

ASSEMBLY, No. 4619

STATE OF NEW JERSEY 220th LEGISLATURE

INTRODUCED SEPTEMBER 22, 2022

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:

Assemblyman Benson

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 introduced.



(Sponsorship Updated As Of: 9/22/2022)

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
8 as 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
14 evaluated 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
18 remote medical evaluation of a patient, without in-person contact, at
19 the request of another health care provider who has established a
20 proper 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
24 care services by means of telemedicine or telehealth.

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

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

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

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

8 "Telemedicine" means the delivery of a health care service using
9 electronic communications, information technology, or other
10 electronic or technological means to bridge the gap between a
11 health care provider who is located at a distant site and a patient
12 who is located at an originating site, either with or without the
13 assistance of an intervening health care provider, and in accordance
14 with the provisions of P.L.2017, c.117 (C.45:1-61 et al.).
15 "Telemedicine" does not include the use, in isolation, of electronic
16 mail, instant messaging, phone text, or facsimile transmission.

17 "Telemedicine or telehealth organization" means a corporation,
18 sole proprietorship, partnership, or limited liability company that is
19 organized for the primary purpose of administering services in the
20 furtherance of telemedicine or telehealth.

21 "Temporary graduate license" means a temporary license to
22 practice: as an associate counselor issued pursuant to subsection c.
23 of section 13 of P.L.1993, c.340 (C.45:8B-46); as a physician
24 assistant issued pursuant to subsection f. of section 4 of P.L.1991,
25 c.378 (C.45:9-27.13); as a professional nurse pursuant to subsection
26 g. of section 4 of P.L.1947, c.262 (C.45:11-26); as a practical nurse
27 pursuant to subsection f. of section 5 of P.L.1947, c.262 (C.45:11-
28 27); as a pharmacist pursuant to subsection d. of section 14 of
29 P.L.2003, c.280 (C.45:14-53); as a respiratory care practitioner
30 pursuant to subsection c. of section 13 of P.L.1991, c.31 (C.45:14E-
31 13); or as a social worker pursuant to subsection c. of section 7 of
32 P.L.1991, c.134 (C.45:15BB-7).

33 "Temporary reciprocal license" means a temporary license or
34 certification to practice: as a licensed alcohol and drug counselor
35 issued pursuant to subsection b. of section 3 of P.L.1997, c.331
36 (C.45:2D-10); as a marriage and family therapist issued pursuant to
37 subsection b. of section 21 of P.L.1968, c.401 (C.45:8B-21); as a
38 professional counselor issued pursuant to subsection b. of section
39 13 of P.L.1993, c.340 (C.45:8B-46); medicine or surgery issued
40 pursuant to subsection b. of R.S.45:9-13; as a homemaker-home
41 health aide pursuant to subsection b. of section 1 of P.L.1990, c.125
42 (C.45:11-24.2); as a professional nurse pursuant to paragraph (1) of
43 subsection f. of section 4 of P.L.1947, c.262 (C.45:11-26); as a
44 practical nurse pursuant to paragraph (1) of subsection e. of section
45 5 of P.L.1947, c.262 (C.45:11-27); as an advanced practice nurse
46 pursuant to subsection d. of section 8 of P.L.1991, c.377 (C.45:11-
47 47); as a psychologist pursuant to subsection b. of section 20 of
48 P.L.1966, c.282 (C.45:14B-20); as a psychoanalyst pursuant to

1 subsection b. of section 10 of P.L.2000, c.57 (C.45:14BB-10); as a
2 respiratory care practitioner pursuant to subsection b. of section 13
3 of P.L.1991, c.31 (C.45:14E-13); or as a social worker pursuant to
4 subsection b. of section 7 of P.L.1991, c.134 (C.45:15BB-7)
5 (cf: P.L.2021, c.310, s.3)

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

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

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

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

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

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

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

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

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

47 d. (1) Any health care provider providing health care services
48 using telemedicine or telehealth shall be subject to the same

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

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

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

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

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

16 b. (1) (a) Notwithstanding any other provision of law to the
17 contrary, a person who is currently licensed or certified by a
18 governmental agency located in another state as an alcohol and drug
19 counselor shall be authorized to practice for up to one year as an
20 alcohol and drug counselor in New Jersey without holding a license
21 issued pursuant to P.L.1997, c.331 (C.45:2D-1 et seq.). An
22 individual practicing as an alcohol and drug counselor in New
23 Jersey under a temporary authorization to practice shall not be
24 required to pay any fees or complete a criminal history record
25 background check as a condition of the temporary authorization to
26 practice.

27 (b) If, within one year of commencing practice as an alcohol and
28 drug counselor in New Jersey under a temporary authorization
29 pursuant to this subsection, the individual initiates the process of
30 applying for full licensure as an alcohol and drug counselor
31 pursuant to P.L.1997, c.331 (C.45:2D-1 et seq.), including paying
32 all applicable fees and completing a criminal history record
33 background check, the temporary authorization to practice shall
34 remain in effect until a final determination is made on the
35 individual's application for licensure pursuant to P.L.1997, c.331
36 (C.45:2D-1 et seq.).

37 (c) An individual practicing as an alcohol and drug counselor
38 under a temporary authorization to practice pursuant to this
39 subsection shall immediately notify the Division of Consumer
40 Affairs in the Department of Law and Public Safety if the
41 individual's authorization to practice in any other state is
42 suspended, revoked, or subject to adverse disciplinary action. The
43 division shall make a determination as to the individual's
44 continuing authorization to practice in New Jersey pursuant to this
45 subsection.

46 (2) (a) Except as provided in subparagraph (b) of this
47 paragraph, if an individual previously practiced as a licensed
48 alcohol and drug counselor in New Jersey pursuant to this

1 subsection without holding a license issued pursuant to P.L.1997,
2 c.331 (C.45:2D-1 et seq.), the individual shall be ineligible to
3 subsequently practice as a licensed alcohol and drug counselor in
4 New Jersey unless the individual holds a license issued pursuant to
5 P.L.1997, c.331 (C.45:2D-1 et seq.).

6 (b) For the purposes of subparagraph (a) of this paragraph, any
7 period prior to the effective date of P.L. , c. (pending before the
8 Legislature as this bill) during which a person practiced as an
9 alcohol and drug counselor in New Jersey pursuant to a waiver
10 issued under the authority of Executive Order No. 103 of 2020 shall
11 not constitute practicing as an alcohol and drug counselor in New
12 Jersey without holding a license issued pursuant to P.L.1997, c.331
13 (C.45:2D-1 et seq.).

14 (3) An application for temporary authorization to practice as an
15 alcohol and drug counselor pursuant to this subsection shall be
16 submitted to the Division of Consumer Affairs in the Department of
17 Law and Public Safety in a form and manner as shall be determined
18 by the division.

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

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

31 (2) practices under the supervision of the intern's qualified
32 clinical supervisor;

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

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

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

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

41

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

44 21. a. The board may issue a license by an examination of
45 credentials to any applicant who presents evidence that he is
46 licensed or certified as a marriage and family therapist in another
47 state with requirements for that license or certificate such that the

1 board is of the opinion that the applicant is competent to engage in
2 the practice of marriage and family therapy in this State.

