccine
- 8:57-4.12 Measles virus vaccine
- 8:57-4.13 Rubella vaccine
- 8:57-4.14 Mumps vaccine
- 8:57-4.15 Haemophilus influenzae type b (Hib) conjugate vaccine
- 8:57-4.16 Hepatitis B virus vaccine
- 8:57-4.17 Varicella virus vaccine
- 8:57-4.18 Pneumococcal conjugate vaccine
- 8:57-4.19 Influenza vaccine
- 8:57-4.20 Meningococcal vaccine
- 8:57-4.21 Providing immunization
- 8:57-4.22 Emergency powers of the Commissioner, Department of Health and Senior Services
- 8:57-4.23 Optimal immunization recommendations
- 8:57-4.24 Penalties

## APPENDIX

## SUBCHAPTER 5. MANAGEMENT OF TUBERCULOSIS

- 8:57-5.1 Purpose and scope
- 8:57-5.2 Incorporated documents
- 8:57-5.3 Definitions
- 8:57-5.4 Reporting requirements
- 8:57-5.5 Hospital discharge
- 8:57-5.6 Health officer responsibilities
- 8:57-5.7 Notification of precautions to protect the public health

- 8:57-5.8 Diagnostic evaluations
- 8:57-5.9 Directly Observed Therapy
- 8:57-5.10 Management of non-adherent patients requiring a diagnostic evaluation or DOT
- 8:57-5.11 Management of non-adherent patients through a health officer order for isolation
- 8:57-5.12 Management of non-adherent patients through health officer order for temporary commitment
- 8:57-5.13 Grounds for commitment
- 8:57-5.14 Hearing process
- 8:57-5.15 Due process
- 8:57-5.16 Annual report
- 8:57-5.17 Confidentiality of information
- 8:57-5.18 Penalties for violation of rules

## APPENDIX A

## APPENDIX B

## SUBCHAPTER 6. HIGHER EDUCATION IMMUNIZATION

- 8:57-6.1 Purpose and scope
- 8:57-6.2 Incorporated documents
- 8:57-6.3 Definitions
- 8:57-6.4 Exemptions
- 8:57-6.5 Required immunization; measles
- 8:57-6.6 Required immunization; mumps
- 8:57-6.7 Required immunization; rubella
- 8:57-6.8 Required immunization; meningococcal
- 8:57-6.9 Required immunization; hepatitis B
- 8:57-6.10 Required information: Meningococcal disease and meningococcal vaccine
- 8:57-6.11 Institutional responsibility for enforcement
- 8:57-6.12 Provisional admission
- 8:57-6.13 Documents accepted as evidence of immunization
- 8:57-6.14 Medical exemptions
- 8:57-6.15 Religious exemptions
- 8:57-6.16 Institutional records required
- 8:57-6.17 Reports to be submitted to the Department
- 8:57-6.18 Records available for inspection
- 8:57-6.19 Providing immunization
- 8:57-6.20 Reporting requirements
- 8:57-6.21 Modifications in the event of an outbreak or vaccine shortage

## APPENDIX

**SUBCHAPTER 7. STUDENT HEALTH INSURANCE COVERAGE**

- 8:57-7.1 Purpose and scope
- 8:57-7.2 Coverage
- 8:57-7.3 Documentation of coverage
- 8:57-7.4 Availability of coverage
- 8:57-7.5 Inspection of records

**SUBCHAPTER 8. CHILDHOOD IMMUNIZATION INSURANCE COVERAGE**

- 8:57-8.1 Purpose and scope
- 8:57-8.2 Incorporated documents
- 8:57-8.3 Definitions
- 8:57-8.4 Immunizations that must be covered
- 8:57-8.5 Penalties

**SUBCHAPTER 1. REPORTABLE COMMUNICABLE DISEASES**

**8:57-1.1 Purpose and scope**

- (a) The rules are designed to promote the identification and reporting of specified communicable diseases so that

## SUBCHAPTER 3. (RESERVED)

## SUBCHAPTER 4. IMMUNIZATION OF PUPILS IN SCHOOL

**8:57-4.1 Applicability**

This subchapter shall apply to all children attending any public or private school, child care center, nursery school, preschool or kindergarten in New Jersey.

Amended by R.1990 d.243, effective June 4, 1990 (operative September 1, 1991).

See: 21 N.J.R. 3897(a), 22 N.J.R. 1766(a).

Preschool added.

Amended by R.1995 d.201, effective April 3, 1995.

See: 27 N.J.R. 270(a), 27 N.J.R. 1417(a).

