

Amended by R.2000 d.55, effective February 7, 2000.
See: 31 N.J.R. 3988(a), 32 N.J.R. 450(a).
Rewrote the section.

13:37-5.2 Biennial license renewal

(a) Licenses shall be renewed biennially on a form provided by the Board.

(b) The Board shall send a notice of renewal to each licensee at the address registered with the Board, at least 60 days prior to the expiration of the license. If the notice to renew is not sent at least 60 days prior to the expiration date, no monetary penalties or fines shall apply to the holder for failure to renew.

(c) The licensee shall submit the renewal application and pay the renewal fee pursuant to N.J.A.C. 13:37-5.5(a)6 prior to the date of expiration of the license. If the licensee does not renew the license prior to its expiration date, the license shall expire, but the licensee may renew it no later than 30 days after its expiration date by submitting a renewal application and paying a renewal fee and a late fee pursuant to N.J.A.C. 13:37-5.5(a)6 and 7. A licensee who fails to renew the license within 30 days after the expiration date of the license shall be administratively suspended without a hearing.

(d) Individuals who continue to hold themselves out as licensed after being administratively suspended shall be deemed to have violated N.J.A.C. 13:37-5.1, even if no notice of suspension has been received by the person at the address registered with the Board.

(e) A person seeking reinstatement within five years following an administrative suspension of a license pursuant to (c) above shall submit the following to the Board:

1. A completed reinstatement application;
2. Payment of all past delinquent renewal fees as set forth in N.J.A.C. 13:37-5.5(a)6;
3. Payment of a reinstatement fee as set forth in N.J.A.C. 13:37-5.5(a)8;
4. A certification verifying completion of the continuing education hours required pursuant to N.J.A.C. 13:37-5.3 for the renewal of a license; and
5. An affidavit of employment listing each job held during the period of suspension, which includes the names, addresses, and telephone numbers of each employer.

(f) A person seeking reinstatement after more than five years following the administrative suspension of a license shall:

1. Reapply for licensure by fulfilling all of the initial licensure requirements found at N.J.A.C. 13:37-2.1; and
2. Successfully complete a refresher course consisting of 30 hours of didactic and clinical education conducted by

a qualified instructor within the meaning of N.J.A.C. 13:37-1.7.

(g) Renewal applications for all licenses shall provide the licensee with the option of either active or inactive status. Licensees may choose paid or unpaid inactive status. The Board shall send any communications it sends to active licensees to licensees on paid inactive status. Licensees electing to renew as inactive shall not hold themselves out to the public or practice as licensees.

(h) Upon application to the Board, the Board may permit a licensee who has been on inactive status to return to active status.

(i) A licensee who elected inactive status and has been on inactive status for five years or less may be reinstated by the Board upon submission of the following:

1. A completed reactivation application;
2. Evidence of completion of the continuing education hours required pursuant to N.J.A.C. 13:37-5.3 for the renewal of a license, within the immediately preceding two years;
3. An affidavit of employment listing each job held during the period the licensee was on inactive status, which includes the name, address, and telephone number of each employer; and
4. One of the following renewal fees:
 - i. For licensees who did not pay the inactive renewal fee, the active renewal fee set forth in N.J.A.C. 13:37-5.5(a)6i; or
 - ii. For licensees who paid the inactive renewal fee, the difference between the amount paid for inactive renewal set forth in N.J.A.C. 13:37-5.5(a)6ii and the active renewal fee set forth in N.J.A.C. 13:37-5.5(a)6i.

(j) A licensee who has been on inactive status for more than five years who wishes to return to the practice of nursing shall:

1. Reapply for licensure by fulfilling all of the initial licensure requirements found at N.J.A.C. 13:37-2.1; and
2. Successfully complete a refresher course consisting of 30 hours of didactic and clinical education conducted by a qualified instructor within the meaning of N.J.A.C. 13:37-1.7.

New Rule, R.2000 d.55, effective February 7, 2000.
See: 31 N.J.R. 3988(a), 32 N.J.R. 450(a).

Former N.J.A.C. 13:37-5.2, Responsibilities of dual licensure, repealed.

Repeal and New Rule, R.2008 d.139, effective June 2, 2008.

See: 39 N.J.R. 2585(a), 40 N.J.R. 3318(b).

Section was "Biennial license renewal".

Amended by R.2010 d.069, effective May 17, 2010.

See: 41 N.J.R. 2078(a), 42 N.J.R. 939(b).

Rewrote (f) and (j).

