

CHAPTER 376

AN ACT establishing the Office on Women's Health in the Department of Health and Senior Services.

BE IT ENACTED by the Senate and General Assembly of the State of New Jersey:

C.26:1A-123 Findings, declarations relative to women's health.

1. The Legislature finds and declares that: women tend to live seven years longer than men and are at greater risk of having chronic diseases; approximately 75% of residents in New Jersey's long-term care facilities are women; approximately 19%, or 500,000 women 19 through 64 years of age in the State have no health insurance; women of color experience a shorter life expectancy, higher maternal and infant mortality, and more chronic disease; and it is important to promote the prevention and early detection of diseases in women and the equality of care, treatment and rehabilitation for women when they become ill.

The Legislature further recognizes that: heart disease is the leading cause of death for women, however, women with heart disease are not diagnosed or treated as early or as aggressively as men, and the classic risk profile for cardiovascular disease is based on a male model of disease; breast cancer is the leading cause of death in women between the ages of 35-50; New Jersey has higher than average rates for breast cancer and the State ranks 25th among all states for breast cancer screening; there remains a tremendous need for education and information regarding breast cancer symptoms, self-evaluation, routine mammography, prevention programs and access to services; nearly one fourth of pregnant women do not receive adequate prenatal care; women constitute the fastest growing group of people with AIDS in New Jersey; and domestic violence is a major health problem for women nationally and in this State.

Therefore, it is necessary to create a special office to focus exclusively on these crucial health concerns facing the women in New Jersey.

C.26:1A-124 Office on Women's Health.

2. There is established the Office on Women's Health in the Department of Health and Senior Services.

The office shall:

- a. Provide grants to community-based organizations to conduct special research, demonstration and evaluation projects on women's health concerns;
- b. Develop and implement model public and private partnerships throughout the State for health awareness campaigns and to improve the access, acceptability and use of public health services;
- c. Serve as an information and resource center for women's health information and data;
- d. Function as an advocate for the adoption and implementation of effective measures to improve women's health;
- e. Convene such task forces of experienced, knowledgeable persons on specific women's health issues as the director deems appropriate; and
- f. Review the programs of the Departments of Health and Senior Services, Human Services, Community Affairs and Education and any other department of State government, as appropriate, that concern women's health and make recommendations to the departments that will enable them to better coordinate and improve the effectiveness of their efforts.

C.26:1A-125 Appointment of director.

3. The Commissioner of Health and Senior Services shall appoint a director for the office who shall serve at the pleasure of the commissioner during the commissioner's term of office and until the appointment and qualification of the director's successor. The director shall devote his entire time to the duties of the position and shall receive a salary as provided by law.

C.26:1A-126 Duties of office.

4. The office shall:

- a. Apply for and accept any grant of money from the federal government, private foundations or other sources, which may be available for programs related to women's health;
- b. Serve as the designated State agency for receipt of federal funds specifically designated for women's health programs; and

c. Enter into contracts with individuals, organizations, and institutions necessary for the performance of its duties under this act.

C.26:1A-127 Women's Health Advisory Commission.

5. There is established a Women's Health Advisory Commission.

The commission shall consist of nine members, including the Commissioner of Health and Senior Services or his designee, who shall serve ex officio, and eight public members who are residents of the State and who shall be appointed as follows: one member who is a health care professional shall be appointed by the President of the Senate; one member who is a health care professional shall be appointed by the Speaker of the General Assembly; and six members, at least two of whom are health care professionals, at least one of whom represents health care facilities, at least one of whom represents the health insurance industry, and at least one of whom is a woman with a disability, shall be appointed by the Governor with the advice and consent of the Senate. No less than five of the public members shall be women.

The term of office of each public member shall be three years, but of the members first appointed, two shall be appointed for a term of one year, three shall be appointed for a term of two years and three shall be appointed for a term of three years. A member shall hold office for the term of his appointment and until his successor has been appointed and qualified. All vacancies shall be filled for the balance of the unexpired term in the same manner as the original appointment. A member of the commission is eligible for reappointment.

The public members of the commission shall not receive any compensation for their services, but shall be reimbursed for the actual and necessary expenses incurred in the performance of their duties as members of the commission, within the limits of funds available to the commission.

The members of the commission shall annually elect a chairman and a vice-chairman from among the public members and may select a secretary, who need not be a member of the commission.

The Office on Women's Health in the Department of Health and Senior Services shall provide staff and assistance which the commission requires to carry out its work.

C.26:1A-128 Duties of commission.

6. The commission shall:

a. Review and make recommendations to the Office on Women's Health on any rules, regulations and policies proposed by the office;

b. Advise the office on the awarding of grants and development of programs and services required pursuant to this act;

c. Advise the office on the needs, priorities, programs and policies relating to women's health in this State; and

d. Provide any other assistance to the office, as may be requested by the director.

The commission may accept from any governmental department or agency, public or private body or any other source grants or contributions to be used in carrying out its responsibilities under this act.

C.26:1A-129 Annual report to Legislature, Governor.

7. The Office on Women's Health shall report annually, by September 1 of each year, to the Legislature and the Governor on the activities of the office, including the grants made to community-based organizations, any public or private partnerships that the office has developed or implemented, and any task forces on specific women's health issues that the office has convened. The office may include in the report any recommendations for administrative or legislative action that it deems appropriate.

C.26:1A-130 Assistance, services available to the office.

8. The Office on Women's Health is entitled to call to its assistance, and avail itself of, the services of employees of any State, county or municipal department, board, bureau, commission or agency as it may require and as may be available to it for its purposes. All departments, agencies and divisions are authorized and directed, to the extent not inconsistent with law, to cooperate with the Office on Women's Health.

C.26:1A-131 Rules, regulations.

9. The Commissioner of Health and Senior Services shall adopt rules and regulations pursuant to the "Administrative Procedure Act," P.L.1968, c.410 (C.52:14B-1 et seq.) to carry out the purposes of this act.

10. This act shall take effect on the 60th day after enactment.

Approved January 8, 2002.