

(d) All examinations and re-examinations will be offered only during the regularly scheduled examination session except for the re-examination of the law and regulation section.

Recodified from 13:35-8.15 by R.1994 d.595, effective December 5, 1994.

See: 26 N.J.R. 1301(b), 26 N.J.R. 4780(b).

Recodified from N.J.A.C. 13:35-8.16 by R.1998 d.372, effective July 20, 1998.

See: 30 N.J.R. 1191(a), 30 N.J.R. 2633(a).

Former N.J.A.C. 13:35-8.17, Violation of the Rules, was recodified to N.J.A.C. 13:35-8.18.

Amended by R.2005 d.120, effective April 18, 2005.

See: 36 N.J.R. 4633(a), 37 N.J.R. 1203(a).

Rewrote (b); in (c), deleted the first sentence; in (d), inserted "except for the re-examination of the law and regulation section" following "scheduled examination session".

13:35-8.18 Violation of the Rules

(a) Failure to comply with any provision of N.J.S.A. 45:9A-1 et seq., or this subchapter shall be deemed a violation of the Hearing Aid Dispensers Act and may result in disciplinary action pursuant to N.J.S.A. 45:1-21 and 45:1-22.

(b) The notice of proposed suspension or revocation shall inform the licensed individual of the right to request a hearing. The hearing shall be pursuant to the Administrative Procedure Act, N.J.S.A. 52:14B-1 et seq. and 52:14F-1 et seq. and the Uniform Administrative Procedure Rules, N.J.A.C. 1:1-1 et seq.

Recodified from 13:35-8.16 by R.1994 d.595, effective December 5, 1994.

See: 26 N.J.R. 1301(b), 26 N.J.R. 4780(b).

Amended by R.1995 d.330, effective June 19, 1995.

See: 27 N.J.R. 640(a) (see also 27 N.J.R. 1746(a)), 27 N.J.R. 2410(a).

Recodified from N.J.A.C. 13:35-8.17 by R.1998 d.372, effective July 20, 1998.

See: 30 N.J.R. 1191(a), 30 N.J.R. 2633(a).

Former N.J.A.C. 13:35-8.18, Fee schedule, was recodified to N.J.A.C. 13:35-8.19.

13:35-8.19 Fee schedule

(a) The fee schedule for the Hearing Aid Dispensers Examining Committee of the State Board of Medical Examiners, in the Division of Consumer Affairs in the Department of Law and Public Safety, shall be as follows:

1. Application fee	\$50.00 (non-refundable)
2. Temporary licenses	\$50.00
3. Training permits	\$50.00
4. Examination	
i. Written	\$50.00
ii. Practical	\$25.00
5. Initial License Fee	
i. If paid during the first year of a biennial renewal period	\$180.00
ii. If paid during the second year of a biennial renewal period	\$90.00
6. Endorsement	
i. Review of credentials	\$30.00
ii. Endorsement fee	
During the first year of a biennial renewal period	\$110.00

	During the second year of a biennial renewal period	\$55.00
7. Biennial license renewal		\$180.00
8. Renewal or Extension of Temporary License and Training Permit		\$20.00
9. Late fee		\$50.00
10. Reinstatement, Biennial License		\$100.00
11. Inactive license fee	(to be determined by the Director by regulation)	
12. Duplicate or replacement of biennial registration certificate		\$25.00
13. Preparation of certification papers for applicants to other states		\$25.00

(b) The Committee will refund the examination fee only if the application is rejected by the Committee or withdrawn by the applicant within 14 days after the Committee's receipt of the application.

(c) An applicant who fails to sit for an examination for which payment has been submitted may, one time only, have the fee credited toward the next scheduled examination. If the applicant fails to sit for such next scheduled examination, the fee will be forfeited.

R.1977 d.7, effective January 17, 1977.

See: 8 N.J.R. 425(a), 9 N.J.R. 94(c).

Amended by R.1987 d.370, effective September 8, 1987.

See: 19 N.J.R. 1055(a), 19 N.J.R. 1649(a).

Biennial registration raised from \$50.00 to \$80.00; (a)6 and 7 added.

Recodified by R.1988 d.112, effective March 7, 1988.

See: 19 N.J.R. 1949(a), 20 N.J.R. 538(a).

Recodified from 8.25.

Amended by R.1991 d.458, effective September 3, 1991.

See: 23 N.J.R. 1895(a), 23 N.J.R. 2651(a).

In (a), substantial alteration of fee schedule. Added (b) and (c).

Recodified from 13:35-8.17 by R.1994 d.595, effective December 5, 1994.

See: 26 N.J.R. 1301(b), 26 N.J.R. 4780(b).

Amended by R.1995 d.330, effective June 19, 1995.

See: 27 N.J.R. 640(a) (see also 27 N.J.R. 1746(a)), 27 N.J.R. 2410(a).

Increased some of the fees.

Recodified from N.J.A.C. 13:35-8.18 by R.1998 d.372, effective July 20, 1998.

See: 30 N.J.R. 1191(a), 30 N.J.R. 2633(a).

Former N.J.A.C. 13:35-8.19, License renewal; continuing education requirement, was recodified to N.J.A.C. 13:35-8.20.

Amended by R.2005 d.120, effective April 18, 2005.

See: 36 N.J.R. 4633(a), 37 N.J.R. 1203(a).

In (a), added a new 11 and recodified former 11 and 12 as 12 and 13.

