

CHAPTER 40A**EMERGENCY MEDICAL TECHNICIAN TRAINING****Authority**

N.J.S.A. 26:2K-54 et seq. (P.L. 1992, c.143, section 8) and 26:2K-39 et seq.

Source and Effective Date

R.1997 d.178, effective April 21, 1997.
See: 28 N.J.R. 3247(b), 28 N.J.R. 3909(a), 29 N.J.R. 1519(b).

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Chapter 40A, Emergency Medical Technician Training, expires on April 21, 2002.

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(a) This chapter is promulgated to carry out the provisions of the Emergency Medical Technician Training Fund Act, P.L. 1992, c.143.

(b) This chapter shall apply to:

1. Any private agency, organization or entity seeking accreditation as a training agency;
2. Accredited training agencies;
3. Individuals seeking certification or recertification as an EMT or EMT-D;
4. Certified EMTs and EMTs-D;

5. Individuals authorized to function as EMTs-D, including, but not limited to, paramedics and registered nurses;
6. Individuals seeking certification or recertification as an EMT instructor; and
7. Certified EMT instructors.

8:40A-1.2 Definitions

The following words and terms, as utilized in this chapter, shall have the following meanings, unless the context in which they are utilized clearly indicates otherwise.

“Basic life support” means a basic level of prehospital care which includes patient stabilization, airway clearance, cardiopulmonary resuscitation, hemorrhage control, initial wound care and fracture stabilization and any other techniques and procedures specified in this chapter.

“Commissioner” means the Commissioner of the New Jersey Department of Health and Senior Services.

“Defibrillation” means the discharge of electrical current through the fibrillating myocardium for the purpose of restoring a perfusing cardiac rhythm.

“Department” means the New Jersey Department of Health and Senior Services.

“Emergency Medical Technician (EMT)” means an individual trained in basic life support services, as defined at N.J.S.A. 26:2K-21, and who is currently certified by the Commissioner to perform those services, in accordance with this chapter.

“Emergency Medical Technician-Defibrillation (EMT-D)” means an emergency medical technician who is currently certified by the Commissioner to perform cardiac defibrillation, in accordance with this chapter.

“Emergency Medical Technician Training Fund Act (Act)” means P.L. 1992, c.143, as amended.

“Emergency Medical Technician Fund (Fund)” means the fund established by P.L. 1992, c.143, to reimburse any private agency, organization or entity which is accredited by the Commissioner of Health, in accordance with this chapter, to provide training and testing for volunteer ambulance, first aid and rescue squad members who are seeking EMT or EMT-D certification or recertification.

“First Responder (FR)” means a police officer, firefighter or other person who has been trained to provide emergency medical first response services in a program recognized by the Commissioner, in accordance with N.J.A.C. 8:40A-9.4(c).

“First Responder-Defibrillation (FR-D)” means a first responder who is certified by the Commissioner to perform cardiac defibrillation.

“Minor” means an individual who has attained his or her 16th birthday but has not yet attained his or her 18th birthday.

“New Jersey State First Aid Council” means the organization incorporated under that name, which represents a majority of the volunteer first aid and rescue squads in the State of New Jersey.

“Office of Emergency Medical Services (OEMS)” refers to the unit of the New Jersey Department of Health and Senior Services charged with the enforcement of this chapter.

“Program curriculum” means the Emergency Medical Technician-Basic or Emergency Medical Technician-Basic refresher: National Standard Curriculum, (as applicable to either basic or continuing education programs), promulgated by the Secretary of the United States Department of Transportation, under the authority of 23 U.S.C. §§ 401 et seq. Copies can be obtained from the National Highway Traffic Safety Administration (NHTSA), 400 7th St. SW, Washington, DC 20590, or via the Internet at: WWW.NHTSA.DOT.GOV.

“State Advisory Council for Basic and Intermediate Life Support Services Training (State Advisory Council)” means the advisory body established by P.L. 1992, c.143, section 6.

“State EMT faculty” means a body of individuals appointed by the Director of OEMS who are experienced in the education of the adult student, the delivery of emergency medical services and the training of pre-hospital providers. At least two members shall be experienced emergency physicians. The faculty’s purpose is to assist the Department in the implementation of the program curriculum.

“Training agency” means any private agency, organization or entity which has been accredited by the Commissioner, in accordance with this chapter, to provide training and testing for volunteer ambulance, first aid and rescue squad members who are seeking EMT or EMT-D certification or recertification. Only those agencies, organizations or entities which have been accredited by the Commissioner in accordance with these rules are eligible for reimbursement from the Emergency Medical Technician Training Fund.

“Volunteer ambulance, first aid or rescue squad” means an organization which meets the definition of volunteer ambulance, first aid or rescue squad at N.J.S.A. 27:5F-20.

“Volunteer ambulance, first aid or rescue squad member” means an individual who is a member of, or is an applicant to become a member of, a volunteer ambulance, first aid or rescue squad, as attested to by the chief supervising officer of that squad.

Amended by R.1997 d.516, effective December 1, 1997.

See: 29 N.J.R. 3955(a), 29 N.J.R. 5078(a).

Added "First Responder (FR)" and "First Responder-Defibrillation (FR-D)".

8:40A-1.3 Discontinuance of policy manual

The Department's "EMT-Basic Policy Manual" dated June, 1994, is discontinued effective April 21, 1997 and shall not be further utilized to govern the operation of training programs.

8:40A-1.4 Waiver

(a) The Commissioner or his or her designee may, in accordance with the general purposes and intent of N.J.S.A. 26:2K-1 et seq., and amendments thereto, waive sections of this chapter if, in his or her opinion, such waiver would not endanger the life, safety or health of the public.

(b) Any agency, organization, entity or individual seeking a waiver of the standards in this chapter shall apply in writing to:

Office of Emergency Medical Services
PO Box 360
Trenton, NJ 08625-0360

(c) A written application for waiver shall include the following:

1. The nature of the waiver requested;
2. The specific standards for which a waiver is requested;
3. Reasons for requesting a waiver, including a statement of the type and degree of hardship that would result upon full compliance;
4. An alternative proposal which would ensure public safety; and
5. Documentation to support the waiver application.

(d) The Department reserves the right to request additional information before processing an application for waiver.

Amended by R.1997 d.516, effective December 1, 1997.

See: 29 N.J.R. 3955(a), 29 N.J.R. 5078(a).

SUBCHAPTER 2. EMERGENCY MEDICAL TECHNICIAN TRAINING FUND

8:40A-2.1 Eligibility for participation in the Fund

(a) Reimbursement from the Fund shall be limited to those private agencies, organizations or entities which have been accredited by the Commissioner, in accordance with this chapter, to provide training and testing for volunