

**CHAPTER 44H
ORTHOTICS AND PROSTHETICS BOARD OF
EXAMINERS**

Authority

N.J.S.A. 45:12B-19 and 45:12B-26.

Source and Effective Date

R.2003 d.310, effective July 3, 2003.
See: 35 N.J.R. 1200(a), 35 N.J.R. 3593(b).

Chapter Expiration Date

In accordance with N.J.S.A. 52:14B-5.1c, Chapter 44H, Orthotics and Prosthetics Board of Examiners, expires on December 30, 2008. See: 40 N.J.R. 4293(a).

Chapter Historical Note

Chapter 44H, Orthotics and Prosthetics Board of Examiners, was adopted as R.1998 d.79, effective February 2, 1998. See: 29 N.J.R. 310(a), 29 N.J.R. 2259(a), 30 N.J.R. 553(a).

Subchapter 4, Clinical Residency in New Jersey for Orthotics and Prosthetics, was repealed by R.2002 d.196, effective June 17, 2002. See: 33 N.J.R. 1864(a), 34 N.J.R. 2129(a).

Chapter 44H, Orthotics and Prosthetics Board of Examiners, was readopted as R.2003 d.310, effective July 3, 2003. See: Source and Effective Date. See, also, section annotation.

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**SUBCHAPTER 1. PURPOSE AND SCOPE;
DEFINITIONS**

13:44H-1.1 Purpose and scope

(a) The rules in this chapter implement the provisions of the Orthotist and Prosthetist Licensing Act (the Act), N.J.S.A. 45:12B-1 et seq. as amended by P.L. 1999, c.115, regulate the practice of orthotics and prosthetics, and offer licensure to certified pedorthists within this State.

(b) Except as set forth in (c) below, this chapter shall apply to all individuals who practice orthotics and prosthetics in New Jersey, and to those pedorthists certified by the American Board for Certification in Pedorthics who voluntarily obtain a license pursuant to N.J.S.A. 45:12B-18(d) and N.J.A.C. 13:44H-3.2.

(c) This chapter shall not apply to:

1. Any person who is licensed to practice medicine and surgery, dentistry or podiatry in this State;

2. A student, fellow or trainee in orthotics or prosthetics who is pursuing a course of study at a college or university accredited by an accrediting agency recognized by the United States Department of Education, or working in a training center or research facility which has a written affiliation agreement with a college or university accredited by an accrediting agency recognized by the United States Department of Education, to the extent that the activities and services performed are a part of the course of study under the supervision of a licensee pursuant to N.J.A.C. 13:44H-3.6;

3. A student who, pursuant to N.J.A.C. 13:44H-3.5, is training to be a licensed prosthetist assistant, a licensed orthotist assistant or a licensed prosthetist-orthotist assistant to the extent that the activities and services are a part of the course of study under the supervision of a licensee pursuant to N.J.A.C. 13:44H-3.6;

4. A licensed occupational therapist or licensed physical therapist when designing, modifying, fabricating or applying upper extremity adaptive equipment, finger splints and hand splints;

5. A licensed physical therapist in providing corsets and soft cervical collars;

6. A licensed physical therapist in providing lower extremity orthotics made of fabric, canvas, neoprene or elastic with or without metal or plastic insertable or removable hinges or stays;

7. A licensed physical therapist in providing any lower extremity, low temperature splint or ankle foot orthotic when such bracing is for the evaluation or treatment of an adult patient for less than three months or for a pediatric patient for less than one year without the necessity to consult with a licensed orthotist and when the braces do not become the patient's property;

8. A licensed physical therapist in providing any off-the-shelf ankle foot orthosis made of fabric, canvas, neoprene or elastic and any low temperature posterior leaf ankle foot orthosis;

9. A licensed physical therapist in providing any high temperature posterior leaf ankle foot orthosis when the licensed physical therapist is conducting research at a college or university accredited by a regional or national accrediting agency recognized by the United States Department of Education;

10. A licensed physical therapist in managing lower extremity prosthetic volumetric changes, provided that the physical therapist consults with the dispensing prosthetist prior to implementing any non-reversible changes; and

11. A certified pedorthist whose activities are limited to the practice of orthotics and prosthetics for the ankle and below.