Amended by R.2005 d.175, effective June 6, 2005.

See: 37 N.J.R. 206(a), 37 N.J.R. 1203(a), 37 N.J.R. 2041(b).

In (a), increased the fees in 1, 5, 7 and 9, and substituted references to license for references to registration in the introductory paragraph of 5, 7 and 10.

13:35-8.20 License renewal; continuing education requirement

(a) No license renewal shall be issued by the Director unless the applicant confirms on his or her renewal application to the Hearing Aid Dispensers Examining Committee that during the two calendar years preceding application for renewal he or she participated in courses of continuing education of the type and number of credits specified in this section. Such continuing education is a mandatory require-

ment for license renewal. Licensees shall be solely responsible for obtaining and maintaining documentation on his or her completion of the required continuing education courses during the registration period. Such documentation shall be submitted to the Committee upon request, and will be surveyed on a random basis. The provisions of this subsection shall not apply to licensees renewing their licenses for the first time.

(b) Evidence of 20 documented course hours of continuing education shall be required of each applicant as a condition of biennial license renewal.

(c) The number of creditable course hours and course contents must be accepted and approved by the National Institute for Hearing Instruments Studies (NIHIS), the educational arm of the International Hearing Society (IHS), and the Committee. A licensee who completes a three or more credit course in hearing aid dispensing at an accredited college or university shall upon the approval of the Committee receive credit for 10 continuing education course hours.

(d) Acceptable continuing education courses shall be in any area which will update and refresh the clinical skills or knowledge of a hearing aid dispenser. Notwithstanding that the continuing education course meets the requirements, the Committee at its discretion may at any time examine and review any course claimed for credit. If, in the opinion of the Committee, such course does not clearly meet the requirements of this section, the course shall be disallowed for credit toward the required 20 continuing education credits.

(e) In the event that a candidate for license renewal shall complete in two years a number of hours in excess of the number of hours required by this section, the documented hours in excess of those required shall not be credited toward license renewal for subsequent years.

New Rule, R.1989 d.548, effective November 6, 1989.

See: 21 N.J.R. 1648(a), 21 N.J.R. 3474(a).

Recodified from 13:35-8.18 by R.1994 d.595, effective December 5, 1994.

See: 26 N.J.R. 1301(b), 26 N.J.R. 4780(b).

Recodified from N.J.A.C. 13:35-8.19 by R.1998 d.372, effective July 20, 1998.

See: 30 N.J.R. 1191(a), 30 N.J.R. 2633(a).

Amended by R.2005 d.120, effective April 18, 2005.

See: 36 N.J.R. 4633(a), 37 N.J.R. 1203(a).

Rewrote (c).

SUBCHAPTER 9. ACUPUNCTURE

13:35-9.1 Purpose and scope

(a) The rules of this subchapter are established pursuant to N.J.S.A. 45:2C-1 et seq. ("The Acupuncture Act") and set forth requirements for the practice of acupuncture in the State of New Jersey.

(b) The rules of this subchapter shall apply to all persons licensed as acupuncturists by the State of New Jersey, applicants for such licensure, guest acupuncturists granted temporary permission by the Board to perform acupuncture pursuant to N.J.A.C. 13:35-9.13, students participating in an approved course of study or school in acupuncture, and persons licensed in New Jersey as physicians or dentists who practice acupuncture, provided that their courses of training have included acupuncture.

Amended by R.1999 d.356, effective October 18, 1999.

See: 31 N.J.R. 1742(a), 31 N.J.R. 3117(a).

Rewrote (b).

Amended by R.2010 d.101, effective June 21, 2010.

See: 41 N.J.R. 2617(a), 42 N.J.R. 1216(a).

In (b), updated the N.J.A.C. reference, inserted "in New Jersey" and deleted "and surgeons" following "physicians".

Amended by R.2014 d.066, effective April 21, 2014.

See: 45 N.J.R. 729(a), 45 N.J.R. 1589(a), 46 N.J.R. 695(b).

In (b), substituted "The rules of this subchapter" for "These rules", "licensed" for "certified", "licensure" for "certification", and "or" for a comma following "study", deleted "or tutorial program" following "school", and inserted a comma following the second occurrence of "acupuncture".

13:35-9.2 Definitions

For purposes of this subchapter, the following terms shall have the following meanings:

"ACAOM" means the Accreditation Commission for Acupuncture and Oriental Medicine.

"Acupuncture" means the practice of Oriental medicine based on traditional Oriental medical theories, including stimulation of a certain point or points on or near the surface of the body by the insertion of special needles to prevent or modify the perception of pain or to normalize physiological functions including pain control and for the treatment of diseases or dysfunctions of the body. "Acupuncture" includes the techniques electroacupuncture, mechanical stimulation, adjunctive therapies, and moxibustion.

"Acupuncture program" means a course of study in acupuncture that is at least three years long and which is in addition to and separate from a baccalaureate degree program.

"Acupuncturist" means an individual licensed by the Board to perform acupuncture services.

"Adjunctive therapies" means those practices taught in ACAOM-approved schools and through NCCAOM-approved continuing education courses that are complementary to the performance of acupuncture.

"Baccalaureate Degree" means a bachelor degree granted upon the conclusion of a program that consists of at least 120 credits by a college or university that is accredited by a regional accreditation agency recognized by the Council for Higher Education Accreditation (CHEA) or the United States Department of Education.