



State of New Jersey
DEPARTMENT OF HEALTH
PO BOX 360
TRENTON, N.J. 08625-0360
www.nj.gov/health

PHILIP D. MURPHY
Governor

SHEILA Y. OLIVER
Lt. Governor

JUDITH M. PERSICILLI, RN, BSN, MA
Commissioner

EXECUTIVE DIRECTIVE No. 20-012 (REVISED)
Standing Order for COVID-19 Testing

WHEREAS, on March 9, 2020, Governor Philip D. Murphy issued Executive Order No. 103, declaring the existence of a Public Health Emergency, pursuant to the Emergency Health Powers Act, N.J.S.A. 26:13-1 et seq., and a State of Emergency, pursuant to the Disaster Control Act, N.J.S.A. App A:9-33 et seq., in the State of New Jersey for COVID-19; and

WHEREAS, the Public Health Emergency was extended multiple times by Governor Murphy pursuant to various Executive Orders; and

WHEREAS, on June 4, 2021, Governor Murphy signed P.L. 2021, c. 103 and Executive Order No. 244, which among other things, resulted in the termination of the Public Health Emergency declared in Executive Order No. 103 (2020) but maintained the State of Emergency declared in that same Order; and

WHEREAS, despite the continuation of the State of Emergency, P.L. 2021, c. 103 requires that, following the termination of the Public Health Emergency originally declared under Executive Order No. 103 (2020), any administrative order, directive, or waiver issued by the head of a State agency that relied on the existence of the Public Health Emergency shall expire on January 11, 2022, but may be continued and modified unless explicitly revoked until January 11, 2022; and

WHEREAS, under the declared Public Health Emergency, the Commissioner of the Department of Health (Commissioner) was empowered, pursuant to N.J.S.A. 26:13-12, to take all reasonable and necessary measures to prevent the transmission of infectious disease and apply proper controls and treatment for infectious disease; and

WHEREAS, expansive and extensive testing of individuals for COVID-19 is essential not only for mitigating and controlling the spread of the virus but also to determine the prevalence of the spread of the virus in the State; and

WHEREAS, in order to receive a SARS-COV-2 molecular test to diagnosis COVID-19, a prescription or order for the test must be issued by a healthcare provider authorized to prescribe or order laboratory tests; and

WHEREAS, not all New Jersey residents have a primary healthcare provider and those who do have a primary healthcare provider may be unable to access primary care due to COVID-19; and

WHEREAS, vulnerable populations, such as the homeless and seasonal workers, are among the residents of New Jersey who oftentimes lack access to primary health care, yet are at the greatest risk for contracting COVID-19 and spreading the virus; and

WHEREAS, it is necessary to decrease barriers to SARS-COV-2 testing so that individuals who lack access to primary healthcare and are unable to obtain a prescription for testing are able to obtain testing; and

WHEREAS, to ensure all residents of New Jersey who require SARS-COV-2 testing were able to obtain such testing, the Department of Health issued a Standing Order on May 12, 2020, allowing individuals to undergo COVID-19 molecular testing without a prescription or order; and

WHEREAS, testing for COVID-19 remains a necessary and important part of controlling the spread of the virus and determining the prevalence of the spread of the virus in the State and, as a result, requires an expansion of the testing types that are included under the Standing Order to include antigen COVID-19 testing that requires a prescription or order for the test.

NOW, THEREFORE, I, JUDITH PERSICILLI, Commissioner of the New Jersey Department of Health, pursuant to the powers afforded to me under P.L. 2021, c. 103, hereby ORDER and DIRECT the following:

1. The Department of Health shall issue a Revised Standing Order allowing for a person requesting testing in New Jersey to receive a SARS-COV-2 molecular or antigen test.
2. Any licensed healthcare provider, licensed pharmacist (as authorized by the Department of Law and Public Safety, Division of Consumer Affairs) or trained personnel at a healthcare facility, pharmacy (as authorized by the Department of Law and Public Safety, Division of Consumer Affairs), or medically-supervised COVID-19 testing site in the State is authorized to collect and submit for laboratory analysis a SARS-COV-2 molecular or antigen test approved by the U.S. Food and Drug Administration (FDA), authorized by the FDA through an Emergency Use Authorization or approved by the New Jersey Clinical Laboratory Improvement Services as permitted by the FDA under the Standing Order.

3. COVID-19 healthcare facilities, pharmacies (as authorized by the Department of Law and Public Safety, Division of Consumer Affairs) and testing sites submitting specimens for SARS-COV-2 molecular or antigen testing under the Revised Standing Order are authorized to receive the results of those tests directly from the testing laboratories.
4. Laboratories receiving specimens for SARS-COV-2 molecular or antigen testing under the Revised Standing Order shall report the test results directly to the healthcare facility, pharmacy (as authorized by the Department of Law and Public Safety, Division of Consumer Affairs) or COVID-19 testing site that submitted the specimen.
5. Any healthcare provider, licensed pharmacist (as authorized by the Department of Law and Public Safety, Division of Consumer Affairs) or medically-supervised, trained individual authorized to collect specimens for COVID-19 testing who collects a specimen pursuant to the Revised Standing Order shall provide the individual submitting to the test with:
 - a. Information on how and when to obtain test results;
 - b. Information for contacting the local health official within the jurisdiction where the individual resides;
 - c. Information on obtaining follow-up medical care if the individual's test results are positive for COVID-19, in accordance with guidance as issued and/or amended by CDC and/or the New Jersey Department of Health; and
 - d. Information about public health actions such as self-isolation to be taken based upon the individual's test results.
6. Any healthcare provider, licensed pharmacist (as authorized by the Department of Law and Public Safety, Division of Consumer Affairs) or medically-supervised, trained individual authorized to collect specimens for SARS-COV-2 testing who collects a specimen pursuant to the Revised Standing Order shall follow CDC guidelines for collecting, handling and testing for COVID-19 and in a manner consistent with the test manufacturer's instructions.
7. In accordance with N.J.A.C. 8:57, laboratories conducting COVID-19 testing pursuant to the Revised Standing Order shall report the testing results into the New Jersey Communicable Disease Reporting and Surveillance System or provide the results to the New Jersey Department of Health in a manner prescribed by the Department.
8. This Revised Executive Directive supersedes Executive Directive 20-012 issued on May 12, 2020.

This Order shall take effect immediately. The provisions of this Directive shall remain in force and effect until January 11, 2022, unless otherwise modified, supplemented, rescinded and/or extended by statute or by legislative resolution consistent with P.L. 2021, c. 103.



Judith Persichilli, R.N., B.S.N., M.A.
Commissioner

December 20, 2021

Date