**8:57-4.2 Proof of immunization**

A principal, director or other person in charge of a school, preschool, or child care facility shall not knowingly admit or retain any child whose parent or guardian has not submitted acceptable evidence of the child's immunization, according to the schedules specified in this subchapter. Exemptions to this requirement are identified at N.J.A.C. 8:57-4.3 and 4.4.

Amended by R.1990 d.243, effective June 4, 1990 (operative September 1, 1991).

See: 21 N.J.R. 3897(a), 22 N.J.R. 1766(a).

Preschool added.

Amended by R.1995 d.201, effective April 3, 1995.

See: 27 N.J.R. 270(a), 27 N.J.R. 1417(a).

**8:57-4.3 Medical exemptions**

(a) A child shall not be required to have any specific immunization(s) which are medically contraindicated.

(b) A written statement submitted to the school, preschool, or child care center from a physician licensed to practice medicine or osteopathy or an advanced practice nurse (certified registered nurse practitioner or clinical nurse specialist) in any jurisdiction of the United States indicating that an immunization is medically contraindicated for a specific period of time, and the reason(s) for the medical contraindication, based upon valid medical reasons as enumerated by the Advisory Committee on Immunization Practices (ACIP) of the United States Public Health Service or the American Academy of Pediatrics (AAP) guidelines, will exempt a pupil from the specific immunization requirement for the stated period of time.

1. The guidelines identified in (b) above are available as follows:

- i. Advisory Committee on Immunization Practices, U.S. Public Health Service, Centers for Disease Control and Prevention, Atlanta, GA 30333; and

- ii. American Academy of Pediatrics, Committee on Infectious Diseases, PO Box 927, Elk Grove, IL 60009-0927.

(c) The physician's or an advanced practice nurse's (certified registered nurse practitioner or clinical nurse specialist) statement shall be retained as part of the child's immunization record and shall be reviewed annually by the school, preschool, or child care facility. When the child's medical condition permits immunization, this exemption shall thereupon terminate and the child shall be required to obtain the immunization(s) from which he or she has been exempted.

(d) Those children with medical exemptions to receiving specific immunizations may be excluded from the school, preschool, or child care facility during a vaccine-preventable disease outbreak or threatened outbreak as determined by the Commissioner, Department of Health and Senior Services or his or her designee.

(e) As provided by N.J.S.A. 26:4-6, "Any body having control of a school may, on account of the prevalence of any communicable disease, or to prevent the spread of communicable diseases, prohibit the attendance of any teacher or pupil of any school under their control and specify the time during which the teacher or scholar shall remain away from school." The Department of Health and Senior Services shall provide guidance to the school of the appropriateness of any such prohibition. All schools are required to comply with the provisions of N.J.A.C. 8:61-1.1 regarding attendance at school by pupils or adults infected by Human Immunodeficiency Virus (HIV).

Amended by R.1995 d.201, effective April 3, 1995.

See: 27 N.J.R. 270(a), 27 N.J.R. 1417(a).

Amended by R.2003 d.412, effective October 20, 2003.

See: 34 N.J.R. 3945(a), 35 N.J.R. 4883(b).

In (b), introductory paragraph substituted "an advanced practice nurse" for "A"; inserted "or clinical nurse specialist" following "certified nurse practitioner"; in (c) inserted "an advanced practice nurse's" following "(certified registered nurse practitioner"; "or clinical nurse specialist" after "statement".

**8:57-4.4 Religious exemptions**

(a) A child shall be exempted from mandatory immunization if the parent or guardian objects thereto in a written statement submitted to the school, preschool, or child care center, signed by the parent or guardian, explaining how the administration of immunizing agents conflicts with the pupil's exercise of bona fide religious tenets or practices. General philosophical or moral objection to immunization shall not be sufficient for an exemption on religious grounds.

(b) Religious affiliated schools or child care centers shall have the authority to withhold or grant a religious exemption from the required immunization for pupils entering or attending their institutions without challenge by any secular health authority.

(c) This statement will be kept by the school, preschool, or child care center as part of the child's immunization record.

(d) Those children with religious exemptions from receiving immunizing agents may be excluded from the school, preschool, or child care center during a vaccine-preventable disease outbreak or threatened outbreak as determined by the Commissioner, Department of Health and Senior Services or his or her designee.

