

**ASSEMBLY, No. 2803**

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**STATE OF NEW JERSEY**

**221st LEGISLATURE**

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PRE-FILED FOR INTRODUCTION IN THE 2024 SESSION

**Sponsored by:**

**Assemblyman LOUIS D. GREENWALD**

**District 6 (Burlington and Camden)**

**Assemblyman HERB CONAWAY, JR.**

**District 7 (Burlington)**

**Assemblyman STERLEY S. STANLEY**

**District 18 (Middlesex)**

**Co-Sponsored by:**

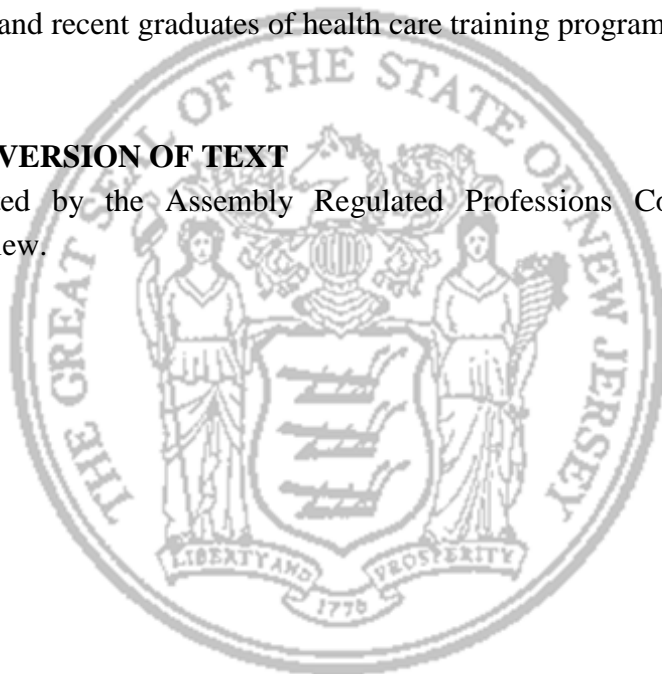
**Assemblywoman Matsikoudis, Assemblyman Sauickie, Assemblywoman Reynolds-Jackson, Assemblyman Freiman, Assemblywomen Drulis, Speight, Assemblyman Calabrese, Assemblywomen Hall, McCoy and Bagolie**

**SYNOPSIS**

Codifies and extends authorization for certain out-of-State health care practitioners and recent graduates of health care training programs to practice in New Jersey.

**CURRENT VERSION OF TEXT**

As reported by the Assembly Regulated Professions Committee with technical review.



**(Sponsorship Updated As Of: 3/18/2024)**

1    **AN ACT** concerning the licensure of health care professionals and  
2       amending various parts of the statutory law.

3  
4       **BE IT ENACTED** *by the Senate and General Assembly of the State*  
5       *of New Jersey:*

6  
7       1. Section 1 of P.L.2017, c.117 (C.45:1-61) is amended to read as  
8       follows:

9       1. As used in P.L.2017, c.117 (C.45:1-61 et al.):

10       "Asynchronous store-and-forward" means the acquisition and  
11       transmission of images, diagnostics, data, and medical information  
12       either to, or from, an originating site or to, or from, the health care  
13       provider at a distant site, which allows for the patient to be evaluated  
14       without being physically present.

15       "Cross-coverage service provider" means a health care provider,  
16       acting within the scope of a valid license or certification issued  
17       pursuant to Title 45 of the Revised Statutes, who engages in a remote  
18       medical evaluation of a patient, without in-person contact, at the  
19       request of another health care provider who has established a proper  
20       provider-patient relationship with the patient.

21       "Distant site" means a site at which a health care provider, acting  
22       within the scope of a valid license or certification issued pursuant to  
23       Title 45 of the Revised Statutes, is located while providing health care  
24       services by means of telemedicine or telehealth.

25       "Health care provider" means an individual who provides a health  
26       care service to a patient, and includes, but is not limited to, a licensed  
27       physician, nurse, nurse practitioner, psychologist, psychiatrist,  
28       psychoanalyst, clinical social worker, physician assistant, professional  
29       counselor, respiratory therapist, speech pathologist, audiologist,  
30       optometrist, or any other health care professional acting within the  
31       scope of a valid license or certification issued pursuant to Title 45 of  
32       the Revised Statutes. "Health care provider" includes a health care  
33       provider practicing under a temporary graduate license, a health care  
34       practitioner practicing under a provisional authorization to practice and  
35       an alcohol and drug counselor-intern practicing under the authority of  
36       subsection c. of section 10 of P.L.1997, c.331 (C.45:2D-10).

37       "On-call provider" means a licensed or certified health care  
38       provider who is available, where necessary, to physically attend to the  
39       urgent and follow-up needs of a patient for whom the provider has  
40       temporarily assumed responsibility, as designated by the patient's  
41       primary care provider or other health care provider of record.

42       "Originating site" means a site at which a patient is located at the  
43       time that health care services are provided to the patient by means of  
44       telemedicine or telehealth.

45       "Provisional authorization to practice" means an authorization to  
46       practice issued to an out-of-State health care professional in one of the

**EXPLANATION** – Matter enclosed in bold-faced brackets **[thus]** in the above bill is  
not enacted and is intended to be omitted in the law.

Matter underlined thus is new matter.

1 following professions pending a final determination on an application  
2 for licensure or certification to practice in New Jersey: a licensed  
3 alcohol and drug counselor, pursuant to subsection b. of section 10 of  
4 P.L.1997, c.331 (C.45:2D-10); a marriage and family therapist,  
5 pursuant to subsection b. of section 21 of P.L.1968, c.401 (C.45:8B-  
6 21); a professional counselor, pursuant to subsection b. of section 13  
7 of P.L.1993, c.340 (C.45:8B-46); medicine or surgery, pursuant to  
8 subsection b. of R.S.45:9-13; a homemaker-home health aide, pursuant  
9 to subsection b. of section 1 of P.L.1990, c.125 (C.45:11-24.2); a  
10 professional nurse, pursuant to paragraph (1) of subsection f. of section  
11 4 of P.L.1947, c.262 (C.45:11-26); a practical nurse, pursuant to  
12 paragraph (1) of subsection e. of section 5 of P.L.1947, c.262  
13 (C.45:11-27); an advanced practice nurse, pursuant to subsection d. of  
14 section 8 of P.L.1991, c.377 (C.45:11-47); a psychologist, pursuant to  
15 subsection b. of section 20 of P.L.1966, c.282 (C.45:14B-20); a  
16 psychoanalyst, pursuant to subsection b. of section 10 of P.L.2000,  
17 c.57 (C.45:14BB-10); a respiratory care practitioner, pursuant to  
18 subsection b. of section 13 of P.L.1991, c.31 (C.45:14E-13); or a  
19 social worker, pursuant to subsection b. of section 7 of P.L.1991, c.134  
20 (C.45:15BB-7).

21 "Telehealth" means the use of information and communications  
22 technologies, including telephones, remote patient monitoring devices,  
23 or other electronic means, to support clinical health care, provider  
24 consultation, patient and professional health-related education, public  
25 health, health administration, and other services in accordance with the  
26 provisions of P.L.2017, c.117 (C.45:1-61 et al.).

27 "Telemedicine" means the delivery of a health care service using  
28 electronic communications, information technology, or other  
29 electronic or technological means to bridge the gap between a health  
30 care provider who is located at a distant site and a patient who is  
31 located at an originating site, either with or without the assistance of  
32 an intervening health care provider, and in accordance with the  
33 provisions of P.L.2017, c.117 (C.45:1-61 et al.). "Telemedicine" does  
34 not include the use, in isolation, of electronic mail, instant messaging,  
35 phone text, or facsimile transmission.

36 "Telemedicine or telehealth organization" means a corporation,  
37 sole proprietorship, partnership, or limited liability company that is  
38 organized for the primary purpose of administering services in the  
39 furtherance of telemedicine or telehealth.

40 "Temporary graduate license" means a temporary license to  
41 practice: as an associate counselor issued pursuant to subsection c. of  
42 section 13 of P.L.1993, c.340 (C.45:8B-46); as a physician assistant  
43 issued pursuant to subsection f. of section 4 of P.L.1991, c.378  
44 (C.45:9-27.13); as a professional nurse pursuant to subsection g. of  
45 section 4 of P.L.1947, c.262 (C.45:11-26); as a practical nurse  
46 pursuant to subsection f. of section 5 of P.L.1947, c.262 (C.45:11-27);  
47 as a pharmacist pursuant to subsection d. of section 14 of P.L.2003,  
48 c.280 (C.45:14-53); as a respiratory care practitioner pursuant to

1 subsection c. of section 13 of P.L.1991, c.31 (C.45:14E-13); or as a  
2 licensed social worker pursuant to subsection c. of section 7 of  
3 P.L.1991, c.134 (C.45:15BB-7).  
4 (cf: P.L.2021, c.310, s.3)

5  
6 2. Section 2 of P.L.2017, c.117 (C.45:1-62) is amended to read  
7 as follows:

8 2. a. Unless specifically prohibited or limited by federal or  
9 State law, a health care provider who establishes a proper provider-  
10 patient relationship with a patient may remotely provide health care  
11 services to a patient through the use of telemedicine. A health care  
12 provider may also engage in telehealth as may be necessary to  
13 support and facilitate the provision of health care services to  
14 patients. Nothing in P.L.2017, c.117 (C.45:1-61 et al.) shall be  
15 construed to allow a provider to require a patient to use  
16 telemedicine or telehealth in lieu of receiving services from an in-  
17 network provider.