Amended by R.2002 d.196, effective June 17, 2002.

See: 33 N.J.R. 1864(a), 34 N.J.R. 2129(a).

In (a), inserted "as amended by P.L. 1999, c.115," preceding "regulate"; rewrote (c).

13:44H-1.2 Definitions

The following words and terms, as used in this chapter, shall have the following meanings, unless the context clearly indicates otherwise:

"Ankle" means the proximal aspect of the medial malleoli.

"Brace" means any device which supports the trunk or limbs, limits or assists motion in any direction, or immobilizes, stabilizes and protects joints, trunk, head and neck.

"Established facility" means a facility that:

1. Is primarily devoted to the provision of orthotic or prosthetic devices;

2. Provides a dedicated area for the proper care, treatment and dignity of clients receiving such devices; such area shall be large enough to allow for extended and continuous ambulation; and

3. Is appropriately equipped to design, cast and measure, provide, service, adjust, maintain and replace (when necessary) orthotic and prosthetic devices.

"Orthotic appliance or orthosis" means a brace or support but does not include fabric and elastic supports, corsets, arch supports, trusses, elastic hose, canes, crutches, cervical collars, dental appliances or other similar devices carried in stock and sold by drug stores, department stores, corset shops or surgical supply facilities.

"Orthotist" means any person who practices orthotics and who is representing himself or herself to the public by title or by description of services, incorporating such terms as "orthotics," "orthotists," "orthotic" or "L.O." or any similar title or description of services, provided that the individual has met the eligibility requirements contained in N.J.S.A. 45:12B-11 and N.J.A.C. 13:44H-3.1, and has been licensed pursuant to N.J.S.A. 45:12B-1 et seq. and this chapter.

"Orthotist assistant" means a person licensed pursuant to the provisions of P.L. 1991, c.512 and N.J.A.C. 13:44H-3.5, and who assists, and practices under the supervision of, a licensed orthotist.

"Pedorthist" means a person who is certified by the American Board for Certification in Pedorthics, or its successor, in the design, manufacture, fit and modification of shoes and related foot appliances from the ankle and below as prescribed by a licensed doctor of medicine or podiatry for the amelioration of painful or disabling conditions of the foot.

13:44H-3.3 Licensure without examination (grandfathering); orthotists and prosthetists; credential requirements

(a) By December 14, 2002, a person who has practiced for at least 1,750 hours a year as an orthotist, prosthetist or prosthetist-orthotist in an established orthotic, prosthetic or prosthetic-orthotic facility for at least three years prior to June 17, 2002 may apply for licensure without satisfying the requirements of N.J.A.C. 13:44H-3.1.

(b) An applicant who seeks licensure without examination under this section shall submit to the Board:

1. A completed application which shall include:
 - i. A certified statement from applicant documenting their work history;
 - ii. Notarized documentation from the employer of applicant's employment history, including Employers Statement Form, supplied by the Board, and a recommendation which must be sent to the Board by the employer; and
 - iii. A minimum of four Physician Reference Forms, supplied by the Board, completed by physicians who have medical rehabilitation and/or orthopedic experience, and who are familiar with the applicant's work, which must be sent directly to the Board by the physician; and
 - iv. A passport size photograph; and

2. The application fee set forth in N.J.A.C. 13:44-10.1.

(c) The Board shall conduct an investigation of the applicant's work history within six months of the date of receipt of the completed application in order to determine whether the application contains sufficient evidence that the applicant qualifies for licensure without examination as an orthotist, prosthetist or prosthetist-orthotists.

Amended by R.2002 d.196, effective June 17, 2002.

See: 33 N.J.R. 1864(a), 34 N.J.R. 2129(a).

Rewrote the section.

Public Notice: Extension of deadline for application for licensure.

See: 35 N.J.R. 1159(a).

13:44H-3.4 Requirements for temporary license for licensees of other jurisdictions

(a) The Board shall issue a temporary license to an individual licensed in another state which has licensing standards equivalent to those in this State if the individual:

1. Has applied for licensure as an orthotist, prosthetist or prosthetist-orthotist, in the State of New Jersey; and
2. Is a licensee in good standing in any state in which he or she is licensed.

