



State of New Jersey
DEPARTMENT OF HEALTH

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To: All General and Special Hospitals with an Emergency Department Licensed Pursuant to N.J.A.C. 8:43G

From: Michael J. Kennedy, J.D. *MJK*
Executive Director, Division of Certificate of Need and Licensing

Date: May 20, 2025

Re: Statutory Requirement to Inquire about Recent Pregnancy History to Persons of Childbearing Age at Emergency Departments

On January 21, 2020, by Governor Philip D. Murphy signed into law P.L. 2019, c. 498, which has been codified at N.J.S.A. 26:2H-12.88 ("Act"). The Act requires each hospital that has an emergency department to establish standards and protocols to ensure persons of childbearing age who present at the emergency department are asked about recent pregnancy history.

Specifically, the Act requires each hospital to ask whether the person had a pregnancy that ended within the past 365 days, including any pregnancy that ended by live birth, stillbirth, miscarriage, or abortion. In the event that a person indicates in the affirmative, the hospital shall ensure that any care or treatment provided includes an evaluation of potential complications that may have resulted from the pregnancy or the end of the pregnancy.

In the event the person is unresponsive at the time of presentation, the hospital shall make the inquiry as soon as the person becomes responsive or shall make appropriate inquiries of individuals who may have knowledge of the person's current or recent pregnancy status.

The Department is in the process of updating its regulations to include the requirements of this Act.

Questions regarding this memo may be directed to Mr. Michael Kennedy, Executive Director, Division of Certificate of Need and Licensing at Michael.Kennedy@doh.nj.gov.