18 b. Any health care provider who uses telemedicine or engages  
19 in telehealth while providing health care services to a patient, shall:  
20 (1) be validly licensed, certified, **【or】** registered, or otherwise  
21 authorized, pursuant to Title 45 of the Revised Statutes, to provide  
22 such services in the State of New Jersey; (2) remain subject to  
23 regulation by the appropriate New Jersey State licensing board or  
24 other New Jersey State professional regulatory entity; (3) act in  
25 compliance with existing requirements regarding the maintenance  
26 of liability insurance; and (4) remain subject to New Jersey  
27 jurisdiction.

28 c. (1) Telemedicine services may be provided using  
29 interactive, real-time, two-way communication technologies or,  
30 subject to the requirements of paragraph (2) of this paragraph,  
31 asynchronous store-and-forward technology.

32 (2) A health care provider engaging in telemedicine or  
33 telehealth may use asynchronous store-and-forward technology to  
34 provide services with or without the use of interactive, real-time,  
35 two-way audio if, after accessing and reviewing the patient's  
36 medical records, the provider determines that the provider is able to  
37 meet the same standard of care as if the health care services were  
38 being provided in person and informs the patient of this  
39 determination at the outset of the telemedicine or telehealth  
40 encounter.

41 (3) (a) At the time the patient requests health care services to be  
42 provided using telemedicine or telehealth, the patient shall be  
43 clearly advised that the telemedicine or telehealth encounter may be  
44 with a health care provider who is not a physician, and that the  
45 patient may specifically request that the telemedicine or telehealth  
46 encounter be scheduled with a physician. If the patient requests that  
47 the telemedicine or telehealth encounter be with a physician, the  
48 encounter shall be scheduled with a physician. (b) The identity,

1 professional credentials, and contact information of a health care  
2 provider providing telemedicine or telehealth services shall be made  
3 available to the patient at the time the patient schedules services to  
4 be provided using telemedicine or telehealth, if available, or upon  
5 confirmation of the scheduled telemedicine or telehealth encounter,  
6 and shall be made available to the patient during and after the  
7 provision of services. The contact information shall enable the  
8 patient to contact the health care provider, or a substitute health  
9 care provider authorized to act on behalf of the provider who  
10 provided services, for at least 72 hours following the provision of  
11 services. If the health care provider is not a physician, and the  
12 patient requests that the services be provided by a physician, the  
13 health care provider shall assist the patient with scheduling a  
14 telemedicine or telehealth encounter with a physician.

15 (4) A health care provider engaging in telemedicine or  
16 telehealth shall review the medical history and any medical records  
17 provided by the patient. For an initial encounter with the patient,  
18 the provider shall review the patient's medical history and medical  
19 records prior to initiating contact with the patient, as required  
20 pursuant to paragraph (3) of subsection a. of section 3 of P.L.2017,  
21 c.117 (C.45:1-63). In the case of a subsequent telemedicine or  
22 telehealth encounter conducted pursuant to an ongoing provider-  
23 patient relationship, the provider may review the information prior  
24 to initiating contact with the patient or contemporaneously with the  
25 telemedicine or telehealth encounter.

26 (5) Following the provision of services using telemedicine or  
27 telehealth, the patient's medical information shall be entered into  
28 the patient's medical record, whether the medical record is a  
29 physical record, an electronic health record, or both, and, if so  
30 requested to by the patient, forwarded directly to the patient's  
31 primary care provider, health care provider of record or any other  
32 health care providers as may be specified by the patient. For  
33 patients without a primary care provider or other health care  
34 provider of record, the health care provider engaging in  
35 telemedicine or telehealth may advise the patient to contact a  
36 primary care provider, and, upon request by the patient, shall assist  
37 the patient with locating a primary care provider or other in-person  
38 medical assistance that, to the extent possible, is located within  
39 reasonable proximity to the patient. The health care provider  
40 engaging in telemedicine or telehealth shall also refer the patient to  
41 appropriate follow up care where necessary, including making  
42 appropriate referrals for in-person care or emergency or  
43 complementary care, if needed. Consent may be oral, written, or  
44 digital in nature, provided that the chosen method of consent is  
45 deemed appropriate under the standard of care.

46 d. (1) Any health care provider providing health care services  
47 using telemedicine or telehealth shall be subject to the same  
48 standard of care or practice standards as are applicable to in-person

1 settings. If telemedicine or telehealth services would not be  
2 consistent with this standard of care, the health care provider shall  
3 direct the patient to seek in-person care.

4 (2) Diagnosis, treatment, and consultation recommendations,  
5 including discussions regarding the risk and benefits of the patient's  
6 treatment options, which are made through the use of telemedicine  
7 or telehealth, including the issuance of a prescription based on a  
8 telemedicine or telehealth encounter, shall be held to the same  
9 standard of care or practice standards as are applicable to in-person  
10 settings. Unless the provider has established a proper provider-  
11 patient relationship with the patient, a provider shall not issue a  
12 prescription to a patient based solely on the responses provided in  
13 an online static questionnaire.

14 (3) In the event that a mental health screener, screening service,  
15 or screening psychiatrist subject to the provisions of P.L.1987,  
16 c.116 (C.30:4-27.1 et seq.) determines that an in-person psychiatric  
17 evaluation is necessary to meet standard of care requirements, or in  
18 the event that a patient requests an in-person psychiatric evaluation  
19 in lieu of a psychiatric evaluation performed using telemedicine or  
20 telehealth, the mental health screener, screening service, or  
21 screening psychiatrist may nevertheless perform a psychiatric  
22 evaluation using telemedicine and telehealth if it is determined that  
23 the patient cannot be scheduled for an in-person psychiatric  
24 evaluation within the next 24 hours. Nothing in this paragraph shall  
25 be construed to prevent a patient who receives a psychiatric  
26 evaluation using telemedicine and telehealth as provided in this  
27 paragraph from receiving a subsequent, in-person psychiatric  
28 evaluation in connection with the same treatment event, provided  
29 that the subsequent in-person psychiatric evaluation is necessary to  
30 meet standard of care requirements for that patient.

31 e. The prescription of Schedule II controlled dangerous  
32 substances through the use of telemedicine or telehealth shall be  
33 authorized only after an initial in-person examination of the patient,  
34 as provided by regulation, and a subsequent in-person visit with the  
35 patient shall be required every three months for the duration of time  
36 that the patient is being prescribed the Schedule II controlled  
37 dangerous substance. However, the provisions of this subsection  
38 shall not apply, and the in-person examination or review of a patient  
39 shall not be required, when a health care provider is prescribing a  
40 stimulant which is a Schedule II controlled dangerous substance for  
41 use by a minor patient under the age of 18, provided that the health  
42 care provider is using interactive, real-time, two-way audio and  
43 video technologies when treating the patient and the health care  
44 provider has first obtained written consent for the waiver of these  
45 in-person examination requirements from the minor patient's parent  
46 or guardian.

- 1 f. A mental health screener, screening service, or screening  
2 psychiatrist subject to the provisions of P.L.1987, c.116 (C.30:4-  
3 27.1 et seq.):
- 4 (1) shall not be required to obtain a separate authorization in  
5 order to engage in telemedicine or telehealth for mental health  
6 screening purposes; and
- 7 (2) shall not be required to request and obtain a waiver from  
8 existing regulations, prior to engaging in telemedicine or telehealth.
- 9 g. A health care provider who engages in telemedicine or  
10 telehealth, as authorized by P.L.2017, c.117 (C.45:1-61 et al.), shall  
11 maintain a complete record of the patient's care, and shall comply  
12 with all applicable State and federal statutes and regulations for  
13 recordkeeping, confidentiality, and disclosure of the patient's  
14 medical record.
- 15 h. A health care provider shall not be subject to any  
16 professional disciplinary action under Title 45 of the Revised  
17 Statutes solely on the basis that the provider engaged in  
18 telemedicine or telehealth pursuant to P.L.2017, c.117 (C.45:1-61 et  
19 al.).
- 20 i. (1) In accordance with the "Administrative Procedure Act,"  
21 P.L.1968, c.410 (C.52:14B-1 et seq.), the State boards or other  
22 entities that, pursuant to Title 45 of the Revised Statutes, are  
23 responsible for the licensure, certification, or registration of health  
24 care providers in the State, shall each adopt rules and regulations  
25 that are applicable to the health care providers under their  
26 respective jurisdictions, as may be necessary to implement the  
27 provisions of this section and facilitate the provision of  
28 telemedicine and telehealth services. Such rules and regulations  
29 shall, at a minimum:
- 30 (a) include best practices for the professional engagement in  
31 telemedicine and telehealth;
- 32 (b) ensure that the services patients receive using telemedicine  
33 or telehealth are appropriate, medically necessary, and meet current  
34 quality of care standards;
- 35 (c) include measures to prevent fraud and abuse in connection  
36 with the use of telemedicine and telehealth, including requirements  
37 concerning the filing of claims and maintaining appropriate records  
38 of services provided; and
- 39 (d) provide substantially similar metrics for evaluating quality  
40 of care and patient outcomes in connection with services provided  
41 using telemedicine and telehealth as currently apply to services  
42 provided in person.
- 43 (2) In no case shall the rules and regulations adopted pursuant to  
44 paragraph (1) of this subsection require a provider to conduct an  
45 initial in-person visit with the patient as a condition of providing  
46 services using telemedicine or telehealth.
- 47 (3) The failure of any licensing board to adopt rules and  
48 regulations pursuant to this subsection shall not have the effect of

1 delaying the implementation of this act, and shall not prevent health  
2 care providers from engaging in telemedicine or telehealth in  
3 accordance with the provisions of this act and the practice act  
4 applicable to the provider's professional licensure, certification, or  
5 registration.

