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TO: Public Health Council Board Members

THROUGH: Christina G. Tan, MD, MPH
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FROM: Alan Talarsky, MA, HO
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SUBJECT: Notice of Adoption with Portions Pending of Amendments, Repeals, and
New Rules of Youth Camp Safety Standards, N.J.A.C. 8:25

At the next available meeting of the Public Health Council, the Department of Health (Department) will request advisory and consultative review of the above Notice of Adoption with Portions Pending for N.J.A.C. 8:25, Youth Camp Safety Standards. The Public Health and Food Protection Program (PHFPP) in the Consumer, Environmental and Occupational Health Service (CEOHS), is adopting amendments, repeals, and new rules to N.J.A.C. 8:25 Youth Camp Safety Standards, which establish requirements for the health, safety and well-being of youth who attend summer youth camps. For the reasons detailed below, however, the Department is leaving two significant changes pending. It would be better to give the regulated community and supporting agencies a year to prepare before mandating fingerprint based criminal history record checks and broadening the scope of the rule to include municipally run youth camps.

The Department received 280 comments to the rule proposal. All commenters opposed the fingerprint based criminal history record checks. The comments generally stated that fingerprint based criminal background checks would have a negative impact on the youth camp industry by making hiring more difficult and taking significantly more time to complete than the current name-check based criminal background checks while not significantly improving the safety of campers. The Department has determined to leave this proposed amendment pending and to readopt the rule with the existing name-based criminal history record check for this camping season. This will allow the Department time to reach out to strategic partners such as the New Jersey State Police to

ensure that the infrastructure is in place to handle the estimated additional 30,000 fingerprint based criminal history record checks that will need to be performed at the start of the camping season.

The Department received 19 comments objecting to including municipally operated youth camps within the scope of the rule. The comments generally stated that due to budget constraints and the short time before the youth camp season begins, including municipally operated camps within the scope of N.J.A.C. 8:25 would be very difficult to implement. Most comments recommended delaying adoption of this part of the rule proposal. The Department has determined to leave this proposed amendment pending and to readopt the rule with the existing exclusion of municipal youth camps from its scope for this camping season. This would allow municipalities time to budget and to assess what is required for its youth camps to come into compliance with the rule.

The accompanying Rule Adoption includes an amendment to the emergency procedures section to include the terms “active shooter lockdowns” and “shelter in place” to address the marked uptick in mass shootings the nation has experienced over the last 10 years. The rule will also be amended to require camps to develop parental communication and reunification procedures as a means of safely reuniting families impacted by a tragic event. The adoption will repeal and replace out of date forms in the appendices, clarify the term “single sport youth camp” and include in the definition of youth camp “high risk activities” zip-lining, which will acknowledge camper participation in these adventure sports. Elsewhere, the Department is adopting amendments to update expired or nonfunctional internet links and the editions of several documents that have been incorporated by reference as amended and supplemented.

For all of the foregoing reasons, the CEOHS seeks your advisory and consultative review of the Notice of Adoption with Portions Pending to N.J.A.C. 8:25.

Attachments