

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

(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. Duplicate certificate..... \$35.00
- 7. Inactive license fee (to be established by the Committee by rule)
- 8. Verification of certification for endorsement..... \$30.00
- 9. 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).

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 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".

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.

(b) An applicant for advanced practice nurse certification who is certified in another state shall submit to the Board:

1. A completed application form, which contains biographical, educational and experiential data concerning the applicant;

2. Verification of certification as an advanced practice nurse in good standing in another state;

3. 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. The applicant shall submit to the Board a transcript showing successful completion of an advanced practice nurse program from the school(s) where the applicant completed the educational requirements. An applicant applying for certification through endorsement shall not be required to meet the requirements of N.J.A.C. 13:37-7.2(b);

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(e).

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 "Prescriptive practice".

13:37-7.7 Biennial certificate renewal; certificate suspension; reinstatement of suspended certificate; inactive status; return from inactive status

(a) All certificates for advanced practice nurses shall be issued for a two-year certification period, which coincides with the advanced practice nurse's registered professional nurse licensure renewal period. An advanced practice nurse who seeks renewal of the certificate shall submit a renewal application, 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 the renewal fee set forth in N.J.A.C. 13:37-5.5 prior to the expiration date of the certificate. An advanced practice nurse who is certified prior to June 16, 2008 shall not have to show that he or she is certified by a national certifying agency.

(b) The Board shall send a notice of renewal to each advanced practice nurse, at least 60 days prior to the expiration of his or her certificate. 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) If an advanced practice nurse does not renew the certificate prior to its expiration date, the advanced practice nurse may renew the certificate within 30 days of its expiration by submitting a renewal application, 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, a renewal fee and a late fee, as set forth in N.J.A.C. 13:37-5.5.

(d) A certificate that is not renewed within 30 days of its expiration shall be automatically suspended. An individual who continues to practice with a suspended certificate shall be deemed to be engaged in unlicensed practice.

(e) An advanced practice nurse whose certificate has been automatically suspended for five years or less for nonpayment of a biennial renewal fee pursuant to (c) above may be reinstated by the Board upon completion of the following:

1. Payment of the reinstatement fee and all past delinquent biennial renewal fees pursuant to N.J.A.C. 13:37-5.5;

2. Completion of the continuing education units required under N.J.A.C. 13:37-7.8 for each biennial registration period for which the advanced practice nurse was suspended; and

3. Submission of an affidavit of employment listing each job held during the period the certificate was suspended, including the name, address, and telephone number of each employer.

(f) An advanced practice nurse whose certificate has been automatically suspended for failure to renew for more than five years who wishes to have his or her certificate reinstated shall reapply for certification pursuant to N.J.A.C. 13:37-7.1. The applicant shall fulfill all of the initial licensure requirements, including retaking the examination required by N.J.A.C. 13:37-7.1(d)3. An applicant reapplying for certification shall not be required to meet the requirements of N.J.A.C. 13:37-7.2(b).

(g) Renewal applications shall provide the advanced practice nurse with the option of either active or inactive status. An advanced practice nurse electing inactive status shall pay the inactive certificate fee set forth in N.J.A.C. 13:37-5.5 and shall not practice as an advanced practice nurse.

(h) An advanced practice nurse who elected inactive status and has been on inactive status for five years or less may be reinstated by the Board upon completion of the following:

1. Payment of the active status fee set forth in N.J.A.C. 13:37-5.5;

2. The completion of the continuing education units required for each biennial registration period for which the advanced practice nurse was on inactive status; and

3. Submission of an affidavit of employment listing each job held during the period the advanced practice nurse was on inactive status, including the name, address, and telephone number of each employer.

(i) An advanced practice nurse who has been on inactive status for more than five years who wishes to return to practice shall reapply for certification pursuant to N.J.A.C. 13:37-7.1. The applicant shall fulfill all of the initial licensure requirements, including retaking the examination required by N.J.A.C. 13:37-7.1(d)3. An applicant reapplying for certification shall not be required to meet the requirements of N.J.A.C. 13:37-7.2(b).

(j) An advanced practice nurse who was initially certified by the Board in an area of practice that was approved by the Board prior to June 16, 2008 shall be permitted to renew certification for that practice.

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 "Requirements for issuing prescriptions and orders; dispensing medications".

13:37-7.8 Continuing education

Every biennial period, an advanced practice nurse shall complete the continuing education required for the renewal of a registered professional nurse license pursuant to N.J.A.C. 13:37-5.3 and the continuing education requirements of the national certifying agency whose examination the advanced practice nurse successfully passed pursuant to N.J.A.C. 13:37-7.4 or 7.5.

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 "Certification by endorsement".

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

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

Deleted designation (a); and deleted (b) and (c).

13:37-7.9 Prescriptive practice

(a) An advanced practice nurse may prescribe or order medications and devices and shall do so in conformity with the provisions of this subchapter, N.J.S.A. 45:11-45 et seq., and written protocols for the prescription of medications and devices jointly developed by the advanced practice nurse and the collaborating physician in accordance with the standards of N.J.S.A. 45:11-51 and N.J.A.C. 13:37-6.3.

(b) An advanced practice nurse may prescribe or order treatments, including referrals, and shall do so in conformity with the provisions of this subchapter and N.J.S.A. 45:11-45 et seq.

(c) An advanced practice nurse who issues prescriptions in any setting other than in a licensed acute care or long-term care facility may issue written prescriptions for medications to patients only on New Jersey Prescription Blanks in accordance with N.J.S.A. 45:14-55.

(d) An advanced practice nurse shall include the following information on each prescription blank issued:

1. The prescribing advanced practice nurse's full name, designation, that is, APN, address, telephone number, and certification number;

2. The full name, date of birth and address of the patient;

3. The date of issuance;

4. The name, strength, route and quantity of the medication prescribed;

5. The number of refills permitted or time limit for refills, or both;

6. A handwritten, original signature;

7. An explicit indication, by initials placed next to "do not substitute," if a specified brand name drug is to be dispensed;

8. The full name, title, address, telephone number, and license number of the collaborating physician;