6 (cf: P.L.2021, c.310, s.4)

7  
8 3. Section 10 of P.L.1997, c.331 (C.45:2D-10) is amended to read  
9 as follows:

10 10. a. The board may grant a license or certification to any person  
11 who at the time of application is licensed or certified by a  
12 governmental agency located in another state, territory or jurisdiction,  
13 if in the opinion of the committee the requirements of that licensure or  
14 certification are substantially similar to the requirements of this act.

15 b. (1) Notwithstanding any other provision of law to the contrary,  
16 an individual who is currently licensed or certified by a governmental  
17 agency located in another state as an alcohol and drug counselor who  
18 applies for licensure as an alcohol and drug counselor in New Jersey  
19 shall be authorized to practice as an alcohol and drug counselor in  
20 New Jersey pending a final determination on the individual's  
21 application.

22 (2) (a) An individual practicing as an alcohol and drug counselor  
23 pending a final determination on the individual's licensure application  
24 pursuant to paragraph (1) of this subsection shall immediately notify  
25 the Division of Consumer Affairs in the Department of Law and  
26 Public Safety if the individual's authorization to practice in any other  
27 state is suspended, revoked, or subject to adverse disciplinary action.  
28 The division shall make a determination as to the individual's  
29 continuing authorization to practice in New Jersey pursuant to this  
30 subsection; until such determination is made, the individual shall not  
31 be authorized to practice in New Jersey pursuant to this subsection.

32 (b) An individual who fails to provide notice to the division as  
33 required under subparagraph (a) of this paragraph shall be liable to a  
34 civil penalty of \$500 per day for each day the individual fails to  
35 provide the required notice, which civil penalty shall be collected by  
36 the division in summary proceedings before a court of competent  
37 jurisdiction pursuant to the provisions of the "Penalty Enforcement  
38 Law of 1999," P.L.1999, c.274 (C.2A:58-10 et seq.).

39 (c) An individual against whom a civil penalty is assessed  
40 pursuant to subparagraph (b) of this paragraph shall have the  
41 opportunity to demonstrate to the court that the individual did not  
42 know, and had no reason to know, that the individual's authorization  
43 to practice in any other state was suspended, revoked, or subject to  
44 adverse disciplinary action, or to demonstrate that the action taken by  
45 the other state was for a purely technical violation or a violation that  
46 was minor in nature and did not adversely affect the health or safety of  
47 any individual. If the court finds that the person did not know and had  
48 no reason to know of the action taken by the other state against the



1 person's authorization to practice, or that the action taken by the other  
2 state was for a purely technical violation or a violation that was minor  
3 in nature and did not adversely affect the health or safety of any  
4 individual, the court may reduce or eliminate a civil penalty assessed  
5 pursuant to subparagraph (b) of this paragraph.

6 c. Notwithstanding any other provision of law to the contrary, an  
7 alcohol and drug counselor-intern working in a substance use disorder  
8 treatment facility licensed by the Division of Mental Health and  
9 Addiction Services in the Department of Human Services shall be  
10 authorized to meet the supervised work experience requirements for  
11 certification as an alcohol and drug counselor through the provision of  
12 services using telemedicine and telehealth, as those terms are defined  
13 in section 1 of P.L.2017, c.117 (C.45:1-61), provided the intern:

14 (1) is operating under a plan of supervision approved by the  
15 Alcohol and Drug Counselor Committee of the New Jersey State  
16 Board of Marriage and Family Therapy;

17 (2) practices under the supervision of the intern's qualified clinical  
18 supervisor;

19 (3) has completed at least 150 hours of approved core content  
20 education required for certification as an alcohol and drug counselor;

21 (4) has completed at least 300 hours of supervised work  
22 experience in person; and

23 (5) has attended at least 15 alcohol and drug abuse self-help group  
24 meetings.

25 (cf: P.L.1997, c.331, s.10)

26  
27 4. Section 21 of P.L.1968, c.401 (C.45:8B-21) is amended to read  
28 as follows:

29 21. a. The board may issue a license by an examination of  
30 credentials to any applicant who presents evidence that he is licensed  
31 or certified as a marriage and family therapist in another state with  
32 requirements for that license or certificate such that the board is of the  
33 opinion that the applicant is competent to engage in the practice of  
34 marriage and family therapy in this State.

35 b. (1) Notwithstanding any other provision of law to the contrary,  
36 an individual who is currently licensed or certified by a governmental  
37 agency located in another state as a marriage and family therapist who  
38 applies for licensure as a marriage and family therapist in New Jersey  
39 shall be authorized to practice as a marriage and family therapist in  
40 New Jersey pending a final determination on the individual's  
41 application.

42 (2) (a) An individual practicing as a marriage and family therapist  
43 pending a final determination on the individual's licensure application  
44 pursuant to paragraph (1) of this subsection shall immediately notify  
45 the Division of Consumer Affairs in the Department of Law and  
46 Public Safety if the individual's authorization to practice in any other  
47 state is suspended, revoked, or subject to adverse disciplinary action.  
48 The division shall make a determination as to the individual's

1 continuing authorization to practice in New Jersey pursuant to this  
2 subsection; until such determination is made, the individual shall not  
3 be authorized to practice in New Jersey pursuant to this subsection.

4 (b) An individual who fails to provide notice to the division as  
5 required under subparagraph (a) of this paragraph shall be liable to a  
6 civil penalty of \$500 per day for each day the individual fails to  
7 provide the required notice, which civil penalty shall be collected by  
8 the division in summary proceedings before a court of competent  
9 jurisdiction pursuant to the provisions of the “Penalty Enforcement  
10 Law of 1999,” P.L.1999, c.274 (C.2A:58-10 et seq.).

11 (c) An individual against whom a civil penalty is assessed  
12 pursuant to subparagraph (b) of this paragraph shall have the  
13 opportunity to demonstrate to the court that the individual did not  
14 know, and had no reason to know, that the individual’s authorization  
15 to practice in any other state was suspended, revoked, or subject to  
16 adverse disciplinary action, or to demonstrate that the action taken by  
17 the other state was for a purely technical violation or a violation that  
18 was minor in nature and did not adversely affect the health or safety of  
19 any individual. If the court finds that the person did not know and had  
20 no reason to know of the action taken by the other state against the  
21 person’s authorization to practice, or that the action taken by the other  
22 state was for a purely technical violation or a violation that was minor  
23 in nature and did not adversely affect the health or safety of any  
24 individual, the court may reduce or eliminate a civil penalty assessed  
25 pursuant to subparagraph (b) of this paragraph.

26 (cf: P.L.1995, c.366, s.14)

27  
28 5. Section 13 of P.L.1993, c.340 (C.45:8B-46) is amended to read  
29 as follows:

30 13. a. The board may grant a license to practice counseling or  
31 rehabilitation counseling to any person who at the time of application  
32 is licensed or certified by an agency located in another state, territory  
33 or jurisdiction, if in the opinion of the committee the requirements of  
34 that licensure or certification are substantially similar to the  
35 requirements of this act.

36 b. (1) Notwithstanding any other provision of law to the contrary,  
37 an individual who is currently licensed or certified by a governmental  
38 agency located in another state as a professional counselor who applies  
39 for licensure as a professional counselor in New Jersey shall be  
40 authorized to practice as a professional counselor in New Jersey  
41 pending a final determination on the individual’s application.

42 (2) (a) An individual practicing as a professional counselor  
43 pending a final determination on the individual’s licensure application  
44 pursuant to paragraph (1) of this subsection shall immediately notify  
45 the Division of Consumer Affairs in the Department of Law and  
46 Public Safety if the individual’s authorization to practice in any other  
47 state is suspended, revoked, or subject to adverse disciplinary action.  
48 The division shall make a determination as to the individual’s

1 continuing authorization to practice in New Jersey pursuant to this  
2 subsection; until such determination is made, the individual shall not  
3 be authorized to practice in New Jersey pursuant to this subsection.

4 (b) An individual who fails to provide notice to the division as  
5 required under subparagraph (a) of this paragraph shall be liable to a  
6 civil penalty of \$500 per day for each day the individual fails to  
7 provide the required notice, which civil penalty shall be collected by  
8 the division in summary proceedings before a court of competent  
9 jurisdiction pursuant to the provisions of the “Penalty Enforcement  
10 Law of 1999,” P.L.1999, c.274 (C.2A:58-10 et seq.).

11 (c) An individual against whom a civil penalty is assessed  
12 pursuant to subparagraph (b) of this paragraph shall have the  
13 opportunity to demonstrate to the court that the individual did not  
14 know, and had no reason to know, that the individual’s authorization  
15 to practice in any other state was suspended, revoked, or subject to  
16 adverse disciplinary action, or to demonstrate that the action taken by  
17 the other state was for a purely technical violation or a violation that  
18 was minor in nature and did not adversely affect the health or safety of  
19 any individual. If the court finds that the person did not know and had  
20 no reason to know of the action taken by the other state against the  
21 person’s authorization to practice, or that the action taken by the other  
22 state was for a purely technical violation or a violation that was minor  
23 in nature and did not adversely affect the health or safety of any  
24 individual, the court may reduce or eliminate a civil penalty assessed  
25 pursuant to subparagraph (b) of this paragraph.

