

TITLE 26 HEALTH AND VITAL STATISTICS

26:8-40.20-40.26 Birth defects, severe neonatal jaundice registry.

26:8-40.20 Legislative findings and declarations.

1. The Legislature finds and declares that: major birth defects occur in approximately 1% of all births and are related to over 25% of all infant deaths; while the cause of many birth defects is unknown, there is much concern that certain birth defects may be related to environmental factors such as pollution and toxic chemicals; about 60% of newborns develop jaundice, which is caused by a buildup of bilirubin, pigment that results from the natural breakdown of red blood cells, and toxic levels of bilirubin can cause severe neurological damage, called kernicterus, which is associated with cerebral palsy, mental retardation, hearing loss and complications with vision and teeth; in order to effectively address these public health problems, it is necessary to collect and compile complete and accurate information concerning the occurrence of birth defects and cases of severe hyperbilirubinemia in this State; and a birth defects and severe neonatal jaundice registry would provide a needed base of information to analyze these problems and plan for and provide services to children with birth defects and severe hyperbilirubinemia and their families.

L.1983,c.291,s.1; amended 2005, c.176, s.1.

26:8-40.21 Birth defects, severe neonatal jaundice registry.

2. a. The Department of Health and Senior Services shall establish and maintain a birth defects and severe neonatal jaundice registry, which shall contain a confidential record of all birth defects and all cases of severe hyperbilirubinemia that occur in New Jersey and any other information that the department deems necessary and appropriate in order to conduct thorough and complete epidemiologic surveys of birth defects and cases of severe hyperbilirubinemia that occur in this State and plan for and provide services to children with birth defects and severe hyperbilirubinemia and their families.

b. The department shall make available electronically on its Internet website, in English and Spanish, information on the characteristics and effects of severe neonatal jaundice.

L.1983,c.291,s.2; amended 2005, c.176, s.2.

26:8-40.22 Confidential reports of abortions of fetus with or infant affected by birth defect or severe neonatal jaundice.

3. a. The Commissioner of Health and Senior Services, in consultation with the Public Health Council, shall require the confidential reporting to the Department of Health and Senior Services of all cases where an infant is diagnosed with severe hyperbilirubinemia, and where a pregnancy results in a naturally aborted fetus or infant affected by a birth defect, and an electively aborted fetus that exhibits or is known to

have a birth defect after 15 weeks of gestation. The reporting requirement shall apply to all infants from birth through five years of age.

b. The Commissioner of Health and Senior Services shall determine the health care providers and facilities which shall be required to report all birth defects and all cases of severe hyperbilirubinemia, the types of conditions or defects that shall be reported, the type of information that shall be contained in the confidential report and the method for making the report. In reports concerning all fetuses with anomalies, the name of the mother shall not be submitted.

L.1983,c.291,s.3; amended 2005, c.176, s.3.

26:8-40.23. Confidentiality of reports

The confidential reports made pursuant to this act are to be used only by the Department of Health and other agencies that may be designated by the Commissioner of Health and shall not otherwise be divulged or made public so as to disclose the identity of any person to whom they relate; and to that end, such reports shall not be included under materials available to public inspection pursuant to P.L. 1963, c. 73 (C. 47:1A-1 et seq.).

L.1983, c. 291, s. 4.

26:8-40.24. Nonliability for divulging confidential information

No individual or organization providing information to the Department of Health in accordance with this act shall be deemed to be or held liable for divulging confidential information.

L.1983, c. 291, s. 5.

26:8-40.25. Act not to be construed to compel submission to medical examination or to supervision by department of health

Nothing in this act shall be construed to compel any individual to submit to a medical examination or to Department of Health supervision.

L.1983, c. 291, s. 6.

26:8-40.26. Rules and regulations

The Commissioner of Health shall promulgate rules and regulations necessary to effectuate the purposes of this act.

L.1983, c. 291, s. 7.