(b) The temporary license shall authorize its holder to practice in the field in which the holder was licensed in the other state. For example, an individual licensed in another state as an orthotist may only practice as an orthotist in this State pursuant to a temporary license.

(c) The holder of a temporary license shall be supervised by a licensee pursuant to N.J.A.C. 13:44H-3.6(e).

(d) A temporary license shall be issued for a one year period. The holder of a temporary license shall take the first available licensing examination administered after receipt of the temporary license. An applicant who does not take the next administered examination for reasons of hardship such as illness, disability or other good cause may take the examination offered after the next administered examination. At the end of the one year period, the Board may renew the temporary license if the holder has taken the first scheduled examination, shows good cause for the renewal and if the renewal of the temporary license would serve the well-being and interests of the clients of the establishment in which the holder practices. The holder of a renewed temporary license shall be supervised pursuant to N.J.A.C. 13:44H-3.6(d).

(e) An application for renewal of the temporary license shall be sent to the Board at least 90 days before the temporary license expires. The holder of a renewed temporary license shall take the next available examination after the temporary license is renewed. The renewed temporary license shall expire immediately after the results of the second licensing examination are issued.

(f) A person whose temporary license has expired shall cease working as an orthotist, prosthetist or prosthetist-orthotist, but may continue to take the licensing examination. If the person passes the licensing examination he or she shall, within 60 days, apply for licensure pursuant to N.J.A.C. 13:44H-3.1.

Amended by R.2002 d.196, effective June 17, 2002.

See: 33 N.J.R. 1864(a), 34 N.J.R. 2129(a).

Rewrote the section.

13:44H-3.5 Licensure as a prosthetist assistant, orthotist assistant or prosthetist-orthotist assistant

(a) An applicant for licensure as a prosthetist assistant, orthotist assistant or prosthetist-orthotist assistant shall submit to the Board:

1. A completed application form which shall include:
 - i. Proof that the applicant is at least 18 years of age;
 - ii. Proof of high school diploma or its equivalent;
 - iii. A certification from the applicant's supervising licensee stating that the applicant has completed a course of training in orthotics or prosthetics of at least 40 hours for licensure as an orthotist assistant or a prosthetist assistant, or a course of training of at least 80 hours for licensure as a prosthetist-orthotist assistant;
 - iv. A certification from the applicant's supervising licensee stating that the applicant has completed 1,900 hours of clinical practice in the area of licensure sought under the supervision of a licensed orthotist or prosthetist;

2. Proof that the applicant has passed the written, oral and practical examination; and

3. An application fee as set forth in N.J.A.C. 13:44H-10.1.

(b) A person who applies for licensure as an orthotist assistant, a prosthetist assistant or a prosthetist-orthotist assistant by June 17, 2003 and who has completed 1,900 hours of clinical practice under the supervision of a person who is not a licensed orthotist, a licensed prosthetist or a licensed prosthetist-orthotist in this State within the three years preceding June 17, 2002 shall qualify for licensure as an orthotist assistant, a prosthetist assistant or a prosthetist-orthotist assistant if he or she is able to demonstrate that the supervisor would qualify for licensure pursuant to N.J.A.C. 13:44H-3.3.

New Rule, R.2002 d.196, effective June 17, 2002.
Sec: 33 N.J.R. 1864(a), 34 N.J.R. 2129(a).

13:44H-3.6 Supervision of an orthotist assistant, prosthetist assistant, prosthetist-orthotist assistant, student or holder of a temporary license

(a) From June 17, 2002 until June 17, 2003, a licensed orthotist assistant, licensed prosthetist assistant, licensed prosthetist-orthotist assistant, student or holder of a temporary license shall be supervised, pursuant to (b) through (k) below, by either a licensed orthotist, licensed prosthetist, licensed prosthetist-orthotist or by a person who has a pending application for licensure as an orthotist, prosthetist or prosthetist-orthotist, which demonstrates that the supervisor would qualify for licensure. After that time period, the licensed orthotist assistant, licensed prosthetist assistant, licensed prosthetist-orthotist assistant, student or holder of a temporary license shall only be supervised by a licensed orthotist, licensed prosthetist or licensed prosthetist-orthotist pursuant to (b) through (k) below.