26 c. Notwithstanding any other provision of law to the contrary, any  
27 person who has graduated with a master’s degree or doctorate in  
28 counseling from a regionally accredited institution of higher education,  
29 or an institution accredited by the Council for the Accreditation of  
30 Counseling and Related Educational Programs, may be issued a  
31 temporary license to practice as an associate counselor in New Jersey  
32 until such time as the person is issued a full associate counselor license  
33 or the person fails the associate counselor licensure examination or is  
34 otherwise denied licensure, provided that no more than six months  
35 have elapsed since the person’s date of graduation and the person:

36 (1) has initiated the application process for an associate counselor  
37 license, including submitting the applicable fee and, if the person is  
38 required to successfully complete a licensure examination as a  
39 condition of licensure, registering to take the next scheduled licensure  
40 examination if the person has not already successfully completed the  
41 licensure examination, which process may be initiated at any time after  
42 the person commences the final quarter or semester of the person’s  
43 master’s or doctoral program, as applicable, or when authorized by the  
44 board, whichever is earlier;

45 (2) completes a criminal history record background check, the  
46 results of which, notwithstanding any other provision of law or  
47 regulation to the contrary, shall be valid for the purposes of the

1 person's application for licensure until such time as the board makes a  
2 final determination on the application; and

3 (3) complies with all applicable scope of practice and supervision  
4 requirements.

5 (cf: P.L.1997, c.155, s.12)

6  
7 6. R.S.45:9-13 is amended to read as follows:

8 45:9-13. a. Any applicant for a license to practice medicine and  
9 surgery, upon proving that he has been examined and licensed by the  
10 examining and licensing board of another State of the United States or  
11 by the National Board of Medical Examiners or by certificates of the  
12 National Board of Examiners for Osteopathic Physicians and  
13 Surgeons, may, in the discretion of the board of medical examiners of  
14 this State, be granted a license to practice medicine and surgery  
15 without further examination upon payment to the treasurer of the board  
16 of a license fee of \$150.00; provided, such applicant shall furnish  
17 proof that he can fulfill the requirements demanded in the other  
18 sections of this article relating to applicants for admission by  
19 examination. In any such application for a license without  
20 examination, all questions of academic requirements of other States  
21 shall be determined by the Commissioner of Education of this State.

22 b. (1) Notwithstanding any other provision of law to the contrary,  
23 an individual who is currently licensed to practice medicine or surgery  
24 in another state who applies for licensure to practice medicine or  
25 surgery in New Jersey shall be authorized to practice medicine or  
26 surgery, consistent with the scope of the license held in the other state,  
27 in New Jersey pending a final determination on the individual's  
28 application.

29 (2) (a) An individual practicing medicine or surgery pending a  
30 final determination on the individual's licensure application pursuant  
31 to paragraph (1) of this subsection shall immediately notify the  
32 Division of Consumer Affairs in the Department of Law and Public  
33 Safety if the individual's authorization to practice in any other state is  
34 suspended, revoked, or subject to adverse disciplinary action. The  
35 division shall make a determination as to the individual's continuing  
36 authorization to practice in New Jersey pursuant to this subsection;  
37 until such determination is made, the individual shall not be authorized  
38 to practice in New Jersey pursuant to this subsection.

39 (b) An individual who fails to provide notice to the division as  
40 required under subparagraph (a) of this paragraph shall be liable to a  
41 civil penalty of \$500 per day for each day the individual fails to  
42 provide the required notice, which civil penalty shall be collected by  
43 the division in summary proceedings before a court of competent  
44 jurisdiction pursuant to the provisions of the "Penalty Enforcement  
45 Law of 1999," P.L.1999, c.274 (C.2A:58-10 et seq.).

46 (c) An individual against whom a civil penalty is assessed  
47 pursuant to subparagraph (b) of this paragraph shall have the  
48 opportunity to demonstrate to the court that the individual did not

1 know, and had no reason to know, that the individual's authorization  
2 to practice in any other state was suspended, revoked, or subject to  
3 adverse disciplinary action, or to demonstrate that the action taken by  
4 the other state was for a purely technical violation or a violation that  
5 was minor in nature and did not adversely affect the health or safety of  
6 any individual. If the court finds that the person did not know and had  
7 no reason to know of the action taken by the other state against the  
8 person's authorization to practice, or that the action taken by the other  
9 state was for a purely technical violation or a violation that was minor  
10 in nature and did not adversely affect the health or safety of any  
11 individual, the court may reduce or eliminate a civil penalty assessed  
12 pursuant to subparagraph (b) of this paragraph.  
13 (cf: P.L.1973, c.166, s.3)

14  
15 7. Section 4 of P.L.1991, c.378 (C.45:9-27.13) is amended to read  
16 as follows:

17 4. a. The board shall issue a license as a physician assistant to an  
18 applicant who has fulfilled the following requirements:

- 19 (1) Is at least 18 years of age;  
20 (2) Is of good moral character;  
21 (3) Has successfully completed an accredited program; and  
22 (4) Has passed the national certifying examination administered by  
23 the National Commission on Certification of Physician Assistants, or  
24 its successor.

25 b. In addition to the requirements of subsection a. of this section,  
26 an applicant for renewal of a license as a physician assistant shall:

- 27 (1) Execute and submit a sworn statement made on a form  
28 provided by the board that neither the license for which renewal is  
29 sought nor any similar license or other authority issued by another  
30 jurisdiction has been revoked or suspended; and  
31 (2) Present satisfactory evidence that any continuing education  
32 requirements have been completed as required by P.L.1991, c.378  
33 (C.45:9-27.10 et seq.).

34 c. The board, in consultation with the committee, may accept, in  
35 lieu of the requirements of subsection a. of this section, proof that an  
36 applicant for licensure holds a current license in a state which has  
37 standards substantially equivalent to those of this State.

38 d. (Deleted by amendment, P.L.2015, c.224)

39 e. A physician assistant who notifies the board in writing on  
40 forms prescribed by the board may elect to place the physician  
41 assistant's license on inactive status. A physician assistant with an  
42 inactive license shall not be subject to the payment of renewal fees and  
43 shall not practice as a physician assistant. A licensee who engages in  
44 practice while the physician assistant's license is lapsed or on inactive  
45 status shall be deemed to have engaged in professional misconduct in  
46 violation of subsection e. of section 8 of P.L.1978, c.73 (C.45:1-21)  
47 and shall be subject to disciplinary action by the committee pursuant to  
48 P.L.1978, c.73 (C.45:1-14 et seq.). A physician assistant requesting

1 restoration from an inactive status shall be required to pay the current  
2 renewal fee and shall be required to meet the criteria for renewal as  
3 specified by the board.

4 f. Notwithstanding any other provision of law to the contrary, any  
5 person who has graduated from an accredited physician assistant  
6 training program may be issued a temporary license to practice as a  
7 physician assistant in New Jersey, and provide services both in person  
8 and using telemedicine and telehealth, until such time as the person is  
9 either issued a full physician assistant license or the person fails the  
10 physician assistant licensure examination or is otherwise denied  
11 licensure, provided that no more than six months have elapsed since  
12 the person's date of graduation and the person:

13 (1) has initiated the application process for a physician assistant  
14 license, including submitting the applicable fee and, if the person is  
15 required to successfully complete a licensure examination as a  
16 condition of licensure, registering to take the next scheduled licensure  
17 examination if the person has not already successfully completed the  
18 licensure examination, which process may be initiated at any time after  
19 the person commences the final quarter or semester of the person's  
20 training program, as applicable, or when authorized by the board,  
21 whichever is earlier;

22 (2) only practices under appropriate supervision, which may  
23 include a preceptor relationship, in an acute care facility licensed by  
24 the Department of Health pursuant to P.L.1971, c.136 (C.26:2H-1 et  
25 seq.);

26 (3) does not order or prescribe controlled dangerous substances,  
27 does not authorize patients for medical cannabis, and does not issue  
28 written instructions for medical cannabis;

29 (4) completes a criminal history record background check, the  
30 results of which, notwithstanding any other provision of law or  
31 regulation to the contrary, shall be valid for the purposes of the  
32 person's application for licensure until such time as the board makes a  
33 final determination on the application; and

34 (5) complies with all applicable scope of practice and supervision  
35 requirements, as well as the terms of the person's delegation  
36 agreement with a supervising physician.

37 (cf: P.L.2015, c.224, s.2)

38  
39 8. Section 1 of P.L.1990, c.125 (C.45:11-24.2) is amended to read  
40 as follows:

41 1. a. The board shall provide that a person may satisfy the  
42 examination requirement for certification as a homemaker-home  
43 health aide by passing an oral competency evaluation in English or  
44 Spanish.

45 b. (1) Notwithstanding any other provision of law to the contrary,  
46 an individual who is currently licensed or certified by a governmental  
47 agency located in another state as a homemaker-home health aide who  
48 applies for certification as a homemaker-home health aide in New

1 Jersey shall be authorized to practice as a homemaker-home health  
2 aide in New Jersey pending a final determination on the individual's  
3 application.

4 (2) (a) An individual practicing as a homemaker-home health aide  
5 pending a final determination on the individual's application for  
6 certification pursuant to paragraph (1) of this subsection shall  
7 immediately notify the Division of Consumer Affairs in the  
8 Department of Law and Public Safety if the individual's authorization  
9 to practice in any other state is suspended, revoked, or subject to  
10 adverse disciplinary action. The division shall make a determination  
11 as to the individual's continuing authorization to practice in New  
12 Jersey pursuant to this subsection; until such determination is made,  
13 the individual shall not be authorized to practice in New Jersey  
14 pursuant to this subsection.