3 b. (1) (a) Notwithstanding any other provision of law to the
4 contrary, a person who is currently licensed or certified by a
5 governmental agency located in another state as a marriage and
6 family therapist shall be authorized to practice for up to one year as
7 a marriage and family therapist in New Jersey without holding a
8 license issued pursuant to P.L.1968, c.401 (C.45:8B-1 et seq.). An
9 individual practicing as a marriage and family therapist in New
10 Jersey under a temporary authorization to practice shall not be
11 required to pay any fees or complete a criminal history record
12 background check as a condition of the temporary authorization to
13 practice.

14 (b) If, within one year of commencing practice as a marriage
15 and family therapist in New Jersey under a temporary authorization
16 pursuant to this subsection, the individual initiates the process of
17 applying for full licensure as a marriage and family therapist
18 pursuant to P.L.1968, c.401 (C.45:8B-1 et seq.), including paying
19 all applicable fees and completing a criminal history record
20 background check, the temporary authorization to practice shall
21 remain in effect until a final determination is made on the
22 individual's application for licensure pursuant to P.L.1968, c.401
23 (C.45:8B-1 et seq.).

24 (c) An individual practicing as a marriage and family therapist
25 under a temporary authorization to practice pursuant to this
26 subsection shall immediately notify the Division of Consumer
27 Affairs in the Department of Law and Public Safety if the
28 individual's authorization to practice in any other state is
29 suspended, revoked, or subject to adverse disciplinary action. The
30 division shall make a determination as to the individual's
31 continuing authorization to practice in New Jersey pursuant to this
32 subsection.

33 (2) (a) Except as provided in subparagraph (b) of this
34 paragraph, if an individual previously practiced as a marriage and
35 family therapist in New Jersey pursuant to this subsection without
36 holding a license issued pursuant to P.L.1968, c.401 (C.45:8B-1 et
37 seq.), the individual shall be ineligible to subsequently practice as a
38 marriage and family therapist in New Jersey unless the individual
39 holds a license issued pursuant to P.L.1968, c.401 (C.45:8B-1 et
40 seq.).

41 (b) For the purposes of subparagraph (a) of this paragraph, any
42 period prior to the effective date of P.L. , c. (pending before the
43 Legislature as this bill) during which a person practiced as a
44 marriage and family therapist in New Jersey pursuant to a waiver
45 issued under the authority of Executive Order No. 103 of 2020 shall
46 not constitute practicing as a marriage and family therapist in New
47 Jersey without holding a license issued pursuant to P.L.1968, c.401
48 (C.45:8B-1 et seq.).

1 (3) An application for temporary authorization to practice as a
2 marriage and family therapist pursuant to this subsection shall be
3 submitted to the Division of Consumer Affairs in the Department of
4 Law and Public Safety in a form and manner as shall be determined
5 by the division.

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

7
8 5. Section 13 of P.L.1993, c.340 (C.45:8B-46) is amended to
9 read as follows:

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

16 b. (1) (a) Notwithstanding any other provision of law to the
17 contrary, a person who is currently licensed or certified by a
18 governmental agency located in another state as a professional
19 counselor shall be authorized to practice for up to one year as a
20 professional counselor in New Jersey without holding a license
21 issued pursuant to P.L.1993, c.340 (C.45:8B-34 et seq.). An
22 individual practicing as a professional counselor in New Jersey
23 under a temporary authorization to practice shall not be required to
24 pay any fees or complete a criminal history record background
25 check as a condition of the temporary authorization to practice.

26 (b) If, within one year of commencing practice as a professional
27 counselor in New Jersey under a temporary authorization pursuant
28 to this subsection, the individual initiates the process of applying
29 for full licensure as a professional counselor pursuant to P.L.1993,
30 c.340 (C.45:8B-34 et seq.), including paying all applicable fees and
31 completing a criminal history record background check, the
32 temporary authorization to practice shall remain in effect until a
33 final determination is made on the individual's application for
34 licensure pursuant to P.L.1993, c.340 (C.45:8B-34 et seq.).

35 (c) An individual practicing as a professional counselor under a
36 temporary authorization to practice pursuant to this subsection shall
37 immediately notify the Division of Consumer Affairs in the
38 Department of Law and Public Safety if the individual's
39 authorization to practice in any other state is suspended, revoked, or
40 subject to adverse disciplinary action. The division shall make a
41 determination as to the individual's continuing authorization to
42 practice in New Jersey pursuant to this subsection.

43 (2) (a) Except as provided in subparagraph (b) of this
44 paragraph, if an individual previously practiced as a professional
45 counselor in New Jersey pursuant to this subsection without holding
46 a license issued pursuant to P.L.1993, c.340 (C.45:8B-34 et seq.),
47 the individual shall be ineligible to subsequently practice as a

1 professional counselor in New Jersey unless the individual holds a
2 license issued pursuant to P.L.1993, c.340 (C.45:8B-34 et seq.).

3 (b) For the purposes of subparagraph (a) of this paragraph, any
4 period prior to the effective date of P.L. , c. (pending before the
5 Legislature as this bill) during which a person practiced as a
6 professional counselor in New Jersey pursuant to a waiver issued
7 under the authority of Executive Order No. 103 of 2020 shall not
8 constitute practicing as a professional counselor in New Jersey
9 without holding a license issued pursuant to P.L.1993, c.340
10 (C.45:8B-34 et seq.).

11 (3) An application for temporary authorization to practice as a
12 professional counselor pursuant to this subsection shall be
13 submitted to the Division of Consumer Affairs in the Department of
14 Law and Public Safety in a form and manner as shall be determined
15 by the division.

16 c. Notwithstanding any other provision of law to the contrary,
17 any person who has graduated with a master's degree or doctorate
18 in counseling from a regionally accredited institution of higher
19 education, or an institution accredited by the Council for the
20 Accreditation of Counseling and Related Educational Programs,
21 may be issued a temporary license to practice as an associate
22 counselor in New Jersey without the need to complete a criminal
23 history record background check or pay any fees other than the
24 standard licensure fees. A temporary license issued pursuant to this
25 subsection shall authorize the licensee to practice as an associate
26 counselor until such time as the person is issued a full associate
27 counselor license or the person fails the associate counselor
28 licensure examination, provided that the person:

29 (1) graduated within six months of the date of application for a
30 temporary license issued pursuant to this section;

31 (2) has initiated the application process for an associate
32 counselor license, including submitting the applicable fee and
33 including registering to take the next scheduled licensure
34 examination, if the person has not already successfully completed
35 the licensure examination;

36 (3) submits an application for temporary licensure to the
37 Division of Consumer Affairs in the Department of Law and Public
38 Safety in a form and manner as shall be determined by the division;
39 and

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

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

43
44 6. R.S.45:9-13 is amended to read as follows:

45 45:9-13. a. Any applicant for a license to practice medicine and
46 surgery, upon proving that he has been examined and licensed by
47 the examining and licensing board of another State of the United
48 States or by the National Board of Medical Examiners or by

1 certificates of the National Board of Examiners for Osteopathic
2 Physicians and Surgeons, may, in the discretion of the board of
3 medical examiners of this State, be granted a license to practice
4 medicine and surgery without further examination upon payment to
5 the treasurer of the board of a license fee of \$150.00; provided, such
6 applicant shall furnish proof that he can fulfill the requirements
7 demanded in the other sections of this article relating to applicants
8 for admission by examination. In any such application for a license
9 without examination, all questions of academic requirements of
10 other States shall be determined by the Commissioner of Education
11 of this State.

