

## II. AUTHORITIES

### A. Laws, Ordinances, Regulations, Resolutions and Directives

1. Federal
  - a. As cited in the NJ Emergency Operations Plan
2. State
  - a. Title 24, N.J.S.A.: Food and Drugs
  - b. Title 26, N.J.S.A.: Health and Vital Statistics
  - c. N.J.S.A. 26: 13-1 et seq.: Emergency Health Powers Act

### B. NJ Emergency Health Powers Act

The NJ Emergency Health Powers Act (EHPA), signed into law September 14, 2005 (P.L. 2005, c.222), formally clarifies and organizes emergency health powers to be used during a public health emergency. This Act was codified at N.J.S.A. 26:13-1 et seq.

The EHPA also amends N.J.S.A. 26:4-2 to state that in order to prevent the spread of disease affecting humans, the NJDHSS and local boards of health, within their respective jurisdictions, shall have the power to:

1. declare what diseases are communicable,
2. declare when any communicable disease has become epidemic,
3. require the reporting of communicable diseases,
4. maintain and enforce proper and sufficient quarantine, wherever deemed necessary,
5. remove any person infected with a communicable disease to a suitable place, if in its judgment removal is necessary and can be accomplished without any undue risk to the person infected,
6. disinfect any premises when deemed necessary, and
7. remove to a proper place to be designated by it all articles within its jurisdiction, which, in its opinion, shall be infected with any matter likely to communicate disease and to destroy such articles, when in its opinion the safety of the public health requires it.

“In the event the Governor declares a public health emergency, the department” (NJDHSS) “shall oversee the uniform exercise of these powers in the State and the local board of health shall be subject to the department’s exercise of authority under this section” N.J.S.A. 26:4-2.