15 (b) An individual who fails to provide notice to the division as  
16 required under subparagraph (a) of this paragraph shall be liable to a  
17 civil penalty of \$500 per day for each day the individual fails to  
18 provide the required notice, which civil penalty shall be collected by  
19 the division in summary proceedings before a court of competent  
20 jurisdiction pursuant to the provisions of the "Penalty Enforcement  
21 Law of 1999," P.L.1999, c.274 (C.2A:58-10 et seq.).

22 (c) An individual against whom a civil penalty is assessed  
23 pursuant to subparagraph (b) of this paragraph shall have the  
24 opportunity to demonstrate to the court that the individual did not  
25 know, and had no reason to know, that the individual's authorization  
26 to practice in any other state was suspended, revoked, or subject to  
27 adverse disciplinary action, or to demonstrate that the action taken by  
28 the other state was for a purely technical violation or a violation that  
29 was minor in nature and did not adversely affect the health or safety of  
30 any individual. If the court finds that the person did not know and had  
31 no reason to know of the action taken by the other state against the  
32 person's authorization to practice, or that the action taken by the other  
33 state was for a purely technical violation or a violation that was minor  
34 in nature and did not adversely affect the health or safety of any  
35 individual, the court may reduce or eliminate a civil penalty assessed  
36 pursuant to subparagraph (b) of this paragraph.

37 (cf: P.L.1990, c.125, s.1)

38  
39 9. Section 4 of P.L.1947, c.262 (C.45:11-26) is amended to read  
40 as follows:

41 4. a. Qualifications of applicants. An applicant for a license to  
42 practice professional nursing shall submit to the board evidence in  
43 such form as the board may prescribe that said applicant: (1) has  
44 attained his or her eighteenth birthday; (2) is of good moral character,  
45 is not a habitual user of drugs and has never been convicted or has not  
46 pleaded nolo contendere, non vult contendere or non vult to an  
47 indictment, information or complaint alleging a violation of any  
48 Federal or State law relating to narcotic drugs; (3) holds a diploma

1 from an accredited 4-year high school or the equivalent thereof as  
2 determined by the New Jersey State Department of Education; (4) has  
3 completed a course of professional nursing study in an accredited  
4 school of professional nursing as defined by the board and holds a  
5 diploma therefrom.

6 Notwithstanding anything herein contained, any person who  
7 possesses the educational and school of professional nursing  
8 qualifications for registration required by the law of this State at the  
9 time of his or her graduation from an accredited school of professional  
10 nursing shall be deemed to possess the qualifications (3) and (4)  
11 prescribed hereinabove in this subsection.

12 Notwithstanding anything herein contained, any person who shall  
13 have qualifications (1) and (2) and shall have graduated from a school  
14 of professional nursing, which need not be an accredited school, shall  
15 be deemed to have qualifications (3) and (4) upon complying with  
16 such reasonable requirements as to high school and school of nursing  
17 studies and training as the board may prescribe; provided, however,  
18 that such person shall make application in form prescribed by the  
19 board within 1 year from the effective date of this act and shall  
20 satisfactorily complete such reasonable requirements and successfully  
21 pass the examinations, which examinations shall be limited to subject  
22 matters in the curriculum required by the board at the time of the  
23 applicant's graduation, provided for in subsection b. hereof, within 2  
24 years after the date of the filing of such application.

25 b. License.

26 (1) By examination. The applicant shall be required to pass a  
27 written examination in such subjects as the board may determine,  
28 which examination may be supplemented by an oral or practical  
29 examination or both. Upon successfully passing such examinations  
30 the applicant shall be licensed by the board to practice professional  
31 nursing.

32 (2) By indorsement without examination. The board may issue a  
33 license to practice professional nursing without examination to an  
34 applicant who has been duly licensed or registered as a registered or  
35 professional nurse by examination or by original waiver under the laws  
36 of another State, territory or possession of the United States, or the  
37 District of Columbia, or any foreign country, if in the opinion of the  
38 board the applicant has the qualifications required by this act for the  
39 licensing of professional nurses, or equivalent qualifications.

40 c. Fees. An applicant for a license by examination shall pay to  
41 the board at the time of application a fee of \$25.00 and at the time of  
42 each application for re-examination a fee of \$20.00. An applicant for a  
43 license without examination shall pay to the board at the time of  
44 application a fee of \$15.00.

45 d. Nurses registered under a previous law. Any person who on  
46 the effective date of this act holds a subsisting certificate of  
47 registration as a registered nurse issued pursuant to the provisions of  
48 the act repealed by section 22 of this act shall be deemed to be licensed



1 as a professional nurse under this act during the calendar year in which  
2 this act shall take effect, and such person and any person who  
3 heretofore held a certificate of registration under said act hereby  
4 repealed as aforesaid shall be entitled to a renewal of such license as in  
5 the case of professional nurses licensed originally under this act.

6 e. Title and abbreviations used by licensee. Any person who  
7 holds a license to practice professional nursing under this act shall  
8 during the effective period of such license be entitled to use the title  
9 "Registered Nurse" and the abbreviation "R.N." The effective period  
10 of a license or a renewal thereof shall commence on the date of  
11 issuance and shall terminate at the end of the calendar year in which it  
12 is issued, and shall not include any period of suspension ordered by the  
13 board as hereinafter provided.

14 f. (1) Notwithstanding any other provision of law to the contrary,  
15 an individual who is currently licensed or certified by a governmental  
16 agency located in another state as a registered or professional nurse  
17 who applies for licensure as a professional nurse in New Jersey shall  
18 be authorized to practice as a professional nurse in New Jersey  
19 pending a final determination on the individual's application.

20 (2) (a) An individual practicing as a professional nurse pending a  
21 final determination on the individual's licensure application pursuant  
22 to paragraph (1) of this subsection shall immediately notify the  
23 Division of Consumer Affairs in the Department of Law and Public  
24 Safety if the individual's authorization to practice in any other state is  
25 suspended, revoked, or subject to adverse disciplinary action. The  
26 division shall make a determination as to the individual's continuing  
27 authorization to practice in New Jersey pursuant to this subsection;  
28 until such determination is made, the individual shall not be authorized  
29 to practice in New Jersey pursuant to this subsection.

30 (b) An individual who fails to provide notice to the division as  
31 required under subparagraph (a) of this paragraph shall be liable to a  
32 civil penalty of \$500 per day for each day the individual fails to  
33 provide the required notice, which civil penalty shall be collected by  
34 the division in summary proceedings before a court of competent  
35 jurisdiction pursuant to the provisions of the "Penalty Enforcement  
36 Law of 1999," P.L.1999, c.274 (C.2A:58-10 et seq.).

37 (c) An individual against whom a civil penalty is assessed  
38 pursuant to subparagraph (b) of this paragraph shall have the  
39 opportunity to demonstrate to the court that the individual did not  
40 know, and had no reason to know, that the individual's authorization  
41 to practice in any other state was suspended, revoked, or subject to  
42 adverse disciplinary action, or to demonstrate that the action taken by  
43 the other state was for a purely technical violation or a violation that  
44 was minor in nature and did not adversely affect the health or safety of  
45 any individual. If the court finds that the person did not know and had  
46 no reason to know of the action taken by the other state against the  
47 person's authorization to practice, or that the action taken by the other  
48 state was for a purely technical violation or a violation that was minor

1 in nature and did not adversely affect the health or safety of any  
2 individual, the court may reduce or eliminate a civil penalty assessed  
3 pursuant to subparagraph (b) of this paragraph.

4 (3) The provisions of this subsection shall not apply to a  
5 professional nurse who holds a multistate license issued pursuant to  
6 P.L.2019, c.172 (C.45:11A-9 et seq.) or affect the authority of any  
7 nurse holding a multistate license to practice in New Jersey under that  
8 license.

9 g. Notwithstanding any other provision of law to the contrary, any  
10 person who has graduated from an accredited professional nurse  
11 training program may be issued a temporary license to practice as a  
12 professional nurse in New Jersey, and provide services both in person  
13 and using telemedicine and telehealth, until such time as the person is  
14 issued a full professional nurse license or the person fails the  
15 professional nurse licensure examination or is otherwise denied  
16 licensure, provided that no more than six months have elapsed since  
17 the person's date of graduation and the person:

18 (1) has initiated the application process for a professional nurse  
19 license, including submitting the applicable fee and, if the person is  
20 required to successfully complete a licensure examination as a  
21 condition of licensure, registering to take the next scheduled licensure  
22 examination if the person has not already successfully completed the  
23 licensure examination, which process may be initiated at any time after  
24 the person commences the final quarter or semester of the person's  
25 training program, as applicable, or when authorized by the board,  
26 whichever is earlier;

27 (2) only practices under appropriate supervision, which may  
28 include a preceptor relationship, in an acute care facility licensed by  
29 the Department of Health pursuant to P.L.1971, c.136 (C.26:2H-1 et  
30 seq.);

31 (3) completes a criminal history record background check, the  
32 results of which, notwithstanding any other provision of law or  
33 regulation to the contrary, shall be valid for the purposes of the  
34 person's application for licensure until such time as the board makes a  
35 final determination on the application; and

36 (4) complies with all applicable scope of practice and supervision  
37 requirements.