13:37-5.3 Continuing education

(a) Upon biennial active license renewal, a registered professional nurse or licensed practical nurse shall attest that he or she has completed courses of continuing education of the types and number of hours specified in (b), (c) and (d) below. Falsification of any information submitted on the renewal application may result in penalties and/or suspension or revocation of the license pursuant to N.J.S.A. 45:1-21 through 45:1-25.

(b) Each applicant for biennial active license renewal shall complete during the preceding biennial period a minimum of 30 hours of continuing education.

(c) A registered professional nurse or licensed practical nurse who completes more than the minimum continuing education hours set forth in (b) above in any biennial registration period may carry up to 15 of the additional hours into the succeeding biennial period.

(d) A registered professional nurse or licensed practical nurse may obtain continuing education hours from the following:

1. Successful completion of continuing education courses or programs related to nursing and approved by a credentialing agency accredited by the National Commission for Certifying Agencies or provided by an International Association for Continuing Education Training (IACET) Authorized Provider: one hour for each 60 minutes of attendance;

2. Successful completion of a continuing education course or program related to nursing, which is taken in order to comply with the requirements of a State or Federal agency; one hour for each 60 minutes of attendance;

3. Successful completion of continuing medical education courses recognized by the American Medical Association, the American Osteopathic Association or the American Podiatric Medical Association: one hour for each 60 minutes of attendance;

4. Successful completion of a continuing education course offered by a provider approved by the American Council of Pharmaceutical Education: one hour for each 60 minutes of attendance;

5. Successful completion of a course, related to nursing, given by a school, college or university accredited by the New Jersey Department of Education or an agency of another state with requirements substantially similar to the requirements of the New Jersey Department of Education. Courses related to nursing include courses taken as a student enrolled in an accredited nursing degree program when the student is obtaining a higher degree: five hours for each credit successfully completed;

6. Successful completion of a course in a doctoral degree program which has a research component: five hours for each credit successfully completed;

7. Teaching or developing the curriculum for a new continuing education program related to nursing that is approved pursuant to (d)1 above. "New" means that the registered professional nurse or licensed practical nurse has never taught or developed curriculum for that course or program in any educational setting: one hour for each 50 minutes taught;

8. Teaching or developing the curriculum for a new course related to nursing in a school, college or university accredited by the New Jersey Department of Education or an agency of another state with requirements substantially similar to the requirements of the New Jersey Department of Education. "New" means that the registered professional nurse or licensed practical nurse has never taught or developed curriculum for that course in any educational setting: five hours for each credit taught;

9. Authorship of a published textbook or a chapter of a published textbook related to nursing: 15 hours for each chapter up to 30 hours;

10. Completion of a doctoral dissertation: 30 hours;

11. Authorship of a published article related to nursing, which has been refereed through peer review, in a medical, nursing or health related journal: 15 hours per article up to 30;

12. Presenting a new seminar or lecture to professional peers related to nursing, provided the seminar or lecture is at least one hour long. "New" means that the registered professional nurse or licensed practical nurse has never taught or developed curriculum for that seminar or lecture in any educational setting: one hour for each 50 minutes of presentation;

13. Completion of a research project where the registered professional nurse or licensed practical nurse is a primary or co-investigator and the research project has been approved by an institutional review board: 30 hours;

14. Development of new instructional materials related to nursing such as a compact disc, ROM or videotape: 15 hours up to 30; and

15. Acting as a preceptor for at least 100 hours as part of an organized preceptorship program: 10 hours for the period during which the registered professional nurse or licensed practical nurse acts as a preceptor.

(e) Continuing education hours that could be allocated to more than one of the options in (d) above shall only be counted once and shall not be allocated for more than one option. For instance, a course which could be awarded hours pursuant to (d)4 and 5 above shall only count as a course for either (d)4 or 5, but not both.

(f) The Board may perform audits on randomly selected registered professional nurses and licensed practical nurses to determine compliance with continuing education requirements. A registered professional nurse or licensed practical

nurse shall maintain the following documentation for a period of four years after completion of the hours and shall submit such documentation to the Board upon request:

1. For attendance at programs or courses: a certificate of completion from the provider;
2. For publication of textbook or article: the published item, including the date of publication;
3. For teaching a course or program or developing curriculum: documentation, including a copy of the curriculum, location, date and time of course, duration of course by hour, and letter from provider confirming that the registered professional nurse or licensed practical nurse developed or taught the course or program;
4. For presenting a lecture or seminar: documentation including the location, date and duration of the lecture or seminar;
5. For a research project: a copy of the written materials regarding the project which lists the primary or co-investigators;
6. For instructional material: a copy of the instructional materials; and
7. For a preceptorship: documentation maintained pursuant to the organized preceptorship program and a document designating the registered professional nurse or licensed practical nurse as a preceptor.