12 b. (1) (a) Notwithstanding any other provision of law to the
13 contrary, a person who is currently licensed to practice medicine or
14 surgery in another state shall be authorized to practice medicine or
15 surgery, consistent with the scope of the license held in the other
16 state, for up to one year in New Jersey without holding a license
17 issued pursuant to Chapter 9 of Title 45 of the Revised Statutes or
18 section 1 of P.L.2021, c.332 (C.45:9-6.2). An individual practicing
19 medicine or surgery in New Jersey under a temporary authorization
20 to practice shall not be required to pay any fees or complete a
21 criminal history record background check as a condition of the
22 temporary authorization to practice.

23 (b) If, within one year of commencing the practice of medicine
24 or surgery in New Jersey under a temporary authorization pursuant
25 to this subsection, the individual initiates the process of applying
26 for full licensure to practice medicine or surgery pursuant to
27 Chapter 9 of Title 45 of the Revised Statutes or section 1 of
28 P.L.2021, c.332 (C.45:9-6.2), including paying all applicable fees
29 and completing a criminal history record background check, the
30 temporary authorization to practice shall remain in effect until a
31 final determination is made on the individual's application for
32 licensure pursuant to Chapter 9 of Title 45 of the Revised Statutes
33 or section 1 of P.L.2021, c.332 (C.45:9-6.2).

34 (c) An individual practicing medicine or surgery under a
35 temporary authorization to practice pursuant to this subsection shall
36 immediately notify the Division of Consumer Affairs in the
37 Department of Law and Public Safety if the individual's
38 authorization to practice in any other state is suspended, revoked, or
39 subject to adverse disciplinary action. The division shall make a
40 determination as to the individual's continuing authorization to
41 practice in New Jersey pursuant to this subsection.

42 (2) (a) Except as provided in subparagraph (b) of this
43 paragraph, if an individual previously practiced medicine or surgery
44 in New Jersey pursuant to this subsection without holding a license
45 issued pursuant to Chapter 9 of Title 45 of the Revised Statutes or
46 section 1 of P.L.2021, c.332 (C.45:9-6.2), the individual shall be
47 ineligible to subsequently practice medicine or surgery in New
48 Jersey unless the individual holds a license to practice medicine or

1 surgery issued pursuant to Chapter 9 of Title 45 of the Revised
2 Statutes or section 1 of P.L.2021, c.332 (C.45:9-6.2).

3 (b) For the purposes of subparagraph (a) of this paragraph, any
4 period prior to the effective date of P.L. , c. (pending before the
5 Legislature as this bill) during which a person practiced medicine or
6 surgery in New Jersey pursuant to a waiver issued under the
7 authority of Executive Order No. 103 of 2020 shall not constitute
8 practicing medicine or surgery in New Jersey without holding a
9 license issued pursuant to Chapter 9 of Title 45 of the Revised
10 Statutes or section 1 of P.L.2021, c.332 (C.45:9-6.2).

11 (3) An application for temporary authorization to practice
12 medicine or surgery pursuant to this subsection shall be submitted
13 to the Division of Consumer Affairs in the Department of Law and
14 Public Safety in a form and manner as shall be determined by the
15 division.

16 (cf: P.L.1973, c.166, s.3)

17

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

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

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

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

31 (1) Execute and submit a sworn statement made on a form
32 provided by the board that neither the license for which renewal is
33 sought nor any similar license or other authority issued by another
34 jurisdiction has been revoked or suspended; and

35 (2) Present satisfactory evidence that any continuing education
36 requirements have been completed as required by P.L.1991, c.378
37 (C.45:9-27.10 et seq.).

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

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

43 e. A physician assistant who notifies the board in writing on
44 forms prescribed by the board may elect to place the physician
45 assistant's license on inactive status. A physician assistant with an
46 inactive license shall not be subject to the payment of renewal fees
47 and shall not practice as a physician assistant. A licensee who
48 engages in practice while the physician assistant's license is lapsed

1 or on inactive status shall be deemed to have engaged in
2 professional misconduct in violation of subsection e. of section 8 of
3 P.L.1978, c.73 (C.45:1-21) and shall be subject to disciplinary
4 action by the committee pursuant to P.L.1978, c.73 (C.45:1-14 et
5 seq.). A physician assistant requesting restoration from an inactive
6 status shall be required to pay the current renewal fee and shall be
7 required to meet the criteria for renewal as specified by the board.

8 f. Notwithstanding any other provision of law to the contrary,
9 any person who has graduated from an accredited physician
10 assistant training program may apply for a temporary license to
11 practice as a physician assistant in New Jersey without the need to
12 complete a criminal history record background check or pay any
13 fees other than the standard licensure fee. A temporary license
14 issued pursuant to this subsection shall authorize the person to
15 practice as a physician assistant, and provide services both in
16 person and using telemedicine and telehealth, until such time as the
17 person is either issued a full physician assistant license or the
18 person fails the physician assistant licensure examination, provided
19 that the person:

20 (1) graduated within six months of the date of application for a
21 temporary license issued pursuant to this section;

22 (2) has initiated the application process for a physician assistant
23 license, including submitting the applicable fee and including
24 registering to take the next scheduled licensure examination, if the
25 person has not already successfully completed the licensure
26 examination;

27 (3) 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 (4) does not order or prescribe controlled dangerous substances,
32 does not authorize patients for medical cannabis, and does not issue
33 written instructions for medical cannabis;

34 (5) submits an application for temporary licensure to the
35 Division of Consumer Affairs in the Department of Law and Public
36 Safety in a form and manner as shall be determined by the division;
37 and

38 (6) complies with all applicable scope of practice and
39 supervision requirements, as well as the terms of the person's
40 delegation agreement with a supervising physician.

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

42
43 8. Section 1 of P.L.1990, c.125 (C.45:11-24.2) is amended to
44 read as follows:

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

1 b. (1) (a) Notwithstanding any other provision of law to the
2 contrary, a person who is currently licensed or certified by a
3 governmental agency located in another state as a homemaker-home
4 health aide shall be authorized to practice for up to one year as a
5 homemaker-home health aide in New Jersey without holding a
6 certification issued pursuant to P.L.1947, c.262 (C.45:11-23 et
7 seq.). An individual practicing as a homemaker-home health aide in
8 New Jersey under a temporary authorization to practice shall not be
9 required to pay any fees or complete a criminal history record
10 background check as a condition of the temporary authorization to
11 practice.

12 (b) If, within one year of commencing practice as a homemaker-
13 home health aide in New Jersey under a temporary authorization
14 pursuant to this subsection, the individual initiates the process of
15 applying for full certification as a homemaker-home health aide
16 pursuant to P.L.1947, c.262 (C.45:11-23 et seq.), including paying
17 all applicable fees and completing a criminal history record
18 background check, the temporary authorization to practice shall
19 remain in effect until a final determination is made on the
20 individual's application for certification pursuant to P.L.1947, c.262
21 (C.45:11-23 et seq.).

22 (c) An individual practicing as a homemaker-home health aide
23 under a temporary authorization to practice pursuant to this
24 subsection shall immediately notify the Division of Consumer
25 Affairs in the Department of Law and Public Safety if the
26 individual's authorization to practice in any other state is
27 suspended, revoked, or subject to adverse disciplinary action. The
28 division shall make a determination as to the individual's
29 continuing authorization to practice in New Jersey pursuant to this
30 subsection.