38 (cf: P.L.1966, c.186, s.2)

39  
40 10. Section 5 of P.L.1947, c.262 (C.45:11-27) is amended to read  
41 as follows:

42 5. a. Qualifications of applicants. An applicant for a license to  
43 practice practical nursing shall submit to the board evidence in such  
44 form as the board may prescribe that the applicant (1) has attained his  
45 or her eighteenth birthday; (2) is of good moral character, is not an  
46 habitual user of drugs and has never been convicted or has not pleaded  
47 nolo contendere, non vult contendere or non vult to an indictment,  
48 information or complaint alleging a violation of any federal or State

1 law relating to narcotic drugs; (3) has completed 2 years of high school  
2 or the equivalent thereof, as determined by the New Jersey State  
3 Department of Education; (4) (a) has completed a course of study in a  
4 school of practical nursing approved by the board and holds a diploma  
5 therefrom, (b) holds a diploma from a school of practical nursing  
6 operated by a board of education in this State and is certified by the  
7 Department of Education as having completed the number of hours of  
8 instruction in the subjects in the curriculum prescribed by the board  
9 and an approved course of affiliation, (c) has completed the Army  
10 Practical Nurse Program (68WM6) or the Air Force Basic Medical  
11 Technician Corpsman Program 4N051 (5 Skill Level), or their  
12 equivalents, and was honorably discharged from military service, or  
13 (d) has equivalent qualifications as determined by the board including  
14 those determined pursuant to section 1 of P.L. 2013, c.49 (C.45:1-  
15 15.3) and section 2 of P.L.2023, c.18 (C.45:11-27a).

16 b. License.

17 (1) By examination. The applicant shall be required to pass a  
18 written examination in such subjects as the board may determine,  
19 which examination may be supplemented by an oral or practical  
20 examination or both. Upon successfully passing such examinations,  
21 the applicant shall be licensed by the board to practice practical  
22 nursing.

23 (2) By indorsement without examination. The board shall issue a  
24 license to practice practical nursing without examination to any  
25 applicant who has been duly licensed as a practical nurse or a person  
26 entitled to perform similar services under a different title by practical  
27 nurse examination or by original waiver under the laws of another  
28 State, territory or possession of the United States, or the District of  
29 Columbia, if in the opinion of the board the applicant has the  
30 qualifications required by this act for licensing of practical nurses or  
31 equivalent qualifications.

32 (3) Waiver. If application therefor is made, upon a form  
33 prescribed by the board, on or before September 1, 1958, the board  
34 shall issue without examination a license to practice practical nursing  
35 to an applicant who submits to the board evidence in such form as the  
36 board may prescribe that the applicant has qualifications (1) and (2)  
37 provided in subsection "a" of this section and had within 5 years prior  
38 to application at least 2 years of satisfactory experience in practical  
39 nursing, at least 1 year of which shall have been performed in this  
40 State except in cases of such nursing performed in an agency or  
41 service of the Federal Government; provided, that except in cases of  
42 such nursing performed in an agency or service of the Federal  
43 Government, such applicant is indorsed under oath by 2 physicians  
44 duly licensed to practice medicine and surgery in New Jersey who  
45 have personal knowledge of the applicant's qualifications and  
46 satisfactory performance of practical nursing and by 2 persons who  
47 have employed the applicant.

1 c. Fees. An applicant for license by examination shall pay to the  
2 board at the time of application a fee of \$20.00 and at the time of each  
3 application for re-examination a fee of \$10.00. At the time of  
4 application an applicant for license without examination shall pay to  
5 the board a fee of \$10.00, and an applicant for license by waiver shall  
6 pay to the board a fee of \$10.00.

7 d. Title used by licensee. Any person who holds a license to  
8 practice practical nursing under this act shall during the effective  
9 period of such license be entitled to practice practical nursing and to  
10 use the title "Licensed Practical Nurse" and the abbreviation "L.P.N."  
11 The effective period of a license or a renewal thereof shall commence  
12 on the date of issuance and shall terminate at the end of the calendar  
13 year in which it is issued, and shall not include any period of  
14 suspension ordered by the board as hereinafter provided.

15 e. (1) Notwithstanding any other provision of law to the contrary,  
16 an individual who is currently licensed or certified by a governmental  
17 agency located in another state as a practical nurse who applies for  
18 licensure as a practical nurse in New Jersey shall be authorized to  
19 practice for up to one year as a practical nurse in New Jersey pending a  
20 final determination on the individual's application.

21 (2) (a) An individual practicing as a practical nurse pending a  
22 final determination on the individual's licensure application pursuant  
23 to paragraph (1) of this subsection shall immediately notify the  
24 Division of Consumer Affairs in the Department of Law and Public  
25 Safety if the individual's authorization to practice in any other state is  
26 suspended, revoked, or subject to adverse disciplinary action. The  
27 division shall make a determination as to the individual's continuing  
28 authorization to practice in New Jersey pursuant to this subsection;  
29 until such determination is made, the individual shall not be authorized  
30 to practice in New Jersey pursuant to this subsection.

31 (b) An individual who fails to provide notice to the division as  
32 required under subparagraph (a) of this paragraph shall be liable to a  
33 civil penalty of \$500 per day for each day the individual fails to  
34 provide the required notice, which civil penalty shall be collected by  
35 the division in summary proceedings before a court of competent  
36 jurisdiction pursuant to the provisions of the "Penalty Enforcement  
37 Law of 1999," P.L.1999, c.274 (C.2A:58-10 et seq.).

38 (c) An individual against whom a civil penalty is assessed  
39 pursuant to subparagraph (b) of this paragraph shall have the  
40 opportunity to demonstrate to the court that the individual did not  
41 know, and had no reason to know, that the individual's authorization  
42 to practice in any other state was suspended, revoked, or subject to  
43 adverse disciplinary action, or to demonstrate that the action taken by  
44 the other state was for a purely technical violation or a violation that  
45 was minor in nature and did not adversely affect the health or safety of  
46 any individual. If the court finds that the person did not know and had  
47 no reason to know of the action taken by the other state against the  
48 person's authorization to practice, or that the action taken by the other

1 state was for a purely technical violation or a violation that was minor  
2 in nature and did not adversely affect the health or safety of any  
3 individual, the court may reduce or eliminate a civil penalty assessed  
4 pursuant to subparagraph (b) of this paragraph.

5 (3) The provisions of this subsection shall not apply to a practical  
6 nurse who holds a multistate license issued pursuant to P.L.2019,  
7 c.172 (C.45:11A-9 et seq.) or affect the authority of any nurse holding  
8 a multistate license to practice in New Jersey under that license.

9 f. Notwithstanding any other provision of law to the contrary, any  
10 person who has graduated from an accredited practical nurse training  
11 program may be issued a temporary license to practice as a practical  
12 nurse in New Jersey, and provide services both in person and using  
13 telemedicine and telehealth, until such time as the person is issued a  
14 full practical nurse license or the person fails the practical nurse  
15 licensure examination or is otherwise denied licensure, provided that  
16 no more than six months have elapsed since the person's date of  
17 graduation and the person:

18 (1) has initiated the application process for a practical nurse  
19 license, including submitting the applicable fee and, if the person is  
20 required to successfully complete a licensure examination as a  
21 condition of licensure, registering to take the next scheduled licensure  
22 examination if the person has not already successfully completed the  
23 licensure examination, which process may be initiated at any time after  
24 the person commences the final quarter or semester of the person's  
25 training program, as applicable, or when authorized by the board,  
26 whichever is earlier;

27 (2) only practices under appropriate supervision, which may  
28 include a preceptor relationship, in an acute care facility licensed by  
29 the Department of Health pursuant to P.L.1971, c.136 (C.26:2H-1 et  
30 seq.);

31 (3) completes a criminal history record background check, the  
32 results of which, notwithstanding any other provision of law or  
33 regulation to the contrary, shall be valid for the purposes of the  
34 person's application for licensure until such time as the board makes a  
35 final determination on the application; and

36 (4) complies with all applicable scope of practice and supervision  
37 requirements.

38 (cf: P.L.2023, c.18, s.1)

39  
40 11. Section 8 of P.L.1991, c.377 (C.45:11-47) is amended to read  
41 as follows:

42 8. a. The New Jersey Board of Nursing may issue a certification  
43 as an advanced practice nurse to an applicant who fulfills the  
44 following requirements:

45 (1) Is at least 18 years of age;

46 (2) Is of good moral character;

47 (3) Is a registered professional nurse;

1 (4) Has successfully completed an educational program, including  
2 pharmacology, approved by the board; and

3 (5) Has passed a written examination approved by the board.

4 b. In addition to the requirements of subsection a. of this section,  
5 an applicant for renewal of a certification as an advanced practice  
6 nurse shall present satisfactory evidence that, in the period since the  
7 certification was issued or last renewed, all continuing education  
8 requirements have been completed as required by regulations adopted  
9 by the board.

10 c. The board may accept, in lieu of the written examination  
11 required by paragraph (5) of subsection a. of this section, proof that an  
12 applicant for certification holds a current certification in a state which  
13 has standards substantially equivalent to those of this State.

14 d. (1) Notwithstanding any other provision of law to the contrary,  
15 an individual who is currently licensed or certified by a governmental  
16 agency located in another state as an advanced practice nurse who  
17 applies for certification as an advanced practice nurse in New Jersey  
18 shall be authorized to practice for up to one year as an advanced  
19 practice nurse in New Jersey pending a final determination on the  
20 individual's application.

21 (2) (a) An individual practicing as an advanced practice nurse  
22 pending a final determination on the individual's application for  
23 certification pursuant to paragraph (1) of this subsection shall  
24 immediately notify the Division of Consumer Affairs in the  
25 Department of Law and Public Safety if the individual's authorization  
26 to practice in any other state is suspended, revoked, or subject to  
27 adverse disciplinary action. The division shall make a determination  
28 as to the individual's continuing authorization to practice in New  
29 Jersey pursuant to this subsection; until such determination is made,  
30 the individual shall not be authorized to practice in New Jersey  
31 pursuant to this subsection.

