

CHAPTER 57A CANCER REGISTRY

Authority

N.J.S.A. 26:2-104 et seq., particularly 26:2-106b.

Source and Effective Date

R.2005 d.367, effective October 3, 2005.
See: 37 N.J.R. 1666(a), 37 N.J.R. 4257(a).

Chapter Expiration Date

Chapter 57A, Cancer Registry, expires on October 3, 2010.

Chapter Historical Note

Chapter 57A, Cancer Registry, was originally codified in Title 8, Chapter 57, as Subchapter 6, Cancer Registry. Subchapter 6 was adopted as R.1986 d.277, effective June 16, 1986. See: 17 N.J.R. 2830(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 57A, Cancer Registry, was readopted as R.1995 d.241, effective April 12, 1995. See: 27 N.J.R. 629(a), 27 N.J.R. 1988(a).

Pursuant to Executive Order No. 66(1978), Chapter 57A, Cancer Registry, was readopted as R.2000 d.193, effective April 12, 2000. See: 32 N.J.R. 214(a), 32 N.J.R. 1790(a).

Chapter 57A, Cancer Registry, was readopted by R.2005 d.367, effective October 3, 2005. See: Source and Effective Date. See, also, section annotations.

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SUBCHAPTER 1. CANCER REGISTRY

8:57A-1.1 Reporting of cancer; general requirements

(a) Cases of cancer and other specified tumorous and precancerous diseases shall be reported to the New Jersey Department of Health and Senior Services. The reportable diseases and conditions shall be specified in a listing promulgated by the Commissioner of the New Jersey

Department of Health and Senior Services, at N.J.A.C. 8:57A-1.8.

(b) All case reports shall be submitted within six months of the date of diagnosis or within three months of the date of discharge from the reporting facility, whichever is sooner.

(c) Follow-up reports shall be submitted on each cancer case at least annually to confirm the patient's vital status. These follow-up reports shall be required until the patient's death.

Amended by R.1990 d.242, effective May 21, 1990.
See: 21 N.J.R. 3909(a), 22 N.J.R. 1596(a).

Third party payers permitted to report cases to the Registry; machine readable submissions permitted.

Amended by R.1995 d.241, effective May 15, 1995.

See: 27 N.J.R. 629(a), 27 N.J.R. 1988(a).

Amended by R.1998 d.393, effective August 3, 1998.

See: 29 N.J.R. 2759(a), 30 N.J.R. 2903(b).

Rewrote the section.

8:57A-1.2 Health care facility reporting

(a) The administrative officer of every health care facility shall report to the New Jersey Department of Health and Senior Services every case of cancer or other specified tumorous and precancerous disease when it is initially diagnosed or when the patient is first admitted or treated for any reason in that facility. A report shall also be submitted for each subsequent primary cancer diagnosed in that individual.

1. Health care facility means a facility as defined at N.J.S.A. 26:2H-1 et seq. and amendments thereto.

(b) All abstracting work performed by a health care facility which diagnoses or treats 100 or more cancer cases per year shall be performed by a certified tumor registrar who is certified by the National Cancer Registrars Association's Council on Certification, 1340 Braddock Place, Suite 203, Alexandria, VA 22314, <http://www.ctrexam.org>, telephone: (703) 299-6640; telefacsimile: (703) 299-6620, e-mail: ctrexam@ncra-usa.org. The certified tumor registrar shall be either employed by the health care facility or employed by an abstract-coding service under contract by the health care facility.

1. The health care facility shall have until August 3, 2000 to comply with the provisions of (b) above.

(c) The information to be reported shall:

1. Be submitted electronically in a standard format which is specified by the New Jersey Department of Health and Senior Services; and

2. Include patient identifying information, medical history, cancer treatment, and an annual report to confirm the patient's vital status until the patient's death.

(d) Health care facilities which lack adequate internal capabilities to report cases in accordance with the require-

ments of (b) and (c) above shall contract with the New Jersey Department of Health and Senior Services to provide abstracting services.

(e) The New Jersey Department of Health and Senior Services shall charge a fee to health care facilities for the provision of services set forth at (d) above. The fee shall be based upon the fair market value of services.