(b) A licensed orthotist assistant, orthotist student or holder of a temporary orthotist license shall be supervised by a licensed orthotist. A licensed prosthetist assistant, prosthetist student or holder of a temporary prosthetist license shall be supervised by a licensed prosthetist. A licensed prosthetist-orthotist assistant, prosthetist-orthotist student or holder of a temporary prosthetist-orthotist license shall be supervised by a licensed prosthetist-orthotist.

(c) A licensed orthotist assistant, licensed prosthetist assistant, licensed prosthetist-orthotist assistant, student or holder of a temporary license shall not render nor continue to perform laboratory or clinical work unless he or she has obtained close or routine supervision from his or her supervising licensee. For purposes of this section, a "supervising licensee" is a licensed orthotist, licensed prosthetist or licensed prosthetist-orthotist who provides close or routine supervision in the same facility as, and who provides direction to a licensed orthotist assistant, licensed prosthetist assistant, licensed prosthetist-orthotist assistant, student or holder of a temporary license.

(d) A supervising licensee shall be responsible for the close supervision of a licensed orthotist assistant, licensed prosthetist assistant, licensed prosthetist-orthotist assistant, or student. For purposes of this section, "close supervision" means daily, face-to-face contact and observation of the performance of the laboratory and clinical work of the licensed orthotist assistant, licensed prosthetist assistant, licensed prosthetist-orthotist assistant or student at the location where his or her services are being performed.

(e) A supervising licensee shall be responsible for the routine supervision of the holder of a temporary license. For purposes of this section, "routine supervision" means face-to-face contact with and observation of the performance of the laboratory and clinical work of the holder of a temporary license at least once a week at the location where his or her services are being performed.

(f) The supervising licensee shall be personally responsible for the laboratory and clinical work of the licensed orthotist assistant, licensed prosthetist assistant, licensed prosthetist-orthotist assistant, student or holder of a temporary license.

(g) A supervising licensee shall not supervise more than three licensed orthotist assistants, licensed prosthetist assistants, licensed prosthetist-orthotist assistants, students or holders of a temporary license, or any combination thereof, at a time.

(h) The supervising licensee shall be physically present at both the initial evaluation of the patient and the final provision of the orthotic or prosthetic device by a licensed orthotist assistant, licensed prosthetist assistant, licensed prosthetist-orthotist assistant, student or holder of a temporary license to determine the appropriateness of the device delivered.

(i) The supervising licensee shall provide direction to the licensed orthotist assistant, licensed prosthetist assistant, licensed prosthetist-orthotist assistant, student or holder of a temporary license.

(j) A licensed orthotist assistant, licensed prosthetist assistant, licensed prosthetist-orthotist assistant, student or holder of a temporary license, shall maintain a daily record which shall contain the name and license number of the supervising licensee, the date when any services were performed and the clinical or laboratory services performed. The supervising licensee shall initial this record daily.

(k) The supervising licensee shall designate another licensee who shall perform the appropriate level of supervision, as detailed above, of licensed orthotist assistants, licensed prosthetist assistants, licensed prosthetist-orthotist assistants, students or holders of a temporary license in his or her absence.

Repeal and New Rule, R.2002 d.196, effective June 17, 2002.

See: 33 N.J.R. 1864(a), 34 N.J.R. 2129(a).
 Section was "Failure of examination; when retaking permitted".

13:44H-3.7 Licensing and biennial renewal

(a) Once the Board has determined that an applicant should be issued a license, it shall send notification to the applicant that he or she should send the Board the licensing fee pursuant to N.J.A.C. 13:44H-10.1(a)3, for orthotists, prosthetists and prosthetist-orthotists, or N.J.A.C. 13:44H-10.1(a)4, for orthotist assistants, prosthetist assistants or prosthetist-orthotist assistants. The Board shall send a license to the applicant upon receipt of this fee.

(b) Licenses shall be valid for two years. Prior to the expiration of a license, the Board shall send out notification to licensees that the license will expire unless renewed. The Board shall renew the license upon receipt of a completed renewal form and the renewal fee pursuant to N.J.A.C. 13:44H-10.1(a)5, for orthotists, prosthetists and prosthetist-orthotists, or N.J.A.C. 13:44H-10.2(a)6, for orthotist assistants, prosthetist assistants or prosthetist-orthotist assistants.