(e) As provided by N.J.S.A. 26:4-6, "Any body having control of a school may, on account of the prevalence of any communicable disease, or to prevent the spread of communicable diseases, prohibit the attendance of any teacher or pupil of any school under their control and specify the time during which the teacher or scholar shall remain away from school." The Department of Health and Senior Services shall provide guidance to the school on the appropriateness of any such prohibition. All schools are required to comply with the provisions of N.J.A.C. 8:61-1.1 regarding attendance at school by pupils or adults infected by Human Immunodeficiency Virus (HIV).

(f) Those children enrolled in school, preschool, or child care centers before September 1, 1991, and who have previously been granted a religious exemption, shall not be required to reapply for a new religious exemption under N.J.A.C. 8:57-4.4(a).

Amended by R.1990 d.243, effective June 4, 1990 (operative September 1, 1991).

See: 21 N.J.R. 3897(a), 22 N.J.R. 1766(a).

Title changed; explanation required in (a); new (d) and (e) added.

Amended by R.1995 d.201, effective April 3, 1995.

See: 27 N.J.R. 270(a), 27 N.J.R. 1417(a).

#### 8:57-4.5 Provisional admission

(a) A child shall be admitted to a school, preschool, or child-care center on a provisional basis if a physician, an advanced practice nurse (certified registered nurse practitioner or clinical nurse specialist) or health department can document that at least one dose of each required age-appropriate vaccine(s) or antigen(s) has been administered and that the pupil is in the process of receiving the remaining immunization(s).

(b) Provisional admission for children under age five shall be granted in compliance with the specific requirements set forth in N.J.A.C. 8:57-4.10 through 4.15 and 4.18 for a period of time consistent with the current Advisory Committee on Immunization Practices (ACIP) of the United States Public Health Service or the American Academy of Pediatrics (AAP) immunization schedule, but shall not exceed 17 months for completion of all immunization requirements.

(c) Provisional admission for children five years of age or older shall be granted in compliance with the specific requirements set forth in N.J.A.C. 8:57-4.10 through 4.14 and 4.16 for a period of time consistent with the current Advisory Committee on Immunization Practices (ACIP) of the United States Public Health Service or the American Academy of Pediatrics (AAP) immunization schedule, but shall not exceed one year for completion of all immunization requirements.

(d) Provisional status shall only be granted one time to children entering or transferring into schools, preschools, or child care centers in New Jersey. Information on this status shall be sent by the original school, preschool, or child care center to the new school, preschool, or child care center pursuant to N.J.A.C. 8:57-4.7(b).

(e) Those children transferring into a New Jersey school, preschool, or child-care center from out-of-State or out-of-country shall be allowed a 30-day grace period in order to obtain past immunization documentation before provisional status shall begin.

(f) The school, preschool, or child care center shall ensure that the required vaccine/antigens are being received on schedule. If at the end of the provisional admission period, the child has not completed the required immunizations, the administrative head of the school, preschool or child care center shall exclude the child from continued school attendance until appropriate documentation has been presented.

(g) Those children in provisional status may be temporarily excluded from the school, preschool, or child care center during a vaccine-preventable disease outbreak or threatened outbreak as determined by the Commissioner, Department of Health and Senior Services or his or her designee.

As amended, R.1981 d.502, effective January 4, 1982.

See: 13 N.J.R. 738(a), 14 N.J.R. 45(c).

(b): Reference to N.J.A.C. 8:57-4.15 added.

Amended by R.1990 d.243, effective June 4, 1990 (operative September 1, 1991).

See: 21 N.J.R. 3897(a), 22 N.J.R. 1766(a).

Text at (a) revised; text at (b) deleted and new text added at (b) through (g).

Amended by R.1995 d.201, effective April 3, 1995.

See: 27 N.J.R. 270(a), 27 N.J.R. 1417(a).

Amended by R.2003 d.412, effective October 20, 2003.

See: 34 N.J.R. 3945(a), 35 N.J.R. 4883(b).

In (a), inserted "an advanced practice nurse" following "physician", and "or clinical nurse specialist" following "practitioner".

Amended by R.2008 d.9, effective January 7, 2008 (operative September 1, 2008).

See: 38 N.J.R. 5284(a), 40 N.J.R. 151(a).

In (a) and (e), substituted "shall" for "may" and "child-care" for "child care"; and in (b), inserted "and 4.18".

#### 8:57-4.6 Documents accepted as evidence of immunization

(a) The following documents shall be accepted as evidence of a child's immunization history provided that the type of immunization and the date when each immunization was administered is listed:

1. An official school record from any school, preschool, or child care center indicating compliance with the immunization requirements of this subchapter;
2. A record from any public health department indicating compliance with the immunization requirements of this subchapter;