

SENATE, No. 3596

STATE OF NEW JERSEY
220th LEGISLATURE

INTRODUCED FEBRUARY 13, 2023

Sponsored by:

Senator FRED H. MADDEN, JR.

District 4 (Camden and Gloucester)

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.



S3596 MADDEN

2

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

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 time that health care services are provided to the patient by means
2 of telemedicine or telehealth.

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

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

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

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

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

1 47); as a psychologist pursuant to subsection b. of section 20 of
2 P.L.1966, c.282 (C.45:14B-20); as a psychoanalyst pursuant to
3 subsection b. of section 10 of P.L.2000, c.57 (C.45:14BB-10); as a
4 respiratory care practitioner pursuant to subsection b. of section 13
5 of P.L.1991, c.31 (C.45:14E-13); or as a social worker pursuant to
6 subsection b. of section 7 of P.L.1991, c.134 (C.45:15BB-7)
7 (cf: P.L.2021, c.310, s.3)

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

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

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

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

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

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

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

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

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

1 d. (1) Any health care provider providing health care services
2 using telemedicine or telehealth shall be subject to the same
3 standard of care or practice standards as are applicable to in-person
4 settings. If telemedicine or telehealth services would not be
5 consistent with this standard of care, the health care provider shall
6 direct the patient to seek in-person care.

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

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

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

1 in-person examination requirements from the minor patient's parent
2 or guardian.

3 f. A mental health screener, screening service, or screening
4 psychiatrist subject to the provisions of P.L.1987, c.116 (C.30:4-
5 27.1 et seq.):

6 (1) shall not be required to obtain a separate authorization in
7 order to engage in telemedicine or telehealth for mental health
8 screening purposes; and

9 (2) shall not be required to request and obtain a waiver from
10 existing regulations, prior to engaging in telemedicine or telehealth.

11 g. A health care provider who engages in telemedicine or
12 telehealth, as authorized by P.L.2017, c.117 (C.45:1-61 et al.), shall
13 maintain a complete record of the patient's care, and shall comply
14 with all applicable State and federal statutes and regulations for
15 recordkeeping, confidentiality, and disclosure of the patient's
16 medical record.

17 h. A health care provider shall not be subject to any
18 professional disciplinary action under Title 45 of the Revised
19 Statutes solely on the basis that the provider engaged in
20 telemedicine or telehealth pursuant to P.L.2017, c.117 (C.45:1-61 et
21 al.).

22 i. (1) In accordance with the "Administrative Procedure Act,"
23 P.L.1968, c.410 (C.52:14B-1 et seq.), the State boards or other
24 entities that, pursuant to Title 45 of the Revised Statutes, are
25 responsible for the licensure, certification, or registration of health
26 care providers in the State, shall each adopt rules and regulations
27 that are applicable to the health care providers under their
28 respective jurisdictions, as may be necessary to implement the
29 provisions of this section and facilitate the provision of
30 telemedicine and telehealth services. Such rules and regulations
31 shall, at a minimum:

32 (a) include best practices for the professional engagement in
33 telemedicine and telehealth;

34 (b) ensure that the services patients receive using telemedicine
35 or telehealth are appropriate, medically necessary, and meet current
36 quality of care standards;

37 (c) include measures to prevent fraud and abuse in connection
38 with the use of telemedicine and telehealth, including requirements
39 concerning the filing of claims and maintaining appropriate records
40 of services provided; and

41 (d) provide substantially similar metrics for evaluating quality
42 of care and patient outcomes in connection with services provided
43 using telemedicine and telehealth as currently apply to services
44 provided in person.

45 (2) In no case shall the rules and regulations adopted pursuant to
46 paragraph (1) of this subsection require a provider to conduct an
47 initial in-person visit with the patient as a condition of providing
48 services using telemedicine or telehealth.

1 (3) The failure of any licensing board to adopt rules and
2 regulations pursuant to this subsection shall not have the effect of
3 delaying the implementation of this act, and shall not prevent health
4 care providers from engaging in telemedicine or telehealth in
5 accordance with the provisions of this act and the practice act
6 applicable to the provider's professional licensure, certification, or
7 registration.

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

9

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

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

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

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

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

1 (2) (a) Except as provided in subparagraph (b) of this
2 paragraph, if an individual previously practiced as a licensed
3 alcohol and drug counselor in New Jersey pursuant to this
4 subsection without holding a license issued pursuant to P.L.1997,
5 c.331 (C.45:2D-1 et seq.), the individual shall be ineligible to
6 subsequently practice as a licensed alcohol and drug counselor in
7 New Jersey unless the individual holds a license issued pursuant to
8 P.L.1997, c.331 (C.45:2D-1 et seq.).

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

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

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

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

34 (2) practices under the supervision of the intern's qualified
35 clinical supervisor;

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

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

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

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

44
45 4. Section 21 of P.L.1968, c.401 (C.45:8B-21) is amended to
46 read as follows:

47 21. a. The board may issue a license by an examination of
48 credentials to any applicant who presents evidence that he is

1 licensed or certified as a marriage and family therapist in another
2 state with requirements for that license or certificate such that the
3 board is of the opinion that the applicant is competent to engage in
4 the practice of marriage and family therapy in this State.