New Rule, R.2002 d.196, effective June 17, 2002.
 See: 33 N.J.R. 1864(a), 34 N.J.R. 2129(a).

SUBCHAPTER 4. (RESERVED)

SUBCHAPTER 5. ORTHOTIC AND PROSTHETIC ESTABLISHED FACILITY REQUIREMENTS

13:44H-5.1 Minimum requirement

(a) Every established orthotic facility which utilizes centralized fabrication services shall, at a minimum, be equipped with the following:

1. A Trautman router (or similar);
2. A machinist vise;
3. A drill press;
4. Compressed air;
5. A sewing machine;
6. A plaster modification area;
7. Plaster tools;
8. A work bench;
9. A sanding machine;
10. A band saw or alternate cutting device;
11. A heat gun;
12. A cast cutter;
13. Bending irons;

14. One full length mirror; and
15. One set of parallel bars at least seven feet long.

(b) Every established orthotic facility which engages in on-site fabrication shall, in addition to the equipment listed in (a) above, be equipped with the following:

1. An oven;
2. Exhaust equipment;
3. A molding station;
4. A vacuum pump;
5. Joint alignment tools;
6. A shoe jack; and
7. A sandblaster or polishing equipment.

(c) Every established prosthetic facility which utilizes centralized fabrication services shall, in addition to the equipment listed in (a) above, be equipped with the following:

1. A limb vise; and
2. A sanding disc.

(d) Every established prosthetic facility which engages in on-site fabrication shall, in addition to the equipment listed in (a) above, be equipped with the following:

1. A limb transfer jig;
2. An oven;
3. A molding station;
4. A vacuum pump;
5. Compressed air;
6. A limb vise;
7. A sanding disc; and
8. Exhaust equipment.

(e) Every established pedorthic facility, wherein a licensed pedorthist engages in the practice of pedorthics, shall meet the facility accreditation requirements set forth by the American Board for Certification in Pedorthics ("BCP").

SUBCHAPTER 6. GENERAL OBLIGATIONS OF LICENSEES AND CERTIFICATE HOLDERS; UNLICENSED PRACTICE

13:44H-6.1 Notification of change of address; service of process; duty to cooperate

(a) Every licensee shall notify the Board of the licensee's office address. Each licensee shall notify the Board, in writ-

ing, within 30 days of any change in the office address on file with the Board.

(b) Service of an administrative complaint or other process initiated by the Board, the Attorney General or the Division of Consumer Affairs at the licensed practitioner's address on file with the Board shall be deemed adequate notice for the commencement of any inquiry or disciplinary proceeding against the licensed practitioner.

(c) Every licensee shall cooperate in any inquiry, inspection or investigation conducted by or on behalf of the Board or the Director pursuant to N.J.A.C. 13:45C.

13:44H-6.2 Unlicensed practice of prosthetics, orthotics and prosthetics-orthotics

(a) The following acts or practices shall be deemed to be the unlicensed practice of prosthetics, orthotics and prosthetics-orthotics:

1. Offering or rendering orthotics or prosthetics services by any person other than a licensed orthotist, licensed prosthetist, licensed prosthetist-orthotist, certified pedorthist, pedorthist licensed to the practice of orthotics and prosthetics on the ankle and below, licensed orthotist assistant, a licensed prosthetist, a licensed prosthetist-orthotist assistant or by a licensed professional acting within his or her scope of practice and exempt pursuant to N.J.A.C. 13:44H-1.1(c).

2. The use by any person other than a licensed orthotist, prosthetist or prosthetist-orthotist of:

i. Any title or designation which includes the words orthotist, prosthetist or prosthetist-orthotist which may mislead the public; or

ii. The abbreviations L.O., L.P., L.P.O. or any similar abbreviations.

(b) A licensee shall use only the title or designation corresponding to his or her license.

Amended by R.2002 d.196, effective June 17, 2002.

See: 33 N.J.R. 1864(a), 34 N.J.R. 2129(a).

