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STANDING ORDER FOR COVID-19 TESTING

Control Number: 2020-012 (2nd Revised)

On May 12, 2020, the Department of Health, pursuant to the authority provided under the Emergency Health Powers Act, N.J.S.A. 26:13-1 et seq., Executive Order 103 (Murphy) declaring a public health emergency due to COVID-19 and subsequent Executive Orders extending the public health emergency, and Executive Directive 20-012, issued a standing order allowing individuals to undergo molecular testing for SARS-COV-2, the virus that causes COVID-19, without a prescription, subject to the terms of such standing order. The Department of Health is now revising this standing order, pursuant to revised Executive Directive 20-012, Executive Order 244 (Murphy) and P.L. 2021, ch. 103 to allow individuals to undergo antigen testing, in addition to molecular testing, for SARS-COV-2, without a prescription, subject to the terms herein.

I. AUTHORIZATION

This revised standing order authorizes any healthcare provider, licensed pharmacist (to the extent authorized by the Department of Law and Public Safety, Division of Consumer Affairs), or trained personnel at a healthcare facility, pharmacy or medically-supervised COVID-19 testing site in the State (collectively, "testers") to collect and submit for laboratory analysis a SARS-COV-2 molecular or antigen test for any individual (hereinafter "patient") in accordance with the conditions of this order and authorizes the healthcare facility, pharmacy (as authorized by the Department of Law and Public Safety, Division of Consumer Affairs) or testing site that submitted the specimen for SARS-COV-2 molecular or antigen testing under this order to receive the results of the test directly from the testing laboratory.

II. PATIENT ELIGIBILITY

A. Individual requesting testing in New Jersey;

B. Individual who is 12 months of age or older; and

C. Individual who has or may have been exposed to SARS-COV-2 within the

incubation period for COVID-19 (pursuant to current guidelines), and who meets one of the following conditions:

- Persons who had close contact (as defined by the New Jersey Department of Health) with someone who tests positive for COVID-19 (with or without symptoms).
- Healthcare facility workers and first responders (with or without symptoms). Residents and workers in congregate living settings, including but not limited to jails, prisons, group homes and homeless shelters (with or without symptoms).
- Persons with symptoms of COVID-19 infection, including fever, cough, shortness of breath, chills, muscle pain, recent loss of taste or smell, vomiting or diarrhea and/or sore throat.
- Populations identified by the Department of Health for surveillance purposes at the discretion of the Department.
- Persons without symptoms of COVID-19 infection who are prioritized by health departments or clinicians, for any reason. This would include but is not limited to those experiencing homelessness, seasonal farm workers, or other individuals for whom a medical provider has not prescribed a COVID-19 test.
- Persons who have participated in high risk activities or travel.

III. INFORMATION

A. Prior to collecting the specimen from the patient, the tester shall provide information to the patient receiving the testing, which shall include but is not limited to the following:

1. Information on how and when to obtain test results;

2. Information for contacting the local health official[i] within the jurisdiction where the individual resides;

3. Information on next steps for the individual to take, including:

   a. Information on obtaining follow-up medical care or to address questions about a diagnosis if the patient tests positive for COVID-19;

   b. Information about actions to be taken in accordance with guidance as issued and/or amended by the Centers for Disease Control and Prevention ("CDC") and/or the New Jersey Department of Health.

IV. SPECIMEN COLLECTION, TESTING AND TEST RESULTS

A. Testers may collect a specimen for a SAR-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.[ii]

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B. Preparation to collect a specimen:

1. Ensure correct testing materials according to manufacturer instructions and/or the laboratory who will be performing the test.
2. Ensure appropriate personal protective equipment for tester to administer the test, such as gloves, gowns, N95 or higher respirator (or surgical mask should a respirator not be available) and eye protection (goggles or face shield).

C. Instruction to collect a specimen:

1. By licensed healthcare provider, licensed pharmacist (as authorized by the Department of Law and Public Safety, Division of Consumer Affairs) or medically-supervised, or trained individual authorized to collect specimens for COVID-19.
2. Follow manufacturer-specific and/or laboratory-specific instructions for specimen collection.
3. Follow CDC guidelines for Collecting, Handling, and Testing Clinical Specimens for Persons for Coronavirus Disease 2019, as amended and supplemented.[iii]

D. The laboratory conducting a SARS-COV-2 molecular or antigen test on a specimen collected under this standing order shall report the test results to the healthcare facility, pharmacy (as authorized by the Department of Law and Public Safety, Division of Consumer Affairs) or testing site that collected the patient's specimen.

V. FOLLOW-UP

A. Test results must be reported to the individual by a representative of the testing location as soon as possible after the testing location's receipt of the test result. A positive result requires self-isolation per New Jersey Department of Health or local health department recommendations.

B. Positive and negative results must be reported by the laboratory processing the test results via the New Jersey Department of Health's Communicable Disease Reporting and Surveillance System or other

methods prescribed by the New Jersey Department of Health.[iv] N.J.A.C. 8:57.

VI. TERM

A. This Second Revised Standing Order supersedes the Standing Orders issued on May 12, 2020 and December 20, 2021.

B. This Order shall take effect immediately. This standing order shall remain in force and effect until September 6, 2022, unless otherwise modified, supplemented, rescinded or extended by statute.

New Jersey Department of Health
Issuing Official

David J. Adinaro *8/24/2022*

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[i] Local Health Contact List, available at https://localhealth.nj.gov.

[ii] U.S. Food & Drug Administration, Emergency Use Authorizations, available at https://www.fda.gov/medical-devices/emergency-situations-medical-devices/emergency-use-authorizations#covid19ivd.

[iii] CDC Interim Guidelines for Collecting, Handling, and Testing Clinical Specimens from Persons for Coronavirus Disease 2019 (COVID-19), available at https://www.cdc.gov/coronavirus/2019-nCoV/lab/guidelines-clinical-specimens.html.

[iv] CDRSS, available at https://www.nj.gov/health/cd/reporting/cdrss/.