31 (2) (a) Except as provided in subparagraph (b) of this
32 paragraph, if an individual previously practiced as a homemaker-
33 home health aide in New Jersey pursuant to this subsection without
34 holding a certification issued pursuant to P.L.1947, c.262 (C.45:11-
35 23 et seq.), the individual shall be ineligible to subsequently
36 practice as a homemaker-home health aide in New Jersey unless the
37 individual holds a certification issued pursuant to P.L.1947, c.262
38 (C.45:11-23 et seq.).

39 (b) For the purposes of subparagraph (a) of this paragraph, any
40 period prior to the effective date of P.L. , c. (pending before the
41 Legislature as this bill) during which a person practiced as a
42 homemaker-home health aide in New Jersey pursuant to a waiver
43 issued under the authority of Executive Order No. 103 of 2020 shall
44 not constitute practicing as a homemaker-home health aide in New
45 Jersey without holding a certification issued pursuant to P.L.1947,
46 c.262 (C.45:11-23 et seq.).

47 (3) An application for temporary authorization to practice as a
48 homemaker-home health aide pursuant to this subsection shall be

1 submitted to the Division of Consumer Affairs in the Department of
2 Law and Public Safety in a form and manner as shall be determined
3 by the division.

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

5

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

8 4. a. Qualifications of applicants. An applicant for a license to
9 practice professional nursing shall submit to the board evidence in
10 such form as the board may prescribe that said applicant: (1) has
11 attained his or her eighteenth birthday; (2) is of good moral
12 character, is not a habitual user of drugs and has never been
13 convicted or has not pleaded nolo contendere, non vult contendere
14 or non vult to an indictment, information or complaint alleging a
15 violation of any Federal or State law relating to narcotic drugs; (3)
16 holds a diploma from an accredited 4-year high school or the
17 equivalent thereof as determined by the New Jersey State
18 Department of Education; (4) has completed a course of
19 professional nursing study in an accredited school of professional
20 nursing as defined by the board and holds a diploma therefrom.

21 Notwithstanding anything herein contained, any person who
22 possesses the educational and school of professional nursing
23 qualifications for registration required by the law of this State at the
24 time of his or her graduation from an accredited school of
25 professional nursing shall be deemed to possess the qualifications
26 (3) and (4) prescribed hereinabove in this subsection.

27 Notwithstanding anything herein contained, any person who
28 shall have qualifications (1) and (2) and shall have graduated from a
29 school of professional nursing, which need not be an accredited
30 school, shall be deemed to have qualifications (3) and (4) upon
31 complying with such reasonable requirements as to high school and
32 school of nursing studies and training as the board may prescribe;
33 provided, however, that such person shall make application in form
34 prescribed by the board within 1 year from the effective date of this
35 act and shall satisfactorily complete such reasonable requirements
36 and successfully pass the examinations, which examinations shall
37 be limited to subject matters in the curriculum required by the board
38 at the time of the applicant's graduation, provided for in subsection
39 b. hereof, within 2 years after the date of the filing of such
40 application.

41 b. License.

42 (1) By examination. The applicant shall be required to pass a
43 written examination in such subjects as the board may determine,
44 which examination may be supplemented by an oral or practical
45 examination or both. Upon successfully passing such examinations
46 the applicant shall be licensed by the board to practice professional
47 nursing.

1 (2) By indorsement without examination. The board may issue
2 a license to practice professional nursing without examination to an
3 applicant who has been duly licensed or registered as a registered or
4 professional nurse by examination or by original waiver under the
5 laws of another State, territory or possession of the United States, or
6 the District of Columbia, or any foreign country, if in the opinion of
7 the board the applicant has the qualifications required by this act for
8 the licensing of professional nurses, or equivalent qualifications.

9 c. Fees. An applicant for a license by examination shall pay to
10 the board at the time of application a fee of \$25.00 and at the time
11 of each application for re-examination a fee of \$20.00. An
12 applicant for a license without examination shall pay to the board at
13 the time of application a fee of \$15.00.

14 d. Nurses registered under a previous law. Any person who on
15 the effective date of this act holds a subsisting certificate of
16 registration as a registered nurse issued pursuant to the provisions
17 of the act repealed by section 22 of this act shall be deemed to be
18 licensed as a professional nurse under this act during the calendar
19 year in which this act shall take effect, and such person and any
20 person who heretofore held a certificate of registration under said
21 act hereby repealed as aforesaid shall be entitled to a renewal of
22 such license as in the case of professional nurses licensed originally
23 under this act.

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

32 f. (1) (a) Notwithstanding any other provision of law to the
33 contrary, a person who is currently licensed or certified by a
34 governmental agency located in another state as a registered or
35 professional nurse shall be authorized to practice for up to one year
36 as a professional nurse in New Jersey without holding a license
37 issued pursuant to P.L.1947, c.262 (C.45:11-23 et seq.). An
38 individual practicing as a professional nurse in New Jersey under a
39 temporary authorization to practice shall not be required to pay any
40 fees or complete a criminal history record background check as a
41 condition of the temporary authorization to practice.

42 (b) If, within one year of commencing practice as a professional
43 nurse in New Jersey under a temporary authorization pursuant to
44 this subsection, the individual initiates the process of applying for
45 full licensure as a professional nurse pursuant to P.L.1947, c.262
46 (C.45:11-23 et seq.), including paying all applicable fees and
47 completing a criminal history record background check, the
48 temporary authorization to practice shall remain in effect until a

1 final determination is made on the individual's application for
2 licensure pursuant to P.L.1947, c.262 (C.45:11-23 et seq.).

3 (c) An individual practicing as a professional nurse under a
4 temporary authorization to practice pursuant to this subsection shall
5 immediately notify the Division of Consumer Affairs in the
6 Department of Law and Public Safety if the individual's
7 authorization to practice in any other state is suspended, revoked, or
8 subject to adverse disciplinary action. The division shall make a
9 determination as to the individual's continuing authorization to
10 practice in New Jersey pursuant to this subsection.

11 (2) (a) Except as provided in subparagraph (b) of this
12 paragraph, if an individual previously practiced as a professional
13 nurse in New Jersey pursuant to this subsection without holding a
14 license issued pursuant to P.L.1947, c.262 (C.45:11-23 et seq.), the
15 individual shall be ineligible to subsequently practice as a
16 professional nurse in New Jersey unless the individual holds a
17 license issued pursuant to P.L.1947, c.262 (C.45:11-23 et seq.).

18 (b) For the purposes of subparagraph (a) of this paragraph, any
19 period during which a person practiced as a professional nurse in
20 New Jersey without being licensed to practice in New Jersey prior
21 to the effective date of P.L. , c. (pending before the Legislature
22 as this bill) pursuant to a waiver issued under the authority of
23 Executive Order No. 103 of 2020 shall not constitute practicing as a
24 professional nurse in New Jersey without holding a license issued
25 pursuant to P.L.1947, c.262 (C.45:11-23 et seq.).

26 (3) An application for temporary authorization to practice as a
27 professional nurse pursuant to this subsection shall be submitted to
28 the Division of Consumer Affairs in the Department of Law and
29 Public Safety in a form and manner as shall be determined by the
30 division.

