

# ASSEMBLY, No. 4246

## STATE OF NEW JERSEY 219th LEGISLATURE

INTRODUCED JUNE 8, 2020

**Sponsored by:**

**Assemblyman ANTHONY S. VERRELLI**

**District 15 (Hunterdon and Mercer)**

**Assemblyman DANIEL R. BENSON**

**District 14 (Mercer and Middlesex)**

**Assemblywoman VALERIE VAINIERI HUTTLE**

**District 37 (Bergen)**

**Co-Sponsored by:**

**Assemblyman Giblin and Assemblywoman Murphy**

**SYNOPSIS**

Permits expedited licensure in mental health professions for certain out-of-State individuals during state of emergency or public health emergency.

**CURRENT VERSION OF TEXT**

As introduced.



**(Sponsorship Updated As Of: 10/8/2020)**

1 AN ACT concerning professional and occupational licenses for  
2 certain out-of-State individuals, and supplementing P.L.1999,  
3 c.403 (C.45:1-7.1 et seq.).  
4

5 **BE IT ENACTED** by the Senate and General Assembly of the State  
6 of New Jersey:  
7

8 1. a. Notwithstanding the provisions of any other law, rule or  
9 regulation to the contrary, during a state of emergency declared by  
10 the Governor pursuant to P.L.1942, c.251 (C.App.A:9-33 et seq.),  
11 or a public health emergency declared by the Governor pursuant to  
12 P.L.2005, c.222 (C.26:13-1 et seq.), and with the approval of the  
13 Attorney General, a professional licensing board regulating a  
14 mental health profession within the Division of Consumer Affairs in  
15 the Department of Law and Public Safety or, with regard to mental  
16 health professions regulated by the division, the director of the  
17 division, as applicable, may grant a temporary license, certificate of  
18 registration or certification on an expedited basis to a recent  
19 graduate in another state who earned a bachelors' degree or higher  
20 from a program in another state that is intended to lead to a career  
21 in a mental health profession and is not yet licensed, registered or  
22 certified to practice the mental health profession in any jurisdiction.  
23 Notwithstanding the provisions of any other law, rule or regulation  
24 to the contrary, and to effectuate the purposes of this act, the board  
25 or director, as applicable, may take additional action necessary to  
26 protect the public health, safety and welfare, including but not  
27 limited to the following:

28 (1) Temporarily waive any requirements to undergo a criminal  
29 history record background check as a condition of granting a  
30 license, certificate of registration or certification by reciprocity  
31 pursuant to this section;

32 (2) Temporarily waive any licensing, registration or certification  
33 fees; or

34 (3) Temporarily waive any other requirements contained in Title  
35 45 or other applicable law.

36 b. An individual issued a temporary license, certificate of  
37 registration or certification pursuant to this act shall be:

38 (1) issued a temporary license, certificate of registration or  
39 certification, as applicable, to provide services with an expiration  
40 date marked clearly and conspicuously; and

41 (2) supervised by an individual holding a New Jersey-issued  
42 license, certificate of registration or certification, in good standing,  
43 in the same profession in which the out-of-State individual is to  
44 provide services.

45 c. Upon the Governor's lifting of the state of emergency or  
46 public health emergency during which a temporary license,  
47 certificate of registration or certification was issued to an individual  
48 pursuant to this act to practice a mental health profession, or when

1 the temporary license, certificate of registration or certification  
2 expires, whichever is sooner, and if the individual intends to remain  
3 in New Jersey and practice the mental health profession for which  
4 the individual was issued a temporary license, certificate of  
5 registration or certification, the individual may apply for a full  
6 license, certificate of registration or certification to the requisite  
7 licensing board or director, as applicable.

8 d. An individual issued a temporary license, certificate of  
9 registration or certification pursuant to this act shall be allowed to  
10 apply the experience gained in providing services during the state of  
11 emergency or public health emergency to a requirement for  
12 experience when applying for full professional licensure,  
13 registration or certification to the requisite professional board or,  
14 for certain mental health professions regulated by the Division of  
15 Consumer Affairs, the director.

16 e. As used in this act:

17 "Mental health profession" means a profession licensed by the  
18 Alcohol and Drug Counselor Committee; the State Board of  
19 Creative Arts and Activities Therapies; the State Board of Marriage  
20 and Family Therapy Examiners; the State Board of Medical  
21 Examiners; the Professional Counselor Examiners Committee; the  
22 Certified Psychoanalysts Advisory Committee; the State Board of  
23 Psychological Examiners; the State Board of Social Work  
24 Examiners and any other entity created hereafter under Title 45 to  
25 license or otherwise regulate a mental health profession.

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27 2. This act shall take effect immediately.

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#### STATEMENT

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32 This bill allows, with the approval of the Attorney General, a  
33 professional licensing board regulating a mental health profession  
34 or, in the case of certain mental health professions, the director of  
35 the Division of Consumer Affairs to expedite the issuance of a  
36 temporary license, certificate of registration or certification to  
37 practice a mental health profession to a recent graduate in another  
38 state who earned a bachelors' degree or higher from a program in  
39 another state that is intended to lead to a career in a mental health  
40 profession and is not yet licensed, registered or certified to practice  
41 the mental health profession in any jurisdiction. Under the bill, the  
42 individual is issued a temporary license, certificate of registration or  
43 certification that is to include an expiration date posted clearly and  
44 conspicuously. Additionally, the individual is to be supervised by  
45 someone licensed in New Jersey in the same profession that the out-  
46 of-State individual is temporarily practicing.

47 Once the Governor has lifted the state of emergency or public  
48 health emergency under which a temporary license, certificate of

1 registration or certification was issued to an individual to practice a  
2 mental health profession, or when the temporary license, certificate  
3 of registration or certification expires, whichever is sooner, and the  
4 individual intends to remain in New Jersey and practice the mental  
5 health profession for which the individual was a issued a temporary  
6 license, certificate of registration or certification, the individual is  
7 to apply for a full license, certificate of registration or certification  
8 to the requisite professional board or, for certain mental health  
9 professions regulated by the Division of Consumer Affairs, the  
10 director. If an individual applies for a full license, certificate of  
11 registration or certification and there is a requirement on the  
12 application to demonstrate experience, the individual may use the  
13 experience gained in providing services during the state of  
14 emergency or public health emergency on the application.