32 (b) An individual who fails to provide notice to the division as  
33 required under subparagraph (a) of this paragraph shall be liable to a  
34 civil penalty of \$500 per day for each day the individual fails to  
35 provide the required notice, which civil penalty shall be collected by  
36 the division in summary proceedings before a court of competent  
37 jurisdiction pursuant to the provisions of the "Penalty Enforcement  
38 Law of 1999," P.L.1999, c.274 (C.2A:58-10 et seq.).

39 (c) An individual against whom a civil penalty is assessed  
40 pursuant to subparagraph (b) of this paragraph shall have the  
41 opportunity to demonstrate to the court that the individual did not  
42 know, and had no reason to know, that the individual's authorization  
43 to practice in any other state was suspended, revoked, or subject to  
44 adverse disciplinary action, or to demonstrate that the action taken by  
45 the other state was for a purely technical violation or a violation that  
46 was minor in nature and did not adversely affect the health or safety of  
47 any individual. If the court finds that the person did not know and had  
48 no reason to know of the action taken by the other state against the

person's authorization to practice, or that the action taken by the other state was for a purely technical violation or a violation that was minor in nature and did not adversely affect the health or safety of any individual, the court may reduce or eliminate a civil penalty assessed pursuant to subparagraph (b) of this paragraph.

(cf: P.L.1999, c.85, s.6)

12. Section 14 of P.L.2003, c.280 (C.45:14-53) is amended to read as follows:

14. a. In order for a pharmacist currently licensed in another jurisdiction to obtain a license as a pharmacist by license transfer in this State, an applicant shall:

(1) Have submitted a written application in the form prescribed by the board;

(2) Have attained the age of 18 years;

(3) Have good moral character;

(4) Have engaged in the practice of pharmacy for a period of at least 1,000 hours within the last two years or have met, immediately prior to application, the internship requirements of this State within the one-year period immediately preceding the date of application;

(5) Have presented to the board proof of initial licensure by examination and proof that the license is in good standing;

(6) Have presented to the board proof that any other license granted to the applicant by any other state has not been suspended, revoked or otherwise restricted for any reason except nonrenewal or for the failure to obtain the required continuing education credits in any state where the applicant is currently licensed but not engaged in the practice of pharmacy;

(7) Have paid the fees specified by the board;

(8) Have graduated and received a professional degree from a college or school of pharmacy approved by the board; and

(9) Have met any other requirements as established by the board by regulation.

b. No applicant shall be eligible for license transfer unless the applicant holds a current valid license in a state that grants licensure transfer to pharmacists duly licensed by examination in this State.

c. In order for a pharmacist applicant with a pharmacy degree from a foreign country or a college of pharmacy not approved by the board to obtain a license as a pharmacist, that applicant shall meet those requirements as established by the board by regulation.

d. Notwithstanding any other provision of law to the contrary, any person who has graduated from an accredited pharmacy education training program may be issued a temporary license to practice as a pharmacist until such time as the person is issued a full pharmacist license or the person fails the pharmacist licensure examination or is otherwise denied licensure, provided that no more than six months have elapsed since the person's date of graduation and the person:

1       (1) has initiated the application process for a pharmacist license,  
2 including submitting the applicable fee and, if the person is required to  
3 successfully complete a licensure examination as a condition of  
4 licensure, registering to take the next scheduled licensure examination  
5 if the person has not already successfully completed the licensure  
6 examination, which process may be initiated at any time after the  
7 person commences the final quarter or semester of the person's  
8 training program, as applicable, or when authorized by the board,  
9 whichever is earlier;

10       (2) only practices under appropriate supervision, which may  
11 include a preceptor relationship, in an acute care facility licensed by  
12 the Department of Health pursuant to P.L.1971, c.136 (C.26:2H-1 et  
13 seq.);

14       (3) completes a criminal history record background check, the  
15 results of which, notwithstanding any other provision of law or  
16 regulation to the contrary, shall be valid for the purposes of the  
17 person's application for licensure until such time as the board makes a  
18 final determination on the application; and

19       (4) complies with all applicable scope of practice and supervision  
20 requirements.

21 (cf: P.L.2003, c.280, s.14)

22  
23       13. Section 20 of P.L.1966, c.282 (C.45:14B-20) is amended to  
24 read as follows:

25       20. a. The board may issue a license by an examination of  
26 credentials to any applicant who presents evidence that he (a) is  
27 licensed or certified as a psychologist in another State with  
28 requirements for said license or certificate such that the board is of the  
29 opinion that said applicant is competent to engage in the practice of  
30 psychology in this State or (b) holds a diploma from a nationally  
31 recognized psychological board or agency.

32       b. (1) Notwithstanding any other provision of law to the contrary,  
33 an individual who is currently licensed or certified by a governmental  
34 agency located in another state as a psychologist who applies for  
35 licensure as a psychologist in New Jersey shall be authorized to  
36 practice as a psychologist in New Jersey pending a final determination  
37 on the individual's application.

38       (2) (a) An individual practicing as a psychologist pending a final  
39 determination on the individual's licensure application pursuant to  
40 paragraph (1) of this subsection shall immediately notify the Division  
41 of Consumer Affairs in the Department of Law and Public Safety if the  
42 individual's authorization to practice in any other state is suspended,  
43 revoked, or subject to adverse disciplinary action. The division shall  
44 make a determination as to the individual's continuing authorization to  
45 practice in New Jersey pursuant to this subsection; until such  
46 determination is made, the individual shall not be authorized to  
47 practice in New Jersey pursuant to this subsection.



1       **(b) An individual who fails to provide notice to the division as**  
2 **required under this paragraph shall be liable to a civil penalty of \$500**  
3 **per day for each day the individual fails to provide the required notice,**  
4 **which civil penalty shall be collected by the division in summary**  
5 **proceedings before a court of competent jurisdiction pursuant to the**  
6 **provisions of the “Penalty Enforcement Law of 1999,” P.L.1999, c.274**  
7 **(C.2A:58-10 et seq.).**

8       **(c) An individual against whom a civil penalty is assessed**  
9 **pursuant to subparagraph (b) of this paragraph shall have the**  
10 **opportunity to demonstrate to the court that the individual did not**  
11 **know, and had no reason to know, that the individual’s authorization**  
12 **to practice in any other state was suspended, revoked, or subject to**  
13 **adverse disciplinary action, or to demonstrate that the action taken by**  
14 **the other state was for a purely technical violation or a violation that**  
15 **was minor in nature and did not adversely affect the health or safety of**  
16 **any individual. If the court finds that the person did not know and had**  
17 **no reason to know of the action taken by the other state against the**  
18 **person’s authorization to practice, or that the action taken by the other**  
19 **state was for a purely technical violation or a violation that was minor**  
20 **in nature and did not adversely affect the health or safety of any**  
21 **individual, the court may reduce or eliminate a civil penalty assessed**  
22 **pursuant to subparagraph (b) of this paragraph.**

23 (cf: P.L.1966, c.282, s.20)

24  
25       14. Section 10 of P.L.2000, c.57 (C.45:14BB-10) is amended to  
26 read as follows:

27       10. **a.** The director may waive the education, experience and  
28 examination requirements for State certification pursuant to this act  
29 and issue a State certification by endorsement to any applicant who  
30 holds a current license, registration or certificate to practice  
31 psychoanalysis issued by the agency of another state or country which,  
32 in the opinion of the director, has requirements for licensure,  
33 registration or certification equivalent to or higher than those required  
34 to be certified pursuant to this act.

35       **b. (1) Notwithstanding any other provision of law to the contrary,**  
36 **an individual who is currently licensed or certified by a governmental**  
37 **agency located in another state as a psychoanalyst who applies for**  
38 **certification as a psychoanalyst in New Jersey shall be authorized to**  
39 **practice as a psychoanalyst in New Jersey pending a final**  
40 **determination on the individual’s application.**

41       **(2) (a) An individual practicing as a psychoanalyst pending a final**  
42 **determination on the individual’s application for certification pursuant**  
43 **to paragraph (1) of this subsection shall immediately notify the**  
44 **Division of Consumer Affairs in the Department of Law and Public**  
45 **Safety if the individual’s authorization to practice in any other state is**  
46 **suspended, revoked, or subject to adverse disciplinary action. The**  
47 **division shall make a determination as to the individual’s continuing**  
48 **authorization to practice in New Jersey pursuant to this subsection;**

1 until such determination is made, the individual shall not be authorized  
2 to practice in New Jersey pursuant to this subsection.

3 (b) An individual who fails to provide notice to the division as  
4 required under subparagraph (a) of this paragraph shall be liable to a  
5 civil penalty of \$500 per day for each day the individual fails to  
6 provide the required notice, which civil penalty shall be collected by  
7 the division in summary proceedings before a court of competent  
8 jurisdiction pursuant to the provisions of the “Penalty Enforcement  
9 Law of 1999,” P.L.1999, c.274 (C.2A:58-10 et seq.).