(g) The Board may waive the continuing education requirements of this section on an individual basis for reasons of hardship, such as severe illness, disability, or military service.

1. A registered professional nurse or licensed practical nurse seeking a waiver of the continuing education requirements shall apply to the Board in writing at least 90 days prior to license renewal and set forth in specific detail the reasons for requesting the waiver. The registered professional nurse or licensed practical nurse shall provide the Board with such supplemental materials as will support the request for waiver.
2. A waiver of continuing education requirements granted pursuant to this subsection shall only be effective for the biennial period in which such waiver is granted. If the condition(s) which necessitated the waiver continue into the next biennial period, a registered professional nurse or licensed practical nurse shall apply to the Board for the renewal of such waiver for the new biennial period.

(h) The Board may direct or order a registered professional nurse or licensed practical nurse to successfully complete continuing education hours:

1. As part of a disciplinary or remedial measure in addition to the required 30 hours of continuing education; or

2. To correct a deficiency in the registered professional nurse or licensed practical nurse's continuing education requirements.

(i) Any continuing education hours completed by the registered professional nurse or licensed practical nurse in compliance with an order or directive from the Board as set forth in (h) above shall not be used to satisfy the minimum continuing education requirements as set forth in this section.

(j) By February 7, 2014, every registered professional nurse shall have completed a one-hour continuing education course that covers organ and tissue donation and recovery designed to address clinical aspects of the donation and recovery process.

(k) A registered professional nurse who completed a course that included a section on organ and tissue donation and recovery during his or her initial nursing education need not complete the continuing education course required by (j) above.

New Rule, R.2006 d.156, effective May 1, 2006.
See: 37 N.J.R. 1921(a), 38 N.J.R. 1844(a).
Amended by R.2008 d.379, effective December 15, 2008.
See: 40 N.J.R. 1760(a), 40 N.J.R. 6989(a).

Rewrote (d)1; added new (d)2 and (d)3; recodified former (d)2 through (d)12 as (d)4 through (d)14; and rewrote (d)4.
Amended by R.2010 d.004, effective January 4, 2010.
See: 41 N.J.R. 95(a), 42 N.J.R. 72(a).

Added new (d)2; and recodified former (d)2 through (d)14 as (d)3 through (d)15.
Amended by R.2011 d.025, effective January 18, 2011.
See: 42 N.J.R. 1481(a), 43 N.J.R. 193(a).

Deleted (j).
Amended by R.2011 d.038, effective February 7, 2011.
See: 42 N.J.R. 1132(a), 43 N.J.R. 315(a).
Added (j) and (k).

13:37-5.4 (Reserved)

New Rule, R.2000 d.55, effective February 7, 2000.
See: 31 N.J.R. 3988(a), 32 N.J.R. 450(a).
Former N.J.A.C. 13:37-5.4, Reporting of unlawful conduct, repealed.
Amended by R.2006 d.156, effective May 1, 2006.
See: 37 N.J.R. 1921(a), 38 N.J.R. 1844(a).

Designated the former first through third sentences as (a); designated the former last sentence as (b); and added the last sentence in (b).
Repealed by R.2008 d.139, effective June 2, 2008.
See: 39 N.J.R. 2585(a), 40 N.J.R. 3318(b).
Section was "Categories of licenses".

13:37-5.5 Fee schedule

(a) The following fees shall be charged by the Board in connection with licensure of professional and practical nurses:

1. Application fee \$75.00
2. Application fee for graduates of foreign nursing programs \$100.00
3. Initial license fee..... 120.00
4. Application for licensure by endorsement 75.00 plus initial license fee set forth in (a)3 above
5. Verification for endorsement 30.00

- 6. Renewal of license (biennial)
 - i. Active..... 120.00
 - ii. Inactive..... 60.00
- 7. Late license renewal (one to 30 days)..... 50.00 plus the applicable biennial license renewal fee set forth in (a)6 above
- 8. Reinstatement fee 100.00
- 9. Duplicate license 35.00
- 10. Written verification of licensure..... 25.00
- 11. Copy of Nurse Practice Act..... 5.00
- 12. Alternative to Discipline surcharge 5.00
- 13. Temporary courtesy license..... 60.00

(b) The following fees shall be charged by the Board in connection with certification of homemaker-home health aides:

- 1. Application fee \$50.00
- 2. Program approval fee for each location at which course is offered (annual) 250.00
- 3. Instructor’s Manual 25.00
- 4. Student Manual..... 15.00
- 5. Initial certification fee
 - i. If paid during the first year of a biennial renewal period..... 30.00
 - ii. If paid during the second year of a biennial renewal period..... 15.00
- 6. Renewal of certificate (biennial) 30.00
- 7. Late renewal of certificate (one to 30 days)..... 10.00 plus the certification renewal fee set forth in (b)6 above
- 8. Reinstatement fee (after 30 days) 20.00 plus the certification renewal fee set forth in (b)6 above
- 9. Duplicate certificate 10.00
- 10. Application for certification by endorsement 30.00 plus the applicable initial certification fee set forth in (b)5 above

(c) The following fees shall be charged by the Board in connection with certification of advanced practice nurses:

- 1. Application fee \$100.00
- 2. Initial certification fee
 - i. If paid during the first year of a biennial renewal period..... 160.00
 - ii. If paid during the second year of a biennial renewal period..... 80.00
- 3. Renewal of certification (biennial)
 - i. Active..... 160.00
 - ii. Inactive 80.00
- 4. Application for certification by endorsement 100.00 plus the applicable initial certification fee set forth in (c)2 above

- 5. Lapsed certification fee (after 30 days)..... 100.00 plus the certification renewal fee set forth in (c)3 above
- 6. Duplicate certificate 35.00

(d) The following fees shall be charged by the Board in connection with accreditation of nursing programs:

- 1. Initial accreditation application \$1,000
- 2. Renewal of accreditation without waiver 1,000
- 3. Renewal of accreditation with waiver 400.00

(e) The following fees shall be charged by the Board in connection with certification of forensic nurses-certified sexual assault:

- 1. Application fee.....\$100.00
- 2. Initial certification fee
 - i. If paid during the first year of a biennial renewal period 100.00
 - ii. If paid during the second year of a biennial renewal period 50.00
- 3. Renewal of certification (biennial)
 - i. Active 100.00
 - ii. Inactive..... 50.00
- 4. Application for certification by endorsement..... 100.00 Plus the applicable initial certification fee set forth in (e)2 above
- 5. Late certificate renewal..... 50.00
- 6. Reinstatement of certification 100.00

Amended by R.1996 d.127, effective March 4, 1996.
 See: 27 N.J.R. 4496(a), 28 N.J.R. 1394(a).
 Amended by R.1999 d.49, effective February 1, 1999.
 See: 30 N.J.R. 3602(a), 31 N.J.R. 443(a).
 Rewrote the section.
 Recodified from N.J.A.C. 13:37-5.8 by R.2000 d.55, effective February 7, 2000.
 See: 31 N.J.R. 3988(a), 32 N.J.R. 450(a).
 Former N.J.A.C. 13:37-5.5, Self-reporting, repealed.
 Amended by R.2003 d.167, effective April 21, 2003.
 See: 34 N.J.R. 1317(a), 35 N.J.R. 1678(a).
 Added (d).
 Amended by R.2004 d.114, effective March 15, 2004 (operative July 13, 2004).
 See: 35 N.J.R. 1195(a), 36 N.J.R. 1407(a).
 Added (e).
 Amended by R.2004 d.432, effective November 15, 2004.
 See: 35 N.J.R. 4819(a), 36 N.J.R. 5133(a).
 Added (f).
 Amended by R.2017 d.081, effective May 1, 2017.
 See: 48 N.J.R. 1428(a), 49 N.J.R. 1096(a).
 Deleted (f).

Amended by R.2006 d.117, effective March 20, 2006.
See: 37 N.J.R. 4179(a), 38 N.J.R. 1461(a).

In (a), (b) and (c), increased fees throughout; deleted (a)11.

Amended by R.2006 d.160, effective May 1, 2006.

See: 37 N.J.R. 1920(a), 38 N.J.R. 1840(a).

Added new (a)2; recodified former (a)2 through (a)10 as (a)3 through (a)11.

Administrative correction.

See: 38 N.J.R. 2834(d).

Amended by R.2007 d.138, effective May 7, 2007.

See: 38 N.J.R. 4397(a), 39 N.J.R. 1757(a).

Added (f)9 and (f)10.

Amended by R.2008 d.55, effective March 17, 2008.

See: 39 N.J.R. 1997(a), 40 N.J.R. 1677(a).

In (e), substituted "forensic nurses-certified sexual assault" for "sexual assault nurse examiners".

Amended by R.2008 d.102, effective April 21, 2008.

See: 40 N.J.R. 91(a), 40 N.J.R. 2117(b).