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

36 g. Notwithstanding any other provision of law to the contrary,
37 any person who has graduated from an accredited professional
38 nurse training program may apply for a temporary license to
39 practice as a professional nurse in New Jersey without the need to
40 complete a criminal history background check or pay any fee other
41 than the standard licensure fee. A temporary license issued
42 pursuant to this subsection shall authorize the person to practice as
43 a professional nurse, and provide services both in person and using
44 telemedicine and telehealth, until such time as the person is issued a
45 full professional nurse license or the person fails the professional
46 nurse licensure examination, provided that the person:

47 (1) graduated within six months of the date of application for a
48 temporary license issued pursuant to this section;

1 (2) has initiated the application process for a professional nurse
2 license, including submitting the applicable fee and including
3 registering to take the next scheduled licensure examination, if the
4 person has not already successfully completed the licensure
5 examination;

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

10 (4) submits an application for temporary licensure to the
11 Division of Consumer Affairs in the Department of Law and Public
12 Safety in a form and manner as shall be determined by the division;
13 and

14 (5) complies with all applicable scope of practice and
15 supervision requirements.

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

17
18 10. Section 5 of P.L.1947, c.262 (C.45:11-27) is amended to
19 read as follows:

20 5. a. Qualifications of applicants. An applicant for a license to
21 practice practical nursing shall submit to the board evidence in such
22 form as the board may prescribe that the applicant (1) has attained
23 his or her eighteenth birthday; (2) is of good moral character, is not
24 an habitual user of drugs and has never been convicted or has not
25 pleaded nolo contendere, non vult contendere or non vult to an
26 indictment, information or complaint alleging a violation of any
27 Federal or State law relating to narcotic drugs; (3) has completed 2
28 years of high school or the equivalent thereof, as determined by the
29 New Jersey State Department of Education; (4) has completed a
30 course of study in a school of practical nursing approved by the
31 board and holds a diploma therefrom, or holds a diploma from a
32 school of practical nursing operated by a board of education in this
33 State and is certified by the Department of Education as having
34 completed the number of hours of instruction in the subjects in the
35 curriculum prescribed by the board and an approved course of
36 affiliation or has equivalent qualifications as determined by the
37 board.

38 b. License.

39 (1) By examination. The applicant shall be required to pass a
40 written examination in such subjects as the board may determine,
41 which examination may be supplemented by an oral or practical
42 examination or both. Upon successfully passing such examinations,
43 the applicant shall be licensed by the board to practice practical
44 nursing.

45 (2) By indorsement without examination. The board shall issue
46 a license to practice practical nursing without examination to any
47 applicant who has been duly licensed as a practical nurse or a
48 person entitled to perform similar services under a different title by

1 practical nurse examination or by original waiver under the laws of
2 another State, territory or possession of the United States, or the
3 District of Columbia, if in the opinion of the board the applicant has
4 the qualifications required by this act for licensing of practical
5 nurses or equivalent qualifications.

6 (3) Waiver. If application therefor is made, upon a form
7 prescribed by the board, on or before September 1, 1958, the board
8 shall issue without examination a license to practice practical
9 nursing to an applicant who submits to the board evidence in such
10 form as the board may prescribe that the applicant has qualifications
11 (1) and (2) provided in subsection "a" of this section and had within
12 5 years prior to application at least 2 years of satisfactory
13 experience in practical nursing, at least 1 year of which shall have
14 been performed in this State except in cases of such nursing
15 performed in an agency or service of the Federal Government;
16 provided, that except in cases of such nursing performed in an
17 agency or service of the Federal Government, such applicant is
18 indorsed under oath by 2 physicians duly licensed to practice
19 medicine and surgery in New Jersey who have personal knowledge
20 of the applicant's qualifications and satisfactory performance of
21 practical nursing and by 2 persons who have employed the
22 applicant.

23 c. Fees. An applicant for license by examination shall pay to
24 the board at the time of application a fee of \$20.00 and at the time
25 of each application for re-examination a fee of \$10.00. At the time
26 of application an applicant for license without examination shall
27 pay to the board a fee of \$10.00, and an applicant for license by
28 waiver shall pay to the board a fee of \$10.00.

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

37 e. (1) (a) Notwithstanding any other provision of law to the
38 contrary, a person who is currently licensed or certified by a
39 governmental agency located in another state as a practical nurse
40 shall be authorized to practice for up to one year as a practical nurse
41 in New Jersey without holding a license issued pursuant to
42 P.L.1947, c.262 (C.45:11-23 et seq.). An individual practicing as a
43 practical nurse in New Jersey under a temporary authorization to
44 practice shall not be required to pay any fees or complete a criminal
45 history record background check as a condition of the temporary
46 authorization to practice.

47 (b) If, within one year of commencing practice as a practical
48 nurse in New Jersey under a temporary authorization pursuant to

1 this subsection, the individual initiates the process of applying for
2 full licensure as a practical nurse pursuant to P.L.1947, c.262
3 (C.45:11-23 et seq.), including paying all applicable fees and
4 completing a criminal history record background check, the
5 temporary authorization to practice shall remain in effect until a
6 final determination is made on the individual's application for
7 licensure pursuant to P.L.1947, c.262 (C.45:11-23 et seq.).

8 (c) An individual practicing as a practical nurse under a
9 temporary authorization to practice pursuant to this subsection shall
10 immediately notify the Division of Consumer Affairs in the
11 Department of Law and Public Safety if the individual's
12 authorization to practice in any other state is suspended, revoked, or
13 subject to adverse disciplinary action. The division shall make a
14 determination as to the individual's continuing authorization to
15 practice in New Jersey pursuant to this subsection.

16 (2) (a) Except as provided in subparagraph (b) of this
17 paragraph, if an individual previously practiced as a practical nurse
18 in New Jersey pursuant to this subsection without holding a license
19 issued pursuant to P.L.1947, c.262 (C.45:11-23 et seq.), the
20 individual shall be ineligible to subsequently practice as a practical
21 nurse in New Jersey unless the individual holds a license issued
22 pursuant to P.L.1947, c.262 (C.45:11-23 et seq.).

23 (b) For the purposes of subparagraph (a) of this paragraph, any
24 period during which a person practiced as a practical nurse in New
25 Jersey without being licensed to practice in New Jersey prior to the
26 effective date of P.L. , c. (pending before the Legislature as this
27 bill) pursuant to a waiver issued under the authority of Executive
28 Order No. 103 of 2020 shall not constitute practicing as a practical
29 nurse in New Jersey without holding a license issued pursuant to
30 P.L.1947, c.262 (C.45:11-23 et seq.).

31 (3) An application for temporary authorization to practice as a
32 practical nurse pursuant to this subsection shall be submitted to the
33 Division of Consumer Affairs in the Department of Law and Public
34 Safety in a form and manner as shall be determined by the division.

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

40 f. Notwithstanding any other provision of law to the contrary,
41 any person who has graduated from an accredited practical nurse
42 training program may apply for a temporary license to practice as a
43 practical nurse in New Jersey without the need to complete a
44 criminal history background check or pay any fee other than the
45 standard licensure fee. A temporary license issued pursuant to this
46 subsection shall authorize the person to practice as a practical nurse,
47 and provide services both in person and using telemedicine and
48 telehealth, until such time as the person is issued a full practical

1 nurse license or the person fails the practical nurse licensure
2 examination, provided that the person:

3 (1) graduated within six months of the date of application for a
4 temporary license issued pursuant to this section;

5 (2) has initiated the application process for a practical nurse
6 license, including submitting the applicable fee and including
7 registering to take the next scheduled licensure examination, if the
8 person has not already successfully completed the licensure
9 examination;

10 (3) 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 (4) submits an application for temporary licensure to the
15 Division of Consumer Affairs in the Department of Law and Public
16 Safety in a form and manner as shall be determined by the division;
17 and

18 (5) complies with all applicable scope of practice and
19 supervision requirements.

