

SENATE HEALTH, HUMAN SERVICES AND SENIOR CITIZENS COMMITTEE

STATEMENT TO

SENATE, No. 4139

with committee amendments

STATE OF NEW JERSEY

DATED: DECEMBER 6, 2021

The Senate Health, Human Services and Senior Citizens Committee reports favorably and with committee amendments Senate Bill No. 4139.

As amended by the committee, this bill expands and extends the temporary authorization to practice for certain health care professionals that was approved by the Division of Consumer Affairs in the Department of Law and Public Safety in response to the coronavirus disease 2019 (COVID-19) pandemic.

Specifically, the division issued waivers authorizing certain health care professionals licensed in other states and certain health care professionals who recently graduated from an accredited program, but who had not yet met the requirements for full licensure, to practice in New Jersey to assist with the State's response to the COVID-19 pandemic. Pursuant to P.L.2021, c.103 (C.26:13-32 et seq.) and Executive Order No. 244 of 2021, those temporary emergency licenses will expire on January 11, 2022.

As amended, the bill authorizes additional out-of-State and recently graduated health care workers to apply for, and be issued, an emergency temporary license to practice in New Jersey. The criteria for issuance of, and the authority to practice under, an emergency temporary license would be the same as apply to temporary emergency licenses issued under division waivers.

This bill specifies that health care professionals authorized to practice under a temporary emergency reciprocal license on the effective date of the bill, as well as nurses, physician assistants, respiratory care therapists, pharmacists, and alcohol and drug counselors authorized to practice under a temporary emergency graduate license on the effective date of the bill, will be permitted to continuing practicing, under the same terms and conditions as applied to the temporary emergency license, until June 30, 2022. A professional holding a valid temporary emergency license on the effective date of the bill will not be required to apply for a new temporary emergency license to continue practicing through June 30,

2022; the professional's current license will constitute authorization to continue practicing during that period.

As amended, the bill extends the temporary authorization for certain nurse aides to work in the State from February 16, 2022 to June 30, 2022.

Nothing in the bill is to be construed to prevent a health care professional practicing under a temporary emergency license from applying for or receiving full licensure in New Jersey, provided the professional otherwise meets the requirements for licensure; and nothing in the bill is to be construed to authorize issuance of a temporary emergency license to, or reinstate a temporary emergency license for, any individual whose temporary emergency license was revoked by the division prior to the effective date of the bill.

COMMITTEE AMENDMENTS:

The committee amendments authorize the issuance of new temporary emergency licenses to out-of-State and recently graduated health care workers through June 30, 2022. As introduced, the bill only extended the duration of existing temporary emergency licenses.

The committee amendments revise the period during which health care professionals will be authorized to practice under a temporary license from 60 days after the end of the federal public health emergency declared in response to the COVID-19 pandemic to June 30, 2022.

The committee amendment specifies that a health care professional holding a valid temporary emergency license on the effective date of the bill will not be required to apply for a new temporary license to continue practicing in New Jersey through June 30, 2022; the professional's current temporary emergency license will constitute authorization to continue practicing during that period.

The committee amendments revise a provision of Assembly Bill No. 5353(2R), which is currently pending before the Legislature, to extend the authorization for nurse aides to work under a temporary certification from February 16, 2022, to June 30, 2022.

The committee amendments make various technical corrections to address typographical errors.