Added (a)12.

Amended by R.2008 d.139, effective June 2, 2008.

See: 39 N.J.R. 2585(a), 40 N.J.R. 3318(b).

In (a)7, substituted "(a)6" for "(a)5" in the second column; and rewrote (a)8.

Amended by R.2008 d.160, effective June 16, 2008.

See: 39 N.J.R. 1991(b), 40 N.J.R. 3729(a).

In the introductory paragraph of (c), substituted "advanced practice nurses" for "nurse/practitioners/clinical nurse specialists"; in the introductory paragraph of (c)3, deleted the fee; added (c)3i and (c)3ii; deleted former (c)5; and recodified former (c)6 and (c)7 as (c)5 and (c)6.

Amended by R.2009 d.259, effective August 17, 2009.

See: 40 N.J.R. 6757(a), 41 N.J.R. 3093(a).

Deleted former (f)6; and recodified former (f)7 through (f)10 as (f)6 through (f)9.

Amended by R.2011 d.037, effective January 18, 2011.

See: 42 N.J.R. 1000(a), 43 N.J.R. 194(a).

Rewrote (e)3; and added (e)5 and (e)6.

Administrative correction.

See: 46 N.J.R. 1364(a).

Amended by R.2015 d.050, effective April 6, 2015.

See: 46 N.J.R. 1321(a), 47 N.J.R. 725(b).

Added (a)13.

Amended by R.2016 d.020, effective March 7, 2016.

See: 47 N.J.R. 406(a), 47 N.J.R. 2050(a), 48 N.J.R. 423(a).

In (b)8, substituted "Reinstatement" for "Lapsed certification".

13:37-5.6 (Reserved)

New Rule, R.2000 d.55, effective February 7, 2000.

See: 31 N.J.R. 3988(a), 32 N.J.R. 450(a).

Former N.J.A.C. 13:37-5.6, Biennial license renewal, repealed.

Repealed by R.2015 d.167, effective November 2, 2015.

See: 46 N.J.R. 2010(a), 47 N.J.R. 2675(a).

Section was "Responsibilities of licensure".

13:37-5.7 Notification of change of address

A licensee or certificiant shall notify the Board in writing of any change of address from that registered with the Board and shown on the most recently issued license or certificate. This address shall not be a post office box unless there is another address on file with the Board that includes a street, city, state and zip code. Such notice shall be given no later than 30 days following the change of address. Service to the street address registered with the Board shall constitute effective notice pursuant to N.J.A.C. 13:45-3.2.

New Rule, R.2000 d.55, effective February 7, 2000.

See: 31 N.J.R. 3988(a), 32 N.J.R. 450(a).

Former N.J.A.C. 13:37-5.7, Reinstatement, repealed.

Amended by R.2005 d.251, effective August 1, 2005.

See: 37 N.J.R. 208(a), 37 N.J.R. 2885(a).

Added the second sentence; and in the last sentence, inserted "street".

13:37-5.8 Reporting of unlawful conduct

A licensee or certificiant shall report to the Board any incident or series of incidents which the licensee or certificiant, in good faith, believes is in violation of the Nurse Practice Act, N.J.S.A. 45:11-23, this chapter or N.J.A.C. 13:45C.

New Rule, R.2000 d.55, effective February 7, 2000.

See: 31 N.J.R. 3988(a), 32 N.J.R. 450(a).

Former N.J.A.C. 13:37-5.8, Fee schedule, recodified to N.J.A.C. 13:37-5.5.

13:37-5.9 Self-reporting

(a) A licensee or certificiant shall immediately notify the Board if he or she:

1. Is incapable, for medical or any other good cause, of discharging the functions of a licensee in a manner consistent with the public's health, safety and welfare;
2. Is indicted or convicted of a crime involving moral turpitude or a crime adversely relating to his or her practice;
3. Is named as a defendant or respondent in a civil, criminal or administrative investigation, complaint or judgment involving alleged malpractice, negligence or misconduct relating to his or her practice;
4. Is the subject of any voluntary license or certification surrender or any disciplinary action or order by any state or Federal agency, board or commission, including any order of limitation or preclusion; or
5. Fails to maintain or renew any certification which is required by law as a condition of practice or as a condition of license or certification renewal.

(b) Any nurse or homemaker-home health aid licensed or certified under the Nurse Practice Act, N.J.S.A. 45:11-23 et seq., who violates any provision of the Act or N.J.S.A. 45:1-14 et seq. may be subject to disciplinary action by the Board, provided that the Board notifies the licensee or certificiant and provides an opportunity for a hearing in accordance with the Administrative Procedure Act, N.J.S.A. 52:14B-1 et seq., and the Uniform Administrative Procedure Rules, N.J.A.C. 1:1.

