

3. Generic baccalaureate degree programs: For purposes of this subchapter, a baccalaureate degree program is a program conducted by an educational institution with a program in nursing, which leads to a baccalaureate degree in nursing and makes a student eligible for licensure as a registered professional nurse. The educational institution shall be licensed by the New Jersey Commission on Higher Education for the purpose of granting baccalaureate degrees;

4. Associate degree programs: For purposes of this subchapter, an associate degree program means a program conducted by an educational institution with a program which leads to an associate degree in nursing and makes a student eligible for licensure as a registered professional nurse. The educational institution shall be licensed by the New Jersey Commission on Higher Education for the purpose of granting associate degrees;

5. Diploma programs: For purposes of this subchapter, a diploma program means a program conducted by a nursing school under the sponsorship of a hospital or consortium of hospitals in the State of New Jersey, that leads to a diploma in nursing or, in collaboration with a college or university, grants an Associate in Applied Science degree or Associate in Science degree; and

6. Practical nursing programs: For purposes of this subchapter, a practical nursing program means a program conducted for the purposes of providing education in practical nursing, that leads to a diploma or certificate in practical nursing, and which is not operated by any local, county or State Board of Education in this State. A practical nursing program that is operated by a board of education is not under the jurisdiction of the Board pursuant to N.J.S.A. 45:11-24 and is not required to meet the requirements of this subchapter.

Amended by R.1976 d.368, effective November 19, 1976.

See: 8 N.J.R. 199(b), 8 N.J.R. 575(a).

New Rule, R.1985 d.285, effective June 3, 1985.

See: 17 N.J.R. 51(a), 17 N.J.R. 1426(b).

This section was originally Definitions.

Amended by R.1988 d.558, effective December 5, 1988.

See: 20 N.J.R. 1645(b), 20 N.J.R. 3021(a).

Repeal and New Rule, R.2003 d.167, effective April 21, 2003.

See: 34 N.J.R. 1317(a), 35 N.J.R. 1678(a).

Section was "Application for establishment of a new program in nursing or reorganization of an existing program".

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

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

In (c)1-4, inserted "and makes a student eligible for licensure as a registered professional nurse" following "degree in nursing"; and in (c)3, inserted "generic" preceding "baccalaureate" in two places.

Amended by R.2007 d.102, effective April 16, 2007.

See: 38 N.J.R. 3740(a), 39 N.J.R. 1487(b).

In (c)3, deleted the last sentence and substituted a semicolon for a period at the end.

13:37-1.2 Application for establishment of a new program in nursing

(a) An educational institution seeking to establish a new program in nursing shall submit in writing to the Board an application consisting of the following items:

1. The type of program, for example, generic doctoral degree program or baccalaureate degree program;

2. The philosophy, organizing framework, objectives and outcomes of the program in accordance with N.J.A.C. 13:37-1.5;

3. Evidence of financial resources adequate for the planning, implementation and continuation of the program, including a projected five-year budget;

4. A table of organization describing the lines of authority and the administrative structure of the program;

5. Curricula vitae for all faculty and consultants responsible for the development and administration of the program;

6. A letter from the chief executive officer which reflects that he or she has secured initial and continued financial support for the program; and

7. The initial accreditation application fee set forth in N.J.A.C. 13:37-5.5(d)1.

(b) An application to establish a new program in nursing shall be submitted to the Board no later than eight months prior to the proposed establishment of a new program.

(c) After reviewing the application, the Board shall either:

1. Grant permission to pursue the development of the proposed program. However, such permission does not ensure that provisional accreditation will be granted by the Board;

2. Require revisions to the proposed program or to the materials submitted as required by (a) above or the submission of additional information. Revisions to the proposed program or to the application materials does not ensure that provisional accreditation will be granted by the Board; or

3. Deny permission to establish a new program.

(d) The educational institution may request in writing an appearance before the Board for reconsideration of the revisions or denial based upon (c)2 or 3 above within 30 days of written notification of the required revisions or denial.

