

ASSEMBLY REGULATED PROFESSIONS COMMITTEE

STATEMENT TO

ASSEMBLY, No. 4619

with committee amendments

STATE OF NEW JERSEY

DATED: JANUARY 12, 2023

The Assembly Regulated Professions Committee reports favorably Assembly Bill No. 4619 with committee amendments.

As amended, this bill makes permanent certain forms of temporary licensure for health care professionals licensed in other states and recent graduates of health care training programs, which temporary licensure was formerly authorized in response to the coronavirus disease 2019 (COVID-19) pandemic and extended through June 30, 2022 by P.L.2021, c.368.

Specifically, with regard to temporary licensure for professionals licensed in other states, the bill provides that alcohol and drug counselors, marriage and family therapists, professional counselors, physicians, homemaker-home health aides, professional and practical nurses, advanced practice nurses, psychologists, psychoanalysts, respiratory care practitioners, and social workers licensed or certified in another state will be authorized to practice for up to one year in New Jersey without holding a license or certification to practice in the State, and will not be required to pay any fees or complete a criminal history background check as a condition of the temporary authorization to practice. If, within one year of commencing a temporary authorization to practice, the individual initiates the process of applying for full licensure or certification, including paying the applicable fees and completing a criminal history record background check, the temporary authorization to practice will remain in effect until a final determination is made on the individual's application for full licensure or certification.

A person who previously practiced in New Jersey under a temporary authorization will be ineligible to practice under a subsequent temporary authorization, except that this restriction will not apply to individuals who practiced in New Jersey under the COVID-19 waivers. Additionally, the restriction will not apply to practical and professional nurses holding a multistate license issued under the "Nurse Licensure Compact," P.L.2019, c.172 (C.45:11A-9 et seq.), or to out-of-State psychologists providing in-person or telepsychology services under the "Psychology Interstate Compact," P.L.2021, c.229 (C.45:14B-49).

With regard to recent graduates, the bill provides that recent graduates of a masters or doctorate program in counseling, a physician assistant training program, a professional or practical nurse training program, a pharmacy training program, a respiratory care training program, or a master's-level social work educational program will be authorized to practice under a temporary license until the person achieves full licensure or fails the licensure examination. An applicant for a temporary license will not be required to complete a criminal history record background check or pay any fees other than the standard licensure fees.

To qualify for a temporary license, the graduate will be required to have graduated within six months of applying for the temporary license, have initiated the process for full licensure, have registered to take the next licensure examination if the graduate has not already passed the licensure examination, and comply with all applicable scope of practice and supervision requirements.

Recent graduates of training programs for physician assistants, nurses, pharmacists, and respiratory care practitioners will be restricted to practicing in an acute care facility licensed by the Department of Health, but will be authorized to provide services both in person and using telemedicine and telehealth. Recent graduates of a physician assistant training program will be prohibited from ordering prescribing controlled dangerous substances, authorizing patients for medical cannabis, and issuing written instructions for medical cannabis, and will be required to comply with the requirements of the graduate's delegation agreement with a supervising physician.

The bill additionally provides that alcohol and drug counselor-interns will be authorized to meet their supervised work experience requirements by providing services using telemedicine and telehealth, provided the intern is working in a licensed substance use disorder treatment facility, has met certain minimum training, education, and work experience requirements, and is working under the supervision of a clinical supervisor pursuant to an approved plan of supervision.

The bill amends the telemedicine and telehealth laws to allow the use of telemedicine and telehealth by out-of-State practitioners authorized to practice under the bill, graduates holding a temporary license issued under the bill, and alcohol and drug counselor interns as authorized under the bill.

The bill provides that applications for temporary licensure under the bill are to be submitted to the Division of Consumer Affairs in the Department of Law and Public Safety in a form and manner specified by the division.

COMMITTEE AMENDMENTS:

The committee amended the bill to clarify that, for a recent graduate to qualify for temporary licensure as a social worker, the

individual will need to have graduated from a master's-level program in social work.