New Rule, R.2000 d.55, effective February 7, 2000.

See: 31 N.J.R. 3988(a), 32 N.J.R. 450(a).

SUBCHAPTER 6. DELEGATION AND SUPERVISION

13:37-6.1 Nursing procedures

Nursing procedures shall be determined by the Nursing Practice Act of this State, subject to the interpretation and revision by the Board of Nursing.

As amended, R.1984 d.137, eff. April 16, 1984.

See: 15 N.J.R. 1850(a), 16 N.J.R. 922(a).

This section replaces a section entitled "Intradermal Tuberculin Test."

13:37-6.2 Delegation of selected nursing tasks

(a) The registered professional nurse is responsible for the nature and quality of all nursing care including the assessment of the nursing needs, the plan of nursing care, the implementation, and the monitoring and evaluation of the plan. The registered professional nurse may delegate selected nursing tasks in the implementation of the nursing regimen to licensed practical nurses and ancillary nursing personnel. Ancillary nursing personnel shall include but not be limited to: aides, assistants, attendants, and technicians.

(b) In delegating selected nursing tasks to licensed practical nurses or ancillary nursing personnel, the registered professional nurse shall be responsible for exercising that degree of judgment and knowledge reasonably expected to assure that a proper delegation has been made. A registered professional nurse may not delegate the performance of a nursing task to persons who have not been adequately prepared by verifiable training and education. No task may be delegated which is within the scope of nursing practice and requires:

1. The substantial knowledge and skill derived from completion of a nursing education program and the specialized skill, judgment, and knowledge of a registered nurse;

2. An understanding of nursing principles necessary to recognize and manage complications which may result in harm to the health and safety of the patient.

(c) The registered professional nurse shall be responsible for the proper supervision of licensed practical nurses and ancillary nursing personnel to whom such delegation is made. The degree of supervision exercised over licensed practical nurses and ancillary nursing personnel shall be determined by the registered professional nurse based on an evaluation of all factors including:

1. The condition of the patient;
2. The education, skill, and training of the licensed practical nurse and ancillary nursing personnel to whom delegation is being made;
3. The nature of the tasks and the activities being delegated;
4. Supervision may require the direct continuing presence or the intermittent observation, direction, and occasional physical presence of a registered professional nurse. In all cases, the registered professional nurse shall be available for on-site supervision.

(d) A registered professional nurse shall not delegate the performance of a selected nursing task to any licensed practical nurse who does not hold a current valid license to

practice nursing in the State of New Jersey. A registered professional nurse shall not delegate the performance of a selected nursing task to ancillary nursing personnel who have not received verifiable education and have not demonstrated the adequacy of their knowledge, skill, and competency to perform the task being delegated.

(e) Nothing contained in this rule is intended to limit the current scope of nursing practice.

(f) Nothing contained in this rule shall limit the authority of a duly licensed physician acting in accordance with N.J.S.A. 45:9-1 et seq.

New Rule, R.1986 d.431, effective October 20, 1986.

See: 18 N.J.R. 1176(a), 18 N.J.R. 1448(a), 18 N.J.R. 2128(a).

13:37-6.3 Authorized delegation

(a) (Reserved)

(b) A registered professional nurse shall not delegate if the nurse, in his or her professional judgment, determines that such delegation is not consistent with standards of practice.

Recodified to N.J.A.C. 13:37-8.1 by R.2011 d.037, effective January 18, 2011.

See: 42 N.J.R. 1000(a), 43 N.J.R. 194(a).

Section was "Standards for joint protocols between advanced practice nurses and collaborating physicians".

New Rule, R.2016 d.020, effective March 7, 2016.

See: 47 N.J.R. 406(a), 47 N.J.R. 2050(a), 48 N.J.R. 423(a).

Section was "(Reserved)".