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

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

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

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

43 (b) For the purposes of subparagraph (a) of this paragraph, any
44 period prior to the effective date of P.L. , c. (pending before the
45 Legislature as this bill) during which a person practiced as a
46 marriage and family therapist in New Jersey pursuant to a waiver
47 issued under the authority of Executive Order No. 103 of 2020 shall
48 not constitute practicing as a marriage and family therapist in New

1 Jersey without holding a license issued pursuant to P.L.1968, c.401
2 (C.45:8B-1 et seq.).

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

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

9

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

44

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

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

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

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

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

35 (c) An individual practicing medicine or surgery 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 medicine or surgery
45 in New Jersey pursuant to this subsection without holding a license
46 issued pursuant to Chapter 9 of Title 45 of the Revised Statutes or
47 section 1 of P.L.2021, c.332 (C.45:9-6.2), the individual shall be
48 ineligible to subsequently practice medicine or surgery in New

1 Jersey unless the individual holds a license to practice medicine or
2 surgery issued pursuant to Chapter 9 of Title 45 of the Revised
3 Statutes or section 1 of P.L.2021, c.332 (C.45:9-6.2).

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

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

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

18

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

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

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

24 (2) Is of good moral character;

25 (3) Has successfully completed an accredited program; and

26 (4) Has passed the national certifying examination administered
27 by the National Commission on Certification of Physician
28 Assistants, or its successor.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

46 1. a. The board shall provide that a person may satisfy the
47 examination requirement for certification as a homemaker-home

1 health aide by passing an oral competency evaluation in English or
2 Spanish.

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 homemaker-home
6 health aide shall be authorized to practice for up to one year as a
7 homemaker-home health aide in New Jersey without holding a
8 certification issued pursuant to P.L.1947, c.262 (C.45:11-23 et
9 seq.). An individual practicing as a homemaker-home health aide in
10 New 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 homemaker-
15 home health aide in New Jersey under a temporary authorization
16 pursuant to this subsection, the individual initiates the process of
17 applying for full certification as a homemaker-home health aide
18 pursuant to P.L.1947, c.262 (C.45:11-23 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 certification pursuant to P.L.1947, c.262
23 (C.45:11-23 et seq.).

24 (c) An individual practicing as a homemaker-home health aide
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 homemaker-
35 home health aide in New Jersey pursuant to this subsection without
36 holding a certification issued pursuant to P.L.1947, c.262 (C.45:11-
37 23 et seq.), the individual shall be ineligible to subsequently
38 practice as a homemaker-home health aide in New Jersey unless the
39 individual holds a certification issued pursuant to P.L.1947, c.262
40 (C.45:11-23 et 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 homemaker-home health aide 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 homemaker-home health aide in New
47 Jersey without holding a certification issued pursuant to P.L.1947,
48 c.262 (C.45:11-23 et seq.).

1 (3) An application for temporary authorization to practice as a
2 homemaker-home health aide 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.1990, c.125, s.1)

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

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

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

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

43 b. License.

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

1 the applicant shall be licensed by the board to practice professional
2 nursing.

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

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

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

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

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

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

1 completing a criminal history record background check, the
2 temporary authorization to practice shall remain in effect until a
3 final determination is made on the individual's application for
4 licensure pursuant to P.L.1947, c.262 (C.45:11-23 et seq.).

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

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

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

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

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

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

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

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

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

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

16 (5) complies with all applicable scope of practice and
17 supervision requirements.

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

19

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

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

40 b. License.

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

47 (2) By indorsement without examination. The board shall issue
48 a license to practice practical nursing without examination to any

1 applicant who has been duly licensed as a practical nurse or a
2 person entitled to perform similar services under a different title by
3 practical nurse examination or by original waiver under the laws of
4 another State, territory or possession of the United States, or the
5 District of Columbia, if in the opinion of the board the applicant has
6 the qualifications required by this act for licensing of practical
7 nurses or equivalent qualifications.

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

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

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

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

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

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

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

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

33 **(3) An application for temporary authorization to practice as a**
34 **practical nurse 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 **(4) The provisions of this subsection shall not apply to a**
38 **practical nurse who holds a multistate license issued pursuant to**
39 **P.L.2019, c.172 (C.45:11A-9 et seq.) or affect the authority of any**
40 **nurse holding a multistate license to practice in New Jersey under**
41 **that license.**

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

1 and provide services both in person and using telemedicine and
2 telehealth, until such time as the person is issued a full practical
3 nurse license or the person fails the practical nurse licensure
4 examination, provided that the person:

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

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

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

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

20 (5) complies with all applicable scope of practice and
21 supervision requirements.

