

ADOPTIONS

HEALTH

PUBLIC HEALTH SERVICES BRANCH

DIVISION OF HIV, STD, AND TB SERVICES

Notice of Readoption

HIV Infection Reporting

Readoption: N.J.A.C. 8:65

Authorized By: Judith M. Persichilli, R.N., B.S.N., M.A., Commissioner, Department of Health, in consultation with the Public Health Council, and with the approval of the Health Care Administration Board.

Authority: N.J.S.A. 26:1A-7; 26:4-1 et seq., particularly 2, 15, 19, 129, and 130; and 26:5C-1 et seq., particularly 26:5C-6 and 8.

Effective Date: December 15, 2022.

New Expiration Date: December 15, 2029.

Take notice that, pursuant to N.J.S.A. 52:14B-5.1, the Commissioner of the Department of Health (Department) hereby readopts N.J.A.C. 8:65 HIV Infection Reporting, which was scheduled to expire on February 23, 2023.

N.J.A.C. 8:65, HIV Infection Reporting establishes standards to implement HIV reporting of HIV infections and laboratory test results to the Department. The Department recently conducted rulemaking to revise the chapter and to recodify it from N.J.A.C. 8:57-2 to 8:65. 53 N.J.R. 1440(a); 54 N.J.R. 1408(a).

Subchapter 1, General Provisions, contains general provisions, establishes the purpose and scope of the chapter, identifies publications and forms that the chapter incorporates by reference, and provides definitions of terms that the chapter uses.

Subchapter 2, Reporting HIV Infection Diagnoses and HIV-Related Laboratory Test Results, establishes standards by which health care providers, responsible parties, counseling and testing sites, and clinical laboratories are to report HIV infection diagnoses and HIV-related laboratory test results.

Subchapter 3, Access to Records; Enforcement, identifies records to which entities subject to the chapter are to make available to the Department, addresses the public availability of records the Department holds pursuant to the chapter, and identifies the Department's enforcement authority and applicable penalties for noncompliance, and indicates that the chapter is part of, and subject to the enforcement provisions and penalties applicable to noncompliance with, the State Sanitary Code.

The Commissioner has reviewed N.J.A.C. 8:65 and determined that the chapter remains necessary, adequate, reasonable, efficient, and understandable, and responsive to the purposes for which it was promulgated, and should be readopted.

Therefore, pursuant to N.J.S.A. 52:14B-5.1.c(1), N.J.A.C. 8:65 is readopted and shall continue in effect for seven years.