13:37-6.4 Registered nurse obligations relating to delegations to a licensed practical nurse, CHHA, or assistive person

(a) (Reserved)

(b) (Reserved)

(c) When delegating the administration of a specific medication to a licensed practical nurse, a CHHA, or an assistive person, the registered professional nurse shall ensure that the facility patient record or record maintained by the registered professional nurse includes:

1. The specific medication whose administration has been delegated;
2. Any specific instructions the registered nurse provided as part of that delegation;
3. The duration of the delegation;
4. A timeframe for the professional registered nurse to reevaluate the patient;
5. The dosage of the medication, route of administration for the medication, and frequency of the medication;
6. Any side effects that the licensed practical nurse, the CHHA, or the assistive person should watch for;

7. Any contraindications to administering the medication;

8. Any conditions that would require the licensed practical nurse, CHHA, or assistive person to contact the registered professional nurse;

9. Any instructions on positioning of the patient prior to and after the administration of the medication; and

10. The instructions for proper preparation and maintenance of the medication.

(d) When delegating the administration of medication to a licensed practical nurse, a CHHA, or an assistive person, the registered professional nurse shall advise the person whom the task is delegated to:

1. Document every time that the medication is administered; and

2. Report immediately to the delegating registered professional nurse, if:

i. The medication was administered at the wrong time;

ii. The wrong dose of medication was administered;

iii. The wrong medication was administered;

iv. The medication was administered through the wrong route;

v. The medication was not administered;

vi. The patient refused to take the medication; or

vii. The patient evidences any adverse reaction or side-effects to the medication.

Recodified to N.J.A.C. 13:37-8.2 by R.2011 d.037, effective January 18, 2011.

See: 42 N.J.R. 1000(a), 43 N.J.R. 194(a).

Section was "Identification tags".

New Rule, R.2016 d.020, effective March 7, 2016.

See: 47 N.J.R. 406(a), 47 N.J.R. 2050(a), 48 N.J.R. 423(a).

Section was "(Reserved)".

13:37-6.5 Non-delegable nursing tasks

(a) If a registered professional nurse determines that delegation of a task is inappropriate, the nurse shall not delegate the task.

(b) A registered professional nurse shall not delegate the physical, psychological, and social assessment of the patient, which requires professional nursing judgment, intervention, referral, or modification of care.

(c) A registered professional nurse shall not delegate the formulation of the plan of nursing care and evaluation of the effectiveness of the plan.

New Rule, R.2016 d.020, effective March 7, 2016.

See: 47 N.J.R. 406(a), 47 N.J.R. 2050(a), 48 N.J.R. 423(a).

13:37-6.6 Assignment

The requirements of this subchapter apply solely to delegation. These requirements are not applicable when a registered professional nurse makes an assignment to another registered professional nurse, when a registered professional nurse makes an assignment to a licensed practical nurse, when a licensed practical nurse makes an assignment to a registered professional nurse, or when a licensed practical nurse makes an assignment to another licensed practical nurse.

New Rule, R.2016 d.020, effective March 7, 2016.

See: 47 N.J.R. 406(a), 47 N.J.R. 2050(a), 48 N.J.R. 423(a).

SUBCHAPTER 7. CERTIFICATION OF ADVANCED PRACTICE NURSES

Subchapter Historical Note

Petition for Rulemaking. See: 35 N.J.R. 2374(a), 2754(a), 5169(a).

Public Notice. See: 41 N.J.R. 2508(b).

13:37-7.1 Application for certification

(a) Advanced practice nurses shall include those individuals who have been educated as nurse practitioners, clinical nurse specialists and certified registered nurse anesthetists.

(b) An applicant for certification as an advanced practice nurse shall complete a course of study and successfully complete an examination in an advanced practice nursing specialty credentialed by a national certifying agency, that is accredited by the American Board of Nursing Specialties and/or the National Commission for Certifying Agencies.

(c) A registered professional nurse who wishes to practice as an advanced practice nurse shall:

1. Possess a current New Jersey registered professional nurse license in good standing; and

2. Be certified by the Board as an advanced practice nurse.

(d) Each applicant for certification as an advanced practice nurse shall submit the following to the Board:

1. A completed application form;

2. Proof that the applicant has successfully completed the educational requirements of an advanced practice nurse as set forth in N.J.A.C. 13:37-7.2 or, when the advanced practice nurse specializes in anesthesia and does not hold a masters degree, the certification requirements of N.J.A.C. 13:37-7.5. The applicant shall submit to the Board a transcript showing successful completion of an advanced practice nurse program that meets the requirements of N.J.A.C. 13:37-7.2(a);

3. Proof that the applicant has successfully completed the examination requirements set forth in N.J.A.C. 13:37-7.4 within the last year prior to the date of application or, for applicants specializing in anesthesia who do not hold a masters degree, the certification requirements of N.J.A.C. 13:37-7.5. Applicants specializing in anesthesia who have successfully completed the examination requirements of N.J.A.C. 13:37-7.4 need not show that they have completed that examination within the last year if they apply between June 16, 2008 and June 16, 2009;

4. Proof that the applicant is currently certified by a national certifying agency that is accredited by the American Board of Nursing Specialties and/or the National Commission for Certifying Agencies; and

5. The application fee set forth in N.J.A.C. 13:37-5.5(c).

Amended by R.1999 d.49, effective February 1, 1999.
See: 30 N.J.R. 3602(a), 31 N.J.R. 443(a).