In (a)1, inserted “, licensed orthotist assistant, a licensed prosthetist, a licensed prosthetist-orthotist assistant” preceding “or by a licensed professional” and amended N.J.A.C. reference.

13:44H-6.3 Continuing education

(a) Commencing with the 2007 renewal, upon biennial license renewal, a licensee shall attest that he or she has completed courses of continuing education of the types and number of credits specified in (c) below. Falsification of any information submitted on the renewal application may require an appearance before the Board and 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) Licensees applying for their first biennial renewal are exempt from this continuing education requirement.

(c) Applicants for biennial license renewal shall complete the following continuing education credits during the preceding biennial period:

1. For prosthetist-orthotists, a minimum of 40 credits in topics related to prosthetics and orthotics;

2. For orthotists, a minimum of 30 credits in topics related to orthotics;

3. For prosthetists, a minimum of 30 credits in topics related to prosthetics;

4. For prosthetist-orthotist assistants, a minimum of 16 credits in topics related to prosthetics and orthotics;

5. For orthotist assistants, a minimum of 12 credits in topics related to orthotics; and

6. For prosthetist assistants, a minimum of 12 credits in topics related to prosthetics.

(d) A licensee who completes more than the minimum continuing education credits set forth in (c) above in any biennial registration period may carry a portion of those additional credits into the succeeding biennial period. Licensees may carry:

1. For prosthetist-orthotist, a maximum of 20 credits;

2. For orthotists and prosthetists, a maximum of 15 credits;

3. For prosthetist-orthotist assistants, a maximum of eight credits; and

4. For orthotist assistants and prosthetist assistants, a maximum of six credits.

(e) A licensee may obtain continuing education credits from the following:

1. Successful completion of continuing education courses or programs approved by the American Board for Certification in Orthotics and Prosthetics: one credit for each hour of attendance;

2. Successful completion of a course related to orthotics or prosthetics given by a school accredited by the New Jersey Department of Education, a college or university accredited by the Commission on Higher Education or an agency of another state with requirements substantially similar to the requirements of the New Jersey Department of Education or the Commission on Higher Education: one credit for each course credit successfully completed;

(f) Where an advertiser directly or indirectly provides compensation to a testimonial-giver, the fact of such compensation shall be conspicuously disclosed in a legible and readable manner in any advertisement in the following language or its substantial equivalent:

“COMPENSATION HAS BEEN PROVIDED FOR THIS TESTIMONIAL.”

13:44H-8.8 Retention of advertisements

(a) A licensee shall retain, for a period of three years from the date of initial publication or dissemination, a copy of every advertisement appearing in print media as well as a video or audio tape of every advertisement communicated by telephonic or electronic media. The orthotist, prosthetist, prosthetist-orthotist, orthotist assistant, prosthetist assistant, prosthetist-orthotist assistant or pedorthist shall indicate on all advertisements in his or her possession the date, name and place of publication.

(b) Documentation relating to the use of testimonials shall be retained for a period of three years from the date of last use of the testimonial. Documentation shall include, but not be limited to:

1. The name, address and telephone number of the testimonial-giver;
2. The type and amount or value of compensation; and
3. The notarized statement and release required pursuant to N.J.A.C. 13:44H-8.7(b).

Amended by R.2002 d.196, effective June 17, 2002.
See: 33 N.J.R. 1864(a), 34 N.J.R. 2129(a).

In (a), inserted “orthotist assistant, prosthetist assistant, prosthetist-orthotist assistant” following “prosthetist-orthotist” and “, name” following “date”.

SUBCHAPTER 9. CLIENT RECORDS

13:44H-9.1 Preparation and maintenance of client records

(a) A licensee shall prepare and maintain for each client a contemporaneous, permanent client record which accurately reflects the client contact with the orthotist, prosthetist, prosthetist-orthotist, orthotist assistant, prosthetist assistant, prosthetist-orthotist assistant or pedorthist, whether in an office, hospital or other evaluation or consultation setting.

