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DEPARTMENT OF HEALTH
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Commissioner

STANDING ORDER FOR COVID-19 TESTING

AS TO COVERED FACILITIES

Control Number: 2020-02

This standing order is issued pursuant to the New Jersey Emergency Health Powers Act, N.J.S.A. 26:13-1 et seq. ("Act"), Executive Order No. 103 (Murphy) declaring a public health emergency in New Jersey due to the Coronavirus disease 2019 ("COVID-19") outbreak, and subsequent orders extending the public health emergency, and Department of Health Executive Directive No. 20-034. This standing order authorizes residents, staff, and visitors of a nursing home, assisted living residence, dementia care home, comprehensive personal care home, and residential health care facility licensed pursuant to P.L 1971, c. 136 (N.J.S.A. 26:2H-1 et seq.); and state Developmental Centers as listed in N.J.S.A. 30:1-7 (collectively, "covered facilities") to undergo testing for SARS-COV-2, the virus that causes COVID-19, without a prescription, subject to the terms set forth herein.

I. AUTHORIZATION

This 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 covered facility (collectively, "testers") to collect and process a SARS-COV-2 viral test for an individual in accordance with the conditions of this order. In addition, this standing order authorizes any healthcare provider or trained personnel at a covered facility to collect and perform SARS-COV-2 viral tests that are authorized for use in patient care settings at sites that possess a Clinical Laboratory Improvement Act ("CLIA") certificate or a CLIA certificate of waiver.

II. ELIGIBILITY

A. Resident or patient of a covered facility;

B. Staff member of a covered facility;

C. Visitor of a covered facility; and

D. Any individual entering a covered facility for a business or personal reason.

III. INFORMATION

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

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

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

c. 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 individual 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.[ii]

IV. SPECIMEN COLLECTION, TESTING AND TEST RESULTS

A. Testers may collect a specimen for a SARS-COV-2 viral test that has been 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.[iii]

B. Preparation to collect a specimen:

1. Ensure correct testing materials according to manufacturer instructions for use 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 (to the extent authorized by the Department of Law and Public Safety, Division of Consumer Affairs), or trained, supervised personnel.
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.[iv]

D. Testers may collect specimens and perform SARS-COV-2 viral tests that have been approved by the FDA or authorized by the FDA through an Emergency Use Authorization for use in patient care settings under a CLIA certificate of waiver.

V. FOLLOW-UP

Test results must be reported to the individual by a representative of the testing location as soon as possible but no later than 2 days 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.

Covered facilities conducting COVID-19 testing pursuant to the Standing Order shall report the testing results to their local health department in a manner prescribed by the New Jersey Department of Health.

VI. TERM

This standing order shall take effect immediately. This standing order shall remain in force and effect for the duration of the public health emergency unless otherwise modified, supplemented and/or rescinded.

New Jersey Department of Health
Issuing Official

David J. Adinaro

Date: December 2, 2020

David Adinaro, M.D.
License Number: 25MA07541200
NPI: 1114039849

Effective Date: December 2, 2020

Expiration Date: For the duration of the public health emergency originally declared under EO 103

[i] Local Health Contact List, available at https://localhealth.nj.gov.
[ii] Instructions for Persons Who Test Positive for COVID-19, available at https://www.nj.gov/health/cd/documents/topics/NCOV/COVID_Instructions_Persons_Who_Test_Positive.pdf; Instructions for Persons Who Test Negative for COVID-19, available at https://www.state.nj.us/health/cd/documents/topics/NCOV/COVID_Instructions_Persons_Who_Test_Negative.pdf.
[iii] U.S. Food & Drug Administration, Emergency Use Authorizations, available at https://www.fda.gov/medical-devices/emergency-situations-medical-devices/emergency-use-authorizations#covid19ivd.
[iv] 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.