In (b)2, changed N.J.A.C. reference.

Amended by R.2008 d.160, effective June 16, 2008.

See: 39 N.J.R. 1991(b), 40 N.J.R. 3729(a).

Added new (a) and (b); recodified former (a) and (b) as (c) and (d); rewrote the introductory paragraph of (c); added (c)1 and (c)2; in the introductory paragraph of (d), inserted "as an advanced practice nurse" and deleted "materials" following "following"; deleted former (b)1; recodified former (b)2 through (b)4 as (d)1 through (d)3; rewrote (d)1 through (d)3; and added (d)4 and (d)5.

13:37-7.2 Educational requirements for certification

(a) An applicant for certification as an advanced practice nurse shall possess;

1. A masters degree in nursing from a school accredited by a nursing accrediting association recognized by the U.S. Department of Education; or

2. A masters degree in nursing and shall have completed a post-masters program that focuses on an advanced practice nursing specialty from a school accredited by a nursing accrediting association recognized by the U.S. Department of Education.

(b) An applicant shall have completed the education required by (a) above no more than two years prior to submitting an application for certification to the Board. An education program completed more than two years prior to submission shall not qualify an applicant for certification. Applicants specializing in anesthesia who have successfully completed the education required by (a) above need not show that they have completed that education within the last two years if they apply between June 16, 2008 and June 16, 2009.

(c) Each applicant shall have successfully completed at least 39 hours in pharmacology during the education program referred to in (a) above.

(d) In addition to the requirements of (a) and (c) above, an applicant shall have completed six contact hours in pharmacology related to controlled dangerous substances, including

pharmacologic therapy and addiction prevention and management, presented by:

1. An organization that has been approved by a credentialing agency accredited by the American Board of Nursing Specialties, and/or the National Commission for Certifying Agencies; or

2. A college or university licensed by either the New Jersey Commission on Higher Education or an agency of another state with requirements substantially similar to the requirements of the New Jersey Commission on Higher Education.

Repeal and New Rule, R.2008 d.160, effective June 16, 2008.

See: 39 N.J.R. 1991(b), 40 N.J.R. 3729(a).

Section was "Educational requirements for certification".

Amended by R.2017 d.081, effective May 1, 2017.

See: 48 N.J.R. 1428(a), 49 N.J.R. 1096(a).

In (d)1, inserted "the American Board of Nursing Specialties, and/or".

13:37-7.3 (Reserved)

New Rule, R.2008 d.160, effective June 16, 2008.

See: 39 N.J.R. 1991(b), 40 N.J.R. 3729(a).

Former N.J.A.C. 13:37-7.3, Examination requirements for certification, recodified to N.J.A.C. 13:37-7.4.

Repealed by R.2017 d.008, effective January 3, 2017.

See: 48 N.J.R. 946(a), 49 N.J.R. 116(a).

Section was "Practice prior to passing the examination for certification".

13:37-7.4 Examination requirements for certification

An applicant for certification shall pass an advanced practice examination in his or her area of specialization offered by a national certifying agency that is accredited by the American Board of Nursing Specialties and/or the National Commission for Certifying Agencies.

Recodified from N.J.A.C. 13:37-7.3 and amended by R.2008 d.160, effective June 16, 2008.

See: 39 N.J.R. 1991(b), 40 N.J.R. 3729(a).

Rewrote the section. Former N.J.A.C. 13:37-7.4, Educational and examination certification requirements in the area of OB/GYN and women's health, repealed.

13:37-7.5 (Reserved)

Repeal and New Rule, R.2008 d.160, effective June 16, 2008.

See: 39 N.J.R. 1991(b), 40 N.J.R. 3729(a).

Section was "Biennial certification renewal".

Repealed by R.2011 d.025, effective January 18, 2011.

See: 42 N.J.R. 1481(a), 43 N.J.R. 193(a).

Section was "Educational and examination certification requirements in the area of anesthesia on or before June 16, 2009".

13:37-7.6 Certification by endorsement

(a) An advanced practice nurse certified in another state shall be eligible for certification in this State without meeting the examination requirements of N.J.A.C. 13:37-7.4 if the educational requirements of the state in which he or she is certified are substantially similar to the educational requirements of this State.