(f) A health care facility which fails to comply with the provisions of this subchapter shall be liable for a penalty of up to \$500.00 per unreported case of cancer or other specified tumorous and precancerous disease.

(g) A health care facility which fails to report cases of cancer or other specified tumorous and precancerous diseases electronically shall be liable to a penalty not to exceed \$1,000 per business day.

Recodified from N.J.A.C. 8:57A-1.1(b) and amended by R.1998 d.393, effective August 3, 1998.

See: 29 N.J.R. 2759(a), 30 N.J.R. 2903(b).

Rewrote the section. Former N.J.A.C. 8:57A-1.2, Reportable list, was recodified to N.J.A.C. 8:57A-1.8.

Amended by R.2005 d.367, effective November 7, 2005.

See: 37 N.J.R. 1666(a), 37 N.J.R. 4257(a).

Rewrote introductory paragraph of (b).

8:57A-1.3 Physician, dentist, and other health care provider reporting

(a) Every physician, dentist, or other health care provider who diagnoses or provides treatment for cancer patients shall report to the New Jersey Department of Health and Senior Services an initial diagnosis of each case of cancer or other specified tumorous and precancerous disease not referred to or previously diagnosed in a health care facility in the State of New Jersey. A report shall also be submitted for each subsequent primary cancer diagnosed in that individual.

(b) The information to be reported shall:

1. Be submitted on forms specified by the New Jersey Department of Health and Senior Services; and

2. Include patient identifying information, medical history, and cancer treatment.

(c) The physician, dentist, or other health care provider may submit the reports electronically in a standard format which is specified by the New Jersey Department of Health and Senior Services.

(d) A physician, dentist, or other health care provider who fails to comply with the provisions of this subchapter shall be liable for a penalty of up to \$500.00 per unreported case of cancer or other specified tumorous and precancerous disease.

Recodified from N.J.A.C. 8:57A-1.1(c) and amended by R.1998 d.393, effective August 3, 1998.

See: 29 N.J.R. 2759(a), 30 N.J.R. 2903(b).

Rewrote the section.

8:57A-1.4 Clinical laboratory reporting

(a) The director of every independent clinical laboratory shall report to the New Jersey Department of Health and Senior Services the results of examinations of tissue specimens and/or hematology examinations which are positive for the existence of cancer or other specified tumorous and precancerous disease not previously reported from that laboratory.

(b) The information to be reported shall:

1. Be submitted on forms specified by the New Jersey Department of Health and Senior Services; and

2. Include all available patient identifying information and the name, address, and/or telephone number of the referring physician.

(c) The director of the independent clinical laboratory may submit the reports electronically in a standard format which is specified by the New Jersey Department of Health and Senior Services.

(d) An independent clinical laboratory which fails to comply with the provisions of this subchapter shall be liable for a penalty of up to \$500.00 per unreported case of cancer or other specified tumorous and precancerous disease.

Recodified from N.J.A.C. 8:57A-1.1(d) and amended by R.1998 d.393, effective August 3, 1998.

See: 29 N.J.R. 2759(a), 30 N.J.R. 2903(b).

Rewrote the section.

8:57A-1.5 Health care insurer reporting

(a) Health care insurers and other third party health care payers providing benefit plans to residents of the State may report to the New Jersey Department of Health and Senior Services cases of cancer or other specified tumorous and precancerous diseases based upon selection criteria specified by the Cancer Registry.

(b) If reported, the information shall:

1. Be submitted on forms specified by the New Jersey Department of Health and Senior Services; and

2. Include patient identifying information, medical history, cancer treatment, and an annual report to confirm the patient's vital status until the patient's death.

(c) Health care insurers and other third party health care payers providing benefit plans to residents of the State may submit the reports electronically in a standard format which is specified by the New Jersey Department of Health and Senior Services.

Recodified from N.J.A.C. 8:57A-1.1(e) and amended by R.1998 d.393, effective August 3, 1998.

See: 29 N.J.R. 2759(a), 30 N.J.R. 2903(b).

Rewrote the section.