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

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

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

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

30 (2) Is of good moral character;

31 (3) Is a registered professional nurse;

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

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

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

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

45 d. (1) (a) Notwithstanding any other provision of law to the
46 contrary, a person who is currently licensed or certified by a
47 governmental agency located in another state as an advanced
48 practice nurse shall be authorized to practice for up to one year as

1 an advanced practice nurse in New Jersey without holding a
2 certification issued pursuant to P.L.1991, c.377 (C.45:11-45 et al.).
3 An individual practicing as an advanced practice nurse in New
4 Jersey under a temporary authorization to practice shall not be
5 required to pay any fees or complete a criminal history record
6 background check as a condition of the temporary authorization to
7 practice.

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

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

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

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

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

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

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

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

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

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

9 (3) Have good moral character;

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

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

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

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

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

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

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

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

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

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

46 (2) has initiated the application process for a pharmacist license,
47 including submitting the applicable fee and including registering to

1 take the next scheduled licensure examination, if the person has not
2 already successfully completed the licensure examination;

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

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

11 (5) complies with all applicable scope of practice and
12 supervision requirements.

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

14

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

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

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

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

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

1 determination as to the individual's continuing authorization to
2 practice in New Jersey pursuant to this subsection.

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

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

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

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

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

28

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

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

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

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

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

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

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

35 (3) An application for temporary authorization to practice as a
36 psychoanalyst pursuant to this subsection shall be submitted 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 (cf: P.L.2000, c.57, s.10)

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

43 13. a. Upon payment to the board of a fee and the submission of
44 a written application on forms provided by it, the board shall issue
45 without examination a license to a respiratory care practitioner who
46 holds a valid license issued by another state or possession of the
47 United States or the District of Columbia which has education and
48 experience requirements substantially equivalent to the

1 requirements of this act; provided, that, the applicant has not
2 previously failed the board exam referred to in section 15 of this
3 act, in which case licensing shall be at the discretion of the board.

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

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

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

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

42 (b) For the purposes of subparagraph (a) of this paragraph, any
43 period prior to the effective date of P.L. , c. (pending before the
44 Legislature as this bill) during which a person practiced as a
45 respiratory care practitioner in New Jersey pursuant to a waiver
46 issued under the authority of Executive Order No. 103 of 2020 shall
47 not constitute practicing as a respiratory care practitioner in New

1 Jersey without holding a license issued pursuant to P.L.1991, c.31
2 (C.45:14E-1 et seq.).

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

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

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

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

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

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

34 (5) complies with all applicable scope of practice and
35 supervision requirements.

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

37

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

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

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

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

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

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

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

1 c. Notwithstanding any other provision of law to the contrary, any
 2 person who has graduated from a master's-level educational program
 3 accredited by the Council on Social Work Education may apply for a
 4 temporary license to practice as a licensed social worker without the
 5 need to complete a criminal history record background check or pay
 6 any fee other than the standard licensure fee. A temporary license
 7 issued pursuant to this subsection shall authorize the person to practice
 8 as a licensed social worker until such time as the person is issued a full
 9 social worker license or the person fails the social worker licensure
 10 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 license,
 14 including submitting the applicable fee and including registering to
 15 take the next scheduled licensure examination, if the person has not
 16 already successfully completed the licensure examination;
 17 (3) is practicing under a plan of supervision approved by the Board
 18 of Social Work Examiners;
 19 (4) only practices under the supervision of a licensed clinical
 20 social worker;
 21 (5) submits an application for temporary licensure to the Division
 22 of Consumer Affairs in the Department of Law and Public Safety in a
 23 form and manner as shall be determined by the division; and
 24 (6) complies with all applicable scope of practice and supervision
 25 requirements.

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

27
 28 17. (New section) The Director of the Division of Consumer
 29 Affairs in the Department of Law and Public Safety shall adopt
 30 rules and regulations, pursuant to the "Administrative Procedure
 31 Act," P.L.1968, c.410 (C.52:14B-1 et seq.), as shall be necessary
 32 for the implementation of this act.

33
 34 18. This act shall take effect immediately.

35
 36
 37 STATEMENT

38
 39 This bill makes permanent certain forms of temporary licensure for
 40 health care professionals licensed in other states and recent graduates
 41 of health care training programs, which temporary licensure was
 42 formerly authorized in response to the coronavirus disease 2019
 43 (COVID-19) pandemic and extended through June 30, 2022 by
 44 P.L.2021, c.368.

45 Specifically, with regard to temporary licensure for professionals
 46 licensed in other states, the bill provides that alcohol and drug
 47 counselors, marriage and family therapists, professional counselors,
 48 physicians, homemaker-home health aides, professional and practical

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

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

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

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

40 Recent graduates of training programs for physician assistants,
41 nurses, pharmacists, and respiratory care practitioners will be restricted
42 to practicing in an acute care facility licensed by the Department of
43 Health, but will be authorized to provide services both in person and
44 using telemedicine and telehealth. Recent graduates of a physician
45 assistant training program will be prohibited from ordering prescribing
46 controlled dangerous substances, authorizing patients for medical
47 cannabis, and issuing written instructions for medical cannabis, and

1 will be required to comply with the requirements of the graduate's
2 delegation agreement with a supervising physician.

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

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

15 The bill provides that applications for temporary licensure under
16 the bill are to be submitted to the Division of Consumer Affairs in the
17 Department of Law and Public Safety in a form and manner specified
18 by the division.