20 (cf: P.L.1966, c.186, s.3)

21

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

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

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

28 (2) Is of good moral character;

29 (3) Is a registered professional nurse;

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

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

33 b. In addition to the requirements of subsection a. of this
34 section, an applicant for renewal of a certification as an advanced
35 practice nurse shall present satisfactory evidence that, in the period
36 since the certification was issued or last renewed, all continuing
37 education requirements have been completed as required by
38 regulations adopted by the board.

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

43 d. (1) (a) Notwithstanding any other provision of law to the
44 contrary, a person who is currently licensed or certified by a
45 governmental agency located in another state as an advanced
46 practice nurse shall be authorized to practice for up to one year as
47 an advanced practice nurse in New Jersey without holding a
48 certification issued pursuant to P.L.1991, c.377 (C.45:11-45 et al.).

1 An individual practicing as an advanced practice nurse in New
2 Jersey under a temporary authorization to practice shall not be
3 required to pay any fees or complete a criminal history record
4 background check as a condition of the temporary authorization to
5 practice.

6 (b) If, within one year of commencing practice as an advanced
7 practice nurse in New Jersey under a temporary authorization
8 pursuant to this subsection, the individual initiates the process of
9 applying for full certification as an advanced practice nurse
10 pursuant to P.L.1991, c.377 (C.45:11-45 et al.), including paying all
11 applicable fees and completing a criminal history record
12 background check, the temporary authorization to practice shall
13 remain in effect until a final determination is made on the
14 individual's application for certification pursuant to P.L.1991, c.377
15 (C.45:11-45 et al.).

16 (c) An individual practicing as an advanced practice nurse under
17 a temporary authorization to practice pursuant to this subsection
18 shall immediately notify the Division of Consumer Affairs in the
19 Department of Law and Public Safety if the individual's
20 authorization to practice in any other state is suspended, revoked, or
21 subject to adverse disciplinary action. The division shall make a
22 determination as to the individual's continuing authorization to
23 practice in New Jersey pursuant to this subsection.

24 (2) (a) Except as provided in subparagraph (b) of this
25 paragraph, if an individual previously practiced as an advanced
26 practice nurse in New Jersey pursuant to this subsection without
27 holding a certification issued pursuant to P.L.1991, c.377 (C.45:11-
28 45 et al.), the individual shall be ineligible to subsequently practice
29 as an advanced practice nurse in New Jersey unless the individual
30 holds a certification issued pursuant to P.L.1991, c.377 (C.45:11-45
31 et al.).

32 (b) For the purposes of subparagraph (a) of this paragraph, any
33 period prior to the effective date of P.L. , c. (pending before the
34 Legislature as this bill) during which a person practiced as an
35 advanced practice nurse in New Jersey pursuant to a waiver issued
36 under the authority of Executive Order No. 103 of 2020 shall not
37 constitute practicing as an advanced practice nurse in New Jersey
38 without holding a certification issued pursuant to P.L.1991, c.377
39 (C.45:11-45 et al.).

40 (3) An application for temporary authorization to practice as an
41 advanced practice nurse pursuant to this subsection shall be
42 submitted to the Division of Consumer Affairs in the Department of
43 Law and Public Safety in a form and manner as shall be determined
44 by the division.

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

46

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

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

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

6 (2) Have attained the age of 18 years;

7 (3) Have good moral character;

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

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

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

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

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

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

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

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

32 d. Notwithstanding any other provision of law to the contrary,
33 any person who has graduated from an accredited pharmacy
34 education training program may apply for a temporary license to
35 practice as a pharmacist without the need to complete a criminal
36 history record background check or pay any fee other than the
37 standard licensure fee. A temporary license issued pursuant to this
38 subsection shall authorize the person to practice as a pharmacist
39 until such time as the person is issued a full pharmacist license or
40 the person fails the pharmacist licensure examination, provided that
41 the person:

42 (1) graduated within six months of the date of application for a
43 temporary license issued pursuant to this section;

44 (2) has initiated the application process for a pharmacist license,
45 including submitting the applicable fee and including registering to
46 take the next scheduled licensure examination, if the person has not
47 already successfully completed the licensure examination;

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

5 (4) submits an application for temporary licensure to the
6 Division of Consumer Affairs in the Department of Law and Public
7 Safety in a form and manner as shall be determined by the division;
8 and

9 (5) complies with all applicable scope of practice and
10 supervision requirements.

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

12
13 13. Section 20 of P.L.1966, c.282 (C.45:14B-20) is amended to
14 read as follows:

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

22 b. (1) (a) Notwithstanding any other provision of law to the
23 contrary, a person who is currently licensed or certified by a
24 governmental agency located in another state as a psychologist shall
25 be authorized to practice for up to one year as a psychologist in
26 New Jersey without holding a license issued pursuant to P.L.1966,
27 c.282 (C.45:14B-1 et seq.). An individual practicing as a
28 psychologist in New Jersey under a temporary authorization to
29 practice shall not be required to pay any fees or complete a criminal
30 history record background check as a condition of the temporary
31 authorization to practice.

32 (b) If, within one year of commencing practice as a psychologist
33 in New Jersey under a temporary authorization pursuant to this
34 subsection, the individual initiates the process of applying for full
35 licensure as a psychologist pursuant to P.L.1966, c.282 (C.45:14B-1
36 et seq.), including paying all applicable fees and completing a
37 criminal history record background check, the temporary
38 authorization to practice shall remain in effect until a final
39 determination is made on the individual's application for licensure
40 pursuant to P.L.1966, c.282 (C.45:14B-1 et seq.).

41 (c) An individual practicing as a psychologist under a temporary
42 authorization to practice pursuant to this subsection shall
43 immediately notify the Division of Consumer Affairs in the
44 Department of Law and Public Safety if the individual's
45 authorization to practice in any other state is suspended, revoked, or
46 subject to adverse disciplinary action. The division shall make a
47 determination as to the individual's continuing authorization to
48 practice in New Jersey pursuant to this subsection.

1 (2) (a) Except as provided in subparagraph (b) of this
2 paragraph, if an individual previously practiced as a psychologist in
3 New Jersey pursuant to this subsection without holding a license
4 issued pursuant to P.L.1966, c.282 (C.45:14B-1 et seq.), the
5 individual shall be ineligible to subsequently practice as a
6 psychologist in New Jersey unless the individual holds a license
7 issued pursuant to P.L.1966, c.282 (C.45:14B-1 et seq.).

8 (b) For the purposes of subparagraph (a) of this paragraph:

9 (i) any period during which a person practiced as a psychologist
10 prior to the effective date of P.L. _____, c. _____ (pending before the
11 Legislature as this bill) pursuant to a waiver issued under the
12 authority of Executive Order No. 103 of 2020 shall not constitute
13 practicing as a psychologist in New Jersey without holding a license
14 issued pursuant to P.L.1966, c.282 (C.45:14B-1 et seq.); and

15 (ii) a psychologist who is not licensed in New Jersey who
16 provides in-person, face-to-face psychology services or
17 telepsychology services in New Jersey pursuant to section 1 of
18 P.L.2021, c.229 (C.45:14B-49) shall not be deemed to be practicing
19 as a psychologist in New Jersey without holding a license issued
20 pursuant to P.L.1966, c.282 (C.45:14B-1 et seq.).