(b) A licensee shall include at least the following information in the client record:

1. The client name (on each page of the record), address and telephone number;
2. The location and dates of all treatment, evaluation or consultation settings;

3. The identity of each provider of treatment, evaluation or consultation and the supervisor, if any;

4. The presenting situation;

5. The name and address of the referring physician, podiatrist or dentist;

6. All prescriptions relevant to the client;

7. A treatment or service plan;

8. Contemporaneous progress notes for each session;

9. Fees charged and paid unless a separate financial record is kept; and

10. The name of the manufacturer of any device not made by the licensee.

(c) The licensee shall periodically review and update the treatment or service plan.

(d) The licensee shall retain the permanent client record for at least seven years from the date of last entry, unless otherwise provided by law.

(e) All licensees shall comply with this section notwithstanding an employer's recordkeeping requirements.

Amended by R.2002 d.196, effective June 17, 2002.

See: 33 N.J.R. 1864(a), 34 N.J.R. 2129(a).

In (a), inserted “, orthotist assistant, prosthetist assistant, prosthetist-orthotist assistant” following “prosthetist-orthotist”.

13:44H-9.2 Release of client record

(a) A licensee shall provide the client record within 15 days of the request of, and directly to, the client, the client's guardian or any other party designated by the client or the client's guardian.

(b) A licensee may require that a record request be made in writing and may charge a fee for the reproduction of records, which shall be no greater than \$1.00 per page or \$100.00 for the entire record, whichever is less. (If the record requested is less than 10 pages, the licensee may charge up to \$10.00 to cover postage and the miscellaneous costs associated with retrieval of the record.)

(c) A licensee shall not charge a fee for completion of health insurance claim forms.

(d) A licensee may charge a reasonable fee for completion of reports required for third-party reimbursement of client treatment expenses or for use in judicial proceedings.

(e) When a report is needed to enable a client to receive ongoing care by another practitioner or for use in judicial proceedings, a licensee shall not require advance payment as a condition for releasing the report; except that a licensee may require advance payment for release of a report prepared by the licensee, for use by the licensee as an expert witness on behalf of the client.

SUBCHAPTER 10. FEES

13:44H-10.1 Fee schedule

(a) The following fees shall be charged by the Orthotics and Prosthetics Board of Examiners:

- 1. Application fee \$125.00
- 2. Examination fee \$200.00
(plus cost charged by examination administrator)
- 3. Initial license fee for orthotist, prosthetist and prosthetist-orthotist:
 - i. If paid during the first year of the biennial renewal period..... \$410.00
 - ii. If paid during the second year of the biennial renewal period..... \$205.00
- 4. Initial license fee for orthotist assistant, prosthetist assistant and prosthetist-orthotist assistant:
 - i. If paid during the first year of the biennial renewal period..... \$210.00
 - ii. If paid during the second year of the biennial renewal period..... \$105.00

- 5. Biennial license renewal for orthotist, prosthetist and prosthetist-orthotist..... \$410.00
- 6. Biennial license renewal orthotist assistant, prosthetist assistant and prosthetist-orthotist assistant \$210.00
- 7. Temporary license \$175.00
(one-year expiration)
- 8. Late renewal \$100.00
- 9. Reinstatement fee \$150.00
- 10. Written verification of licensure \$ 25.00
- 11. Duplicate or replacement of renewal certificate . \$ 25.00
- 12. Duplicate or replacement of wall license \$ 40.00
- 13. Continuing education sponsor fee..... \$100.00

Amended by R.2002 d.196, effective June 17, 2002.
See: 33 N.J.R. 1864(a), 34 N.J.R. 2129(a).
Rewrote the section.
Amended by R.2006 d.54, effective February 6, 2006.
See: 37 N.J.R. 955(a), 38 N.J.R. 1006(a).
Added (a)13, continuing education sponsor fee.
Amended by R.2008 d.353, effective November 17, 2008.
See: 40 N.J.R. 3585(a), 40 N.J.R. 6619(a).
In (a)3i, substituted "\$410.00" for "\$350.00"; in (a)3ii, substituted "\$205.00" for "\$175.00"; in (a)4i, substituted "\$210.00" for "\$150.00"; in (a)4ii, substituted "\$105.00" for "\$75.00"; in (a)5, substituted "prosthetist-orthotist" for "prosthetics-orthotist" and "\$410.00" for "\$350.00"; and in (a)6, substituted "\$210.00" for "\$150.00".