



State of New Jersey  
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Lt. Governor

JUDITH M. PERSICILLI, RN, BSN, MA  
Commissioner

To: Acute Care Hospitals Licensed Pursuant to N.J.A.C. 8:43G  
From: Michael J. Kennedy, J.D. <sup>MSL</sup>  
Executive Director, Division of Certificate of Need and Licensing  
Date: March 22, 2023  
Re: Support Person for Patients

During the Coronavirus 2019 Disease (COVID-19) pandemic, the Department of Health (Department) determined that patients with disabilities should be able to have a designated support person (support person) while in the emergency room and during hospitalizations. Through the experience of the pandemic, the Department has concluded that a support person is, in fact, vital for all patients, not just those with disabilities, while in the emergency room or while hospitalized. The Department intends to amend N.J.A.C. 8:43G-4.1, which covers hospital patients' rights, to incorporate this new standard. The purpose of this memorandum is to advise hospitals of the Department's decision so that they may begin to adopt policies and procedures to address this new standard.

By way of history, on March 9, 2020, Governor Philip D. Murphy declared a public health emergency (PHE). The PHE was declared because of the COVID-19 pandemic. On April 25, 2020, and May 12, 2020, Commissioner Judith Persichilli issued guidance memoranda regarding permitting support persons to visit patients with a disability while in the hospital. Upon the end of the PHE, the guidance memorandum will be revoked. However, as noted, the experience of the pandemic demonstrated that a support person is essential to patient care and that all patients should be able to designate a support person to accompany them during their hospitalization.

Therefore, hospitals shall allow a support person to accompany a patient, in both the emergency room and during hospitalization, in areas where communication between hospital staff, professionals and patients would take place. Support persons could be family members, friends, personal care assistants, or other service providers knowledgeable about the patient's care. This designation shall be noted, at a minimum, in the patient's chart.

Questions regarding this memo may be directed to Michael Kennedy, at [Michael.Kennedy@doh.nj.gov](mailto:Michael.Kennedy@doh.nj.gov).