21 (3) An application for temporary authorization to practice as a
22 psychologist pursuant to this subsection shall be submitted to the
23 Division of Consumer Affairs in the Department of Law and Public
24 Safety in a form and manner as shall be determined by the division.
25 (cf: P.L.1966, c.282, s.20)

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

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

37 b. (1) (a) Notwithstanding any other provision of law to the
38 contrary, a person who is currently licensed or certified by a
39 governmental agency located in another state as a psychoanalyst
40 shall be authorized to practice for up to one year as a psychoanalyst
41 in New Jersey without holding a certification issued pursuant to
42 P.L.2000, c.57 (C.45:14BB-1 et seq.). An individual practicing as a
43 psychoanalyst in New Jersey under a temporary authorization to
44 practice shall not be required to pay any fees or complete a criminal
45 history record background check as a condition of the temporary
46 authorization to practice.

47 (b) If, within one year of commencing practice as a
48 psychoanalyst in New Jersey under a temporary authorization

1 pursuant to this subsection, the individual initiates the process of
2 applying for full certification as a psychoanalyst pursuant to
3 P.L.2000, c.57 (C.45:14BB-1 et seq.), including paying all
4 applicable fees and completing a criminal history record
5 background check, the temporary authorization to practice shall
6 remain in effect until a final determination is made on the
7 individual's application for certification pursuant to P.L.2000, c.57
8 (C.45:14BB-1 et seq.).

9 (c) An individual practicing as a psychoanalyst under a
10 temporary authorization to practice pursuant to this subsection shall
11 immediately notify the Division of Consumer Affairs in the
12 Department of Law and Public Safety if the individual's
13 authorization to practice in any other state is suspended, revoked, or
14 subject to adverse disciplinary action. The division shall make a
15 determination as to the individual's continuing authorization to
16 practice in New Jersey pursuant to this subsection.

17 (2) (a) Except as provided in subparagraph (b) of this
18 paragraph, if an individual previously practiced as a psychoanalyst
19 in New Jersey pursuant to this subsection without holding a
20 certification issued pursuant to P.L.2000, c.57 (C.45:14BB-1 et
21 seq.), the individual shall be ineligible to subsequently practice as a
22 psychoanalyst in New Jersey unless the individual holds a
23 certification issued pursuant to P.L.2000, c.57 (C.45:14BB-1 et
24 seq.).

25 (b) For the purposes of subparagraph (a) of this paragraph, any
26 period prior to the effective date of P.L. , c. (pending before the
27 Legislature as this bill) during which a person practiced as a
28 psychoanalyst in New Jersey pursuant to a waiver issued under the
29 authority of Executive Order No. 103 of 2020 shall not constitute
30 practicing as a professional counselor in New Jersey without
31 holding a certification issued pursuant to P.L.2000, c.57
32 (C.45:14BB-1 et seq.).

33 (3) An application for temporary authorization to practice as a
34 psychoanalyst pursuant to this subsection shall be submitted to the
35 Division of Consumer Affairs in the Department of Law and Public
36 Safety in a form and manner as shall be determined by the division.
37 (cf: P.L.2000, c.57, s.10)

38

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

41 13. a. Upon payment to the board of a fee and the submission of
42 a written application on forms provided by it, the board shall issue
43 without examination a license to a respiratory care practitioner who
44 holds a valid license issued by another state or possession of the
45 United States or the District of Columbia which has education and
46 experience requirements substantially equivalent to the
47 requirements of this act; provided, that, the applicant has not

1 previously failed the board exam referred to in section 15 of this
2 act, in which case licensing shall be at the discretion of the board.

3 b. (1) (a) Notwithstanding any other provision of law to the
4 contrary, a person who is currently licensed or certified by a
5 governmental agency located in another state as a respiratory care
6 practitioner shall be authorized to practice for up to one year as a
7 respiratory care practitioner in New Jersey without holding a
8 license issued pursuant to P.L.1991, c.31 (C.45:14E-1 et seq.). An
9 individual practicing as a respiratory care practitioner in New
10 Jersey under a temporary authorization to practice shall not be
11 required to pay any fees or complete a criminal history record
12 background check as a condition of the temporary authorization to
13 practice.

14 (b) If, within one year of commencing practice as a respiratory
15 care practitioner in New Jersey under a temporary authorization
16 pursuant to this subsection, the individual initiates the process of
17 applying for full licensure as a respiratory care practitioner pursuant
18 to P.L.1991, c.31 (C.45:14E-1 et seq.), including paying all
19 applicable fees and completing a criminal history record
20 background check, the temporary authorization to practice shall
21 remain in effect until a final determination is made on the
22 individual's application for licensure pursuant to P.L.1991, c.31
23 (C.45:14E-1 et seq.).

24 (c) An individual practicing as a respiratory care practitioner
25 under a temporary authorization to practice pursuant to this
26 subsection shall immediately notify the Division of Consumer
27 Affairs in the Department of Law and Public Safety if the
28 individual's authorization to practice in any other state is
29 suspended, revoked, or subject to adverse disciplinary action. The
30 division shall make a determination as to the individual's
31 continuing authorization to practice in New Jersey pursuant to this
32 subsection.

33 (2) (a) Except as provided in subparagraph (b) of this
34 paragraph, if an individual previously practiced as a respiratory care
35 practitioner in New Jersey pursuant to this subsection without
36 holding a license issued pursuant to P.L.1991, c.31 (C.45:14E-1 et
37 seq.), the individual shall be ineligible to subsequently practice as a
38 respiratory care practitioner in New Jersey unless the individual
39 holds a license issued pursuant to P.L.1991, c.31 (C.45:14E-1 et
40 seq.).

41 (b) For the purposes of subparagraph (a) of this paragraph, any
42 period prior to the effective date of P.L. , c. (pending before the
43 Legislature as this bill) during which a person practiced as a
44 respiratory care practitioner in New Jersey pursuant to a waiver
45 issued under the authority of Executive Order No. 103 of 2020 shall
46 not constitute practicing as a respiratory care practitioner in New
47 Jersey without holding a license issued pursuant to P.L.1991, c.31
48 (C.45:14E-1 et seq.).

1 (3) An application for temporary authorization to practice as a
2 respiratory care practitioner pursuant to this subsection shall be
3 submitted to the Division of Consumer Affairs in the Department of
4 Law and Public Safety in a form and manner as shall be determined
5 by the division.

6 c. Notwithstanding any other provision of law to the contrary,
7 any person who has graduated from an accredited respiratory care
8 therapy training program may apply for a temporary license to
9 practice as a respiratory care practitioner without the need to
10 complete a criminal history record background check or pay any fee
11 other than the standard licensure fee. A temporary license issued
12 pursuant to this subsection shall authorize the person to practice as
13 a respiratory care practitioner until such time as the person is issued
14 a full respiratory care practitioner license or the person fails the
15 respiratory care practitioner licensure examination, provided that
16 the person:

17 (1) graduated within six months of the date of application for a
18 temporary license issued pursuant to this section;

19 (2) has initiated the application process for a respiratory care
20 practitioner license, including submitting the applicable fee and
21 including registering to take the next scheduled licensure
22 examination, if the person has not already successfully completed
23 the licensure examination;

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

28 (4) submits an application for temporary licensure to the
29 Division of Consumer Affairs in the Department of Law and Public
30 Safety in a form and manner as shall be determined by the division;
31 and

32 (5) complies with all applicable scope of practice and
33 supervision requirements.