10 (c) An individual against whom a civil penalty is assessed  
11 pursuant to subparagraph (b) of this paragraph shall have the  
12 opportunity to demonstrate to the court that the individual did not  
13 know, and had no reason to know, that the individual’s authorization  
14 to practice in any other state was suspended, revoked, or subject to  
15 adverse disciplinary action, or to demonstrate that the action taken by  
16 the other state was for a purely technical violation or a violation that  
17 was minor in nature and did not adversely affect the health or safety of  
18 any individual. If the court finds that the person did not know and had  
19 no reason to know of the action taken by the other state against the  
20 person’s authorization to practice, or that the action taken by the other  
21 state was for a purely technical violation or a violation that was minor  
22 in nature and did not adversely affect the health or safety of any  
23 individual, the court may reduce or eliminate a civil penalty assessed  
24 pursuant to subparagraph (b) of this paragraph.

25 (cf: P.L.2000, c.57, s.10)

26  
27 15. Section 13 of P.L.1991, c.31 (C.45:14E-13) is amended to  
28 read as follows:

29 13. a. Upon payment to the board of a fee and the submission of a  
30 written application on forms provided by it, the board shall issue  
31 without examination a license to a respiratory care practitioner who  
32 holds a valid license issued by another state or possession of the  
33 United States or the District of Columbia which has education and  
34 experience requirements substantially equivalent to the requirements  
35 of this act; provided, that, the applicant has not previously failed the  
36 board exam referred to in section 15 of this act, in which case licensing  
37 shall be at the discretion of the board.

38 b. (1) Notwithstanding any other provision of law to the contrary,  
39 an individual who is currently licensed or certified by a governmental  
40 agency located in another state as a respiratory care practitioner who  
41 applies for licensure as a respiratory care practitioner in New Jersey  
42 shall be authorized to practice as a respiratory care practitioner in New  
43 Jersey pending a final determination on the individual’s application.

44 (2) (a) An individual practicing as a respiratory care practitioner  
45 pending a final determination on the individual’s licensure application  
46 pursuant to paragraph (1) of this subsection shall immediately notify  
47 the Division of Consumer Affairs in the Department of Law and  
48 Public Safety if the individual’s authorization to practice in any other

1 state is suspended, revoked, or subject to adverse disciplinary action.  
2 The division shall make a determination as to the individual's  
3 continuing authorization to practice in New Jersey pursuant to this  
4 subsection; until such determination is made, the individual shall not  
5 be authorized to practice in New Jersey pursuant to this subsection.

6 (b) An individual who fails to provide notice to the division as  
7 required under subparagraph (a) of this paragraph shall be liable to a  
8 civil penalty of \$500 per day for each day the individual fails to  
9 provide the required notice, which civil penalty shall be collected by  
10 the division in summary proceedings before a court of competent  
11 jurisdiction pursuant to the provisions of the "Penalty Enforcement  
12 Law of 1999," P.L.1999, c.274 (C.2A:58-10 et seq.).

13 (c) An individual against whom a civil penalty is assessed  
14 pursuant to subparagraph (b) of this paragraph shall have the  
15 opportunity to demonstrate to the court that the individual did not  
16 know, and had no reason to know, that the individual's authorization  
17 to practice in any other state was suspended, revoked, or subject to  
18 adverse disciplinary action, or to demonstrate that the action taken by  
19 the other state was for a purely technical violation or a violation that  
20 was minor in nature and did not adversely affect the health or safety of  
21 any individual. If the court finds that the person did not know and had  
22 no reason to know of the action taken by the other state against the  
23 person's authorization to practice, or that the action taken by the other  
24 state was for a purely technical violation or a violation that was minor  
25 in nature and did not adversely affect the health or safety of any  
26 individual, the court may reduce or eliminate a civil penalty assessed  
27 pursuant to subparagraph (b) of this paragraph.

28 c. Notwithstanding any other provision of law to the contrary, any  
29 person who has graduated from an accredited respiratory care therapy  
30 training program may be issued a temporary license to practice as a  
31 respiratory care practitioner until such time as the person is issued a  
32 full respiratory care practitioner license or the person fails the  
33 respiratory care practitioner licensure examination or is otherwise  
34 denied licensure, provided that no more than six months have elapsed  
35 since the person's date of graduation and the person:

36 (1) has initiated the application process for a respiratory care  
37 practitioner license, including submitting the applicable fee and, if the  
38 person is required to successfully complete a licensure examination as  
39 a condition of licensure, registering to take the next scheduled  
40 licensure examination if the person has not already successfully  
41 completed the licensure examination, which process may be initiated  
42 at any time after the person commences the final quarter or semester of  
43 the person's training program, as applicable, or when authorized by the  
44 board, whichever is earlier;

45 (2) only practices under appropriate supervision, which may  
46 include a preceptor relationship, in an acute care facility licensed by  
47 the Department of Health pursuant to P.L.1971, c.136 (C.26:2H-1 et  
48 seq.);

1       (3) completes a criminal history record background check, the  
2 results of which, notwithstanding any other provision of law or  
3 regulation to the contrary, shall be valid for the purposes of the  
4 person's application for licensure until such time as the board makes a  
5 final determination on the application; and

6       (4) complies with all applicable scope of practice and supervision  
7 requirements.

8 (cf: P.L.1991, c.31, s.13)

9  
10       16. Section 7 of P.L.1991, c.134 (C.45:15BB-7) is amended to  
11 read as follows:

12       7. a. An applicant may be exempted from the requirement of  
13 taking and passing any examination provided for in this act if the  
14 applicant satisfies the board that the applicant is licensed or registered  
15 under the laws of a state, territory or jurisdiction of the United States,  
16 which in the opinion of the board imposes substantially the same  
17 educational and experiential requirements as this act, and, pursuant to  
18 the laws of the state, territory, or jurisdiction, has taken and passed an  
19 examination similar to that from which exemption is sought.

20       b. (1) Notwithstanding any other provision of law to the contrary,  
21 an individual who is currently licensed or certified by a governmental  
22 agency located in another state as a clinical social worker who applies  
23 for licensure as a clinical social worker in New Jersey shall be  
24 authorized to practice as a clinical social worker in New Jersey  
25 pending a final determination on the individual's application.

26       (2) (a) An individual practicing as a clinical social worker  
27 pending a final determination on the individual's licensure application  
28 pursuant to paragraph (1) of this subsection shall immediately notify  
29 the Division of Consumer Affairs in the Department of Law and  
30 Public Safety if the individual's authorization to practice in any other  
31 state is suspended, revoked, or subject to adverse disciplinary action.  
32 The division shall make a determination as to the individual's  
33 continuing authorization to practice in New Jersey pursuant to this  
34 subsection; until such determination is made, the individual shall not  
35 be authorized to practice in New Jersey pursuant to this subsection.

36       (b) An individual who fails to provide notice to the division as  
37 required under subparagraph (a) of this paragraph shall be liable to a  
38 civil penalty of \$500 per day for each day the individual fails to  
39 provide the required notice, which civil penalty shall be collected by  
40 the division in summary proceedings before a court of competent  
41 jurisdiction pursuant to the provisions of the "Penalty Enforcement  
42 Law of 1999," P.L.1999, c.274 (C.2A:58-10 et seq.).

43       (c) An individual against whom a civil penalty is assessed  
44 pursuant to subparagraph (b) of this paragraph shall have the  
45 opportunity to demonstrate to the court that the individual did not  
46 know, and had no reason to know, that the individual's authorization  
47 to practice in any other state was suspended, revoked, or subject to  
48 adverse disciplinary action, or to demonstrate that the action taken by

1 the other state was for a purely technical violation or a violation that  
2 was minor in nature and did not adversely affect the health or safety of  
3 any individual. If the court finds that the person did not know and had  
4 no reason to know of the action taken by the other state against the  
5 person's authorization to practice, or that the action taken by the other  
6 state was for a purely technical violation or a violation that was minor  
7 in nature and did not adversely affect the health or safety of any  
8 individual, the court may reduce or eliminate a civil penalty assessed  
9 pursuant to subparagraph (b) of this paragraph.

10 c. Notwithstanding any other provision of law to the contrary, any  
11 person who has graduated from a master's-level educational program  
12 accredited by the Council on Social Work Education may be issued a  
13 temporary license to practice as a licensed social worker until such  
14 time as the person is issued a full social worker license or the person  
15 fails the social worker licensure examination or is otherwise denied  
16 licensure, provided that no more than six months have elapsed since  
17 the person's date of graduation and the person:

18 (1) has initiated the application process for a licensed social  
19 worker license, including submitting the applicable fee and, if the  
20 person is required to successfully complete a licensure examination as  
21 a condition of licensure, registering to take the next scheduled  
22 licensure examination if the person has not already successfully  
23 completed the licensure examination, which process may be initiated  
24 at any time after the person commences the final quarter or semester of  
25 the person's educational program, as applicable, or when authorized  
26 by the board, whichever is earlier;

27 (2) is practicing under a plan of supervision approved by the Board  
28 of Social Work Examiners or has submitted a plan of supervision to  
29 the Board of Social Work Examiners that is pending approval;

30 (3) only practices under the supervision of a licensed clinical  
31 social worker;

32 (4) completes a criminal history record background check, the  
33 results of which, notwithstanding any other provision of law or  
34 regulation to the contrary, shall be valid for the purposes of the  
35 person's application for licensure until such time as the board makes a  
36 final determination on the application; and

37 (5) complies with all applicable scope of practice and supervision  
38 requirements.

39 (cf: P.L.1991, c.134, s.7)

40  
41 17. (New section) The Director of the Division of Consumer  
42 Affairs in the Department of Law and Public Safety shall adopt  
43 rules and regulations, pursuant to the "Administrative Procedure  
44 Act," P.L.1968, c.410 (C.52:14B-1 et seq.), as shall be necessary  
45 for the implementation of this act.

46  
47 18. This act shall take effect immediately.