

ASSEMBLY REGULATED PROFESSIONS COMMITTEE

STATEMENT TO

ASSEMBLY, No. 2803

STATE OF NEW JERSEY

DATED: FEBRUARY 22, 2024

The Assembly Regulated Professions Committee reports favorably Assembly Bill No. 2803.

This bill authorizes certain out-of-State health care professionals and recent graduates of health care training programs to practice in New Jersey pending a final determination on an application for licensure or certification to practice in New Jersey.

Specifically, the bill provides that alcohol and drug counselors, marriage and family therapists, professional counselors, physicians, homemaker-home health aides, certain nurses, psychologists, psychoanalysts, respiratory care practitioners, and social workers licensed or certified to practice in another state who apply for licensure or certification in New Jersey will be authorized to practice in New Jersey pending a final determination on the individual's application.

If a professional practicing under a provisional authorization to practice has the professional's authorization to practice in any other state suspended, revoked, or subject to adverse disciplinary action, the professional will be required to immediately notify the Division of Consumer Affairs in the Department of Law and Public Safety, which will make a determination as to the individual's continuing authorization to practice under the provisional authorization. The individual will not be permitted to practice in New Jersey under the bill until the division makes its determination.

A professional who fails to provide notice of an adverse action in another state will be liable to a civil penalty of \$500 per day for each day the notice is not provided. However, the individual will have the opportunity to demonstrate to the court that the individual did not know and had no reason to know of the adverse action, or that the adverse action was taken for a violation that was purely technical in nature or that was minor and did not adversely affect the health or safety of any individual. If the court finds the individual did not know of the adverse action or that the adverse action was minor or technical in nature, the court will have the authority to reduce or eliminate a civil penalty assessed under the bill.

With regard to recent graduates, the bill provides that certain recent graduates will be authorized to practice under a temporary license until the person achieves full licensure or fails the licensure examination.

This bill was pre-filed for introduction in the 2024-2025 session pending technical review. As reported, the bill includes the changes required by technical review, which has been performed.