(e) After receiving permission to pursue the development of a new program, the educational institution shall submit to the Board the following items no later than four months prior to the anticipated start date of the program:

1. The number of students to be admitted to each of the first four classes after establishment of the program;

2. The projected maximum student enrollment;
 3. Admission, progression, retention and dismissal policies;
 4. Appeals policy for any disciplinary matter;
 5. A description of student services;
 6. A plan for increases in faculty commensurate with increased student enrollment;
 7. The curriculum plan, including course objectives for all nursing courses;
 8. A written statement describing the support staff; and
 9. A written Systematic Plan for Program Evaluation of the effectiveness of the curriculum. The Plan shall identify the communities of interest, which include any person or group who is interested in the quality of graduates from a nursing program, and shall include:
 - i. The components being evaluated;
 - ii. The responsible party for evaluating the components;
 - iii. Outcomes that reflect program objectives;
 - iv. Methods for evaluating components; and
 - v. Actions resulting from the collection and analysis of data.
- (f) After reviewing the materials required by (e) above, the Board shall either:
1. Grant provisional accreditation to the program;
 2. Require revisions to the program or the program materials required by (e) above or the submission of additional information. Revisions to the program or program materials do not ensure that provisional accreditation will be granted by the Board; or
 3. Deny permission to establish a new program.

(g) The educational institution may request, in writing, an appearance before the Board for reconsideration of the revisions or denial based upon (f)2 or 3 above within 30 days of written notification of the required revisions or denial.

New Rule, R.1985 d.285, effective June 3, 1985.
See: 17 N.J.R. 51(a), 17 N.J.R. 1426(b).

This section was originally "Application for initial accreditation."
Amended by R.1985 d.483, effective September 16, 1985.
See: 17 N.J.R. 1528(a), 17 N.J.R. 2282(a).

Added (v) through (y).
Amended by R.1988 d.558, effective December 5, 1988.
See: 20 N.J.R. 1645(b), 20 N.J.R. 3021(a).
Amended by R.1995 d.88, effective February 21, 1995.
See: 26 N.J.R. 4731(a), 27 N.J.R. 728(a).
Repeal and New Rule, R.2003 d.167, effective April 21, 2003.
See: 34 N.J.R. 1317(a), 35 N.J.R. 1678(a).

Section was "Eligibility for accreditation".
Amended by R.2006 d.117, effective March 20, 2006.
See: 37 N.J.R. 4179(a), 38 N.J.R. 1461(a).
Added (a)7.

13:37-1.3 Provisional accreditation

(a) A nursing program that has been granted provisional accreditation pursuant to N.J.A.C. 13:37-1.2 may admit students.

(b) A nursing program that has been granted provisional accreditation shall not be granted accreditation until:

1. The first class has graduated;
2. Seventy-five percent of students from the first or second graduating class, who have taken the licensing examination, pass the examination the first time it is taken by the student; and
3. A self-study report is submitted to the Board that shows the nursing program is in compliance with the requirements of N.J.A.C. 13:37-1.4 through 1.11.

(c) The Board may conduct a survey of the program, through its designee, to assure compliance with N.J.A.C. 13:37-1.4 through 1.11.

(d) A program that does not meet the requirements of (b) above shall remain on provisional accreditation status. A program may remain on provisional accreditation status for no more than two years from the date the first class graduates. A program that has not met the requirements of (b) above in that two-year period shall cease to admit students and shall be placed on probation until the last student enrolled in the program graduates or otherwise leaves the program. Once the last student has left the program, the program shall lose its provisional accreditation. A program that has lost provisional accreditation pursuant to this subsection may reapply for accreditation pursuant to N.J.A.C. 13:37-1.2.

(e) A program, or an institution that offers a program, that does not provide its students an opportunity to complete their education and graduate as required by (e) above, may not reapply for accreditation for 10 years from the date the program ended.

Repeal and New Rule, R.2003 d.167, effective April 21, 2003.

See: 34 N.J.R. 1317(a), 35 N.J.R. 1678(a).

Section was "Criteria for granting and withdrawing accreditation".

Amended by R.2005 d.32, effective January 18, 2005.

See: 36 N.J.R. 2300(a), 37 N.J.R. 294(c).

In (b), rewrote 2.

Amended by R.2007 d.102, effective April 16, 2007.

See: 38 N.J.R. 3740(a), 39 N.J.R. 1487(b).

Deleted (c), and recodified (d) through (f) as (c) through (e).

13:37-1.4 Maintaining accreditation: organization and administration of a nursing program

(a) A nursing program shall have:

1. A written organizational and administrative plan describing the internal organization of the program, lines of authority, procedures for providing communication with the governing body and clinical agencies, and the role of any advisory committee associated with the program;

2. Stable financial resources which are allocated to adequately support the program's educational activities;

3. A program administrator who meets the requirements of N.J.A.C. 13:37-1.6 and has direct authority for the fiscal and academic administration of the program. The administrator shall be responsible to the governing body of the sponsoring institution;

4. Written criteria for faculty promotion and faculty retention;

5. Written criteria for student admission, promotion, retention, and completion of the program; and

6. Written policies on grading and graduation requirements.

New Rule, R.2003 d.167, effective April 21, 2003.