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

35
36 16. Section 7 of P.L.1991, c.134 (C.45:15BB-7) is amended to
37 read as follows:

38 7. a. An applicant may be exempted from the requirement of
39 taking and passing any examination provided for in this act if the
40 applicant satisfies the board that the applicant is licensed or
41 registered under the laws of a state, territory or jurisdiction of the
42 United States, which in the opinion of the board imposes
43 substantially the same educational and experiential requirements as
44 this act, and, pursuant to the laws of the state, territory, or
45 jurisdiction, has taken and passed an examination similar to that
46 from which exemption is sought.

47 b. (1) (a) Notwithstanding any other provision of law to the
48 contrary, a person who is currently licensed or certified by a

1 governmental agency located in another state as a clinical social
2 worker shall be authorized to practice for up to one year as a
3 clinical social worker in New Jersey without holding a clinical
4 social worker license issued pursuant to P.L.1991, c.134
5 (C.45:15BB-1 et seq.). An individual practicing as a clinical social
6 worker in New Jersey under a temporary authorization to practice
7 shall not be required to pay any fees or complete a criminal history
8 record background check as a condition of the temporary
9 authorization to practice.

10 (b) If, within one year of commencing practice as a clinical
11 social worker in New Jersey under a temporary authorization
12 pursuant to this subsection, the individual initiates the process of
13 applying for full licensure as a clinical social worker pursuant to
14 P.L.1991, c.134 (C.45:15BB-1 et seq.), including paying all
15 applicable fees and completing a criminal history record
16 background check, the temporary authorization to practice shall
17 remain in effect until a final determination is made on the
18 individual's application for licensure pursuant to P.L.1991, c.134
19 (C.45:15BB-1 et seq.).

20 (c) An individual practicing as a clinical social worker under a
21 temporary authorization to practice pursuant to this subsection shall
22 immediately notify the Division of Consumer Affairs in the
23 Department of Law and Public Safety if the individual's
24 authorization to practice in any other state is suspended, revoked, or
25 subject to adverse disciplinary action. The division shall make a
26 determination as to the individual's continuing authorization to
27 practice in New Jersey pursuant to this subsection.

28 (2) (a) Except as provided in subparagraph (b) of this
29 paragraph, if an individual previously practiced as a clinical social
30 worker in New Jersey pursuant to this subsection without holding a
31 license issued pursuant to P.L.1991, c.134 (C.45:15BB-1 et seq.),
32 the individual shall be ineligible to subsequently practice as a
33 clinical social worker in New Jersey unless the individual holds a
34 clinical social worker license issued pursuant to P.L.1991, c.134
35 (C.45:15BB-1 et seq.).

36 (b) For the purposes of subparagraph (a) of this paragraph, any
37 period prior to the effective date of P.L. , c. (pending before the
38 Legislature as this bill) during which a person practiced as a clinical
39 social worker in New Jersey pursuant to a waiver issued under the
40 authority of Executive Order No. 103 of 2020 shall not constitute
41 practicing as a clinical social worker in New Jersey without holding
42 a clinical social worker license issued pursuant to P.L.1991, c.134
43 (C.45:15BB-1 et seq.).

44 (3) An application for temporary authorization to practice as a
45 clinical social worker pursuant to this subsection shall be submitted
46 to the Division of Consumer Affairs in the Department of Law and
47 Public Safety in a form and manner as shall be determined by the
48 division.

1 c. Notwithstanding any other provision of law to the contrary,
2 any person who has graduated from an educational program
3 accredited by the Council on Social Work Education may apply for
4 a temporary license to practice as a licensed social worker without
5 the need to complete a criminal history record background check or
6 pay any fee other than the standard licensure fee. A temporary
7 license issued pursuant to this subsection shall authorize the person
8 to practice as a social worker until such time as the person is issued
9 a full social worker license or the person fails the social worker
10 licensure examination, provided that the person:

11 (1) graduated within six months of the date of application for a
12 temporary license issued pursuant to this section;

13 (2) has initiated the application process for a social worker
14 license, including submitting the applicable fee and including
15 registering to take the next scheduled licensure examination, if the
16 person has not already successfully completed the licensure
17 examination;

18 (3) is practicing under a plan of supervision approved by the
19 Board of Social Work Examiners;

20 (4) only practices under the supervision of a licensed clinical
21 social worker;

22 (5) submits an application for temporary licensure to the
23 Division of Consumer Affairs in the Department of Law and Public
24 Safety in a form and manner as shall be determined by the division;
25 and

26 (6) complies with all applicable scope of practice and
27 supervision requirements.

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

29

30 17. (New section) The Director of the Division of Consumer
31 Affairs in the Department of Law and Public Safety shall adopt
32 rules and regulations, pursuant to the “Administrative Procedure
33 Act,” P.L.1968, c.410 (C.52:14B-1 et seq.), as shall be necessary
34 for the implementation of this act.

35

36 18. This act shall take effect immediately.

37

38

39

STATEMENT

40

41 This bill makes permanent certain forms of temporary licensure
42 for health care professionals licensed in other states and recent
43 graduates of health care training programs, which temporary
44 licensure was formerly authorized in response to the coronavirus
45 disease 2019 (COVID-19) pandemic and extended through June 30,
46 2022 by P.L.2021, c.368.

47 Specifically, with regard to temporary licensure for professionals
48 licensed in other states, the bill provides that alcohol and drug

1 counselors, marriage and family therapists, professional counselors,
2 physicians, homemaker-home health aides, professional and
3 practical nurses, advanced practice nurses, psychologists,
4 psychoanalysts, respiratory care practitioners, and social workers
5 licensed or certified in another state will be authorized to practice
6 for up to one year in New Jersey without holding a license or
7 certification to practice in the State, and will not be required to pay
8 any fees or complete a criminal history background check as a
9 condition of the temporary authorization to practice. If, within one
10 year of commencing a temporary authorization to practice, the
11 individual initiates the process of applying for full licensure or
12 certification, including paying the applicable fees and completing a
13 criminal history record background check, the temporary
14 authorization to practice will remain in effect until a final
15 determination is made on the individual's application for full
16 licensure or certification.

17 A person who previously practiced in New Jersey under a
18 temporary authorization will be ineligible to practice under a
19 subsequent temporary authorization, except that this restriction will
20 not apply to individuals who practiced in New Jersey under the
21 COVID-19 waivers. Additionally, the restriction will not apply to
22 practical and professional nurses holding a multistate license issued
23 under the "Nurse Licensure Compact," P.L.2019, c.172 (C.45:11A-
24 9 et seq.), or to out-of-State psychologists providing in-person or
25 telepsychology services under the "Psychology Interstate
26 Compact," P.L.2021, c.229 (C.45:14B-49).

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

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

43 Recent graduates of training programs for physician assistants,
44 nurses, pharmacists, and respiratory care practitioners will be
45 restricted to practicing in an acute care facility licensed by the
46 Department of Health, but will be authorized to provide services
47 both in person and using telemedicine and telehealth. Recent
48 graduates of a physician assistant training program will be

1 prohibited from ordering prescribing controlled dangerous
2 substances, authorizing patients for medical cannabis, and issuing
3 written instructions for medical cannabis, and will be required to
4 comply with the requirements of the graduate's delegation
5 agreement with a supervising physician.

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

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

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