See: 34 N.J.R. 1317(a), 35 N.J.R. 1678(a).

Former N.J.A.C. 13:37-1.4, Conditional accreditation, recodified to N.J.A.C. 13:37-1.17.

13:37-1.5 Maintaining accreditation: philosophy, organizing framework, objectives and outcomes

(a) The faculty shall develop, and revise as necessary, a statement of philosophy, a written description or model of the

organizing framework, program objectives and program outcomes which are consistent with the definition of nursing as set forth in N.J.S.A. 45:11-23(b).

(b) The philosophy of the nursing program shall include the faculty's beliefs about the following:

1. Nursing;
2. Humans;
3. Health;
4. Environment; and
5. The teaching-learning process.

(c) The nursing program objectives shall identify those competencies required for the successful entry of the nursing graduate into practice.

(d) The faculty shall develop and maintain the written Systematic Plan for Program Evaluation.

5. 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;

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

7. Completion of a doctoral dissertation: 30 hours;

8. 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;

9. 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;

10. 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;

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

12. 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) Registered professional nurses and licensed practical nurses whose licenses expire on May 31, 2006 shall comply with the requirements of (a) through (e) above commencing with the 2008 renewal of licensure. Registered professional nurses and licensed practical nurses whose licenses expire on May 31, 2007 shall comply with the requirements of (a) through (i) above commencing with the 2009 renewal of licensure.

New Rule, R.2006 d.156, effective May 1, 2006.
See: 37 N.J.R. 1921(a), 38 N.J.R. 1844(a).

13:37-5.4 Categories of licenses

(a) Licenses shall be divided into two categories known as "active" and "inactive" licenses. All persons engaged in any type of nursing practice shall have an active license. An individual who is eligible for an active license but who is not engaged in any type of nursing practice may request an inactive license.

(b) Before engaging in nursing practice, a holder of an inactive license shall register with the Board as active and pay the active biennial license fee as set forth at N.J.A.C. 13:37-5.5(a). A licensee who changes status from inactive to active shall submit evidence to the Board that he or she has completed 30 credits of continuing education which meets the requirements of N.J.A.C. 13:37-5.3.

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).

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)2 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)5 above
8. Lapsed license fee (after 30 days) 100.00 plus the applicable biennial license renewal fee set forth in (a)5 above

9. Duplicate license..... 35.00
10. Written verification of licensure 25.00
11. Copy of Nurse Practice Act 5.00

(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. Lapsed certification 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 nurse practitioners/clinical nurse specialists:

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)..... 160.00
4. Application for certification by endorsement 100.00 plus the applicable initial certification fee set forth in (c)2 above
5. Late renewal of certificate (one to 30 days) 75.00 plus the certification renewal fee set forth in (c)3 above
6. Lapsed certification fee (after 30 days) 100.00 plus the certification renewal fee set forth in (c)3 above
7. 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) 100.00
- 4. Application for certification by endorsement 100.00
 - Plus the applicable initial certification fee set forth in (e)2 above

(f) The following fees shall be charged by the Board in connection with certification of massage, bodywork and somatic therapists:

- 1. Application fee..... \$75.00
- 2. Initial certification fee
 - i. If paid during the first year of a biennial renewal period..... \$120.00
 - ii. If paid during the second year of a biennial renewal period..... \$60.00
- 3. Renewal of certification \$120.00
- 4. Late certification renewal \$50.00
 - Plus the applicable biennial certification renewal fee set forth in (f)3 above
- 5. Lapsed certificate fee..... \$100.00
 - Plus the applicable biennial certification renewal fee set forth in (f)3 above
- 6. Continuing education sponsor fee \$100.00
- 7. Duplicate certificate \$35.00
- 8. Inactive license fee (to be established by the Committee by rule)
- 9. Verification of certification for endorsement \$30.00
- 10. Written verification of certification \$25.00

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.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".

13:37-5.6 Responsibilities of licensure

A licensee shall be held to the level of practice associated with his or her licensure, either as a registered professional nurse or licensed practical nurse, regardless of his or her employment status. For example, when a registered professional nurse is employed as a licensed practical nurse, he or she will be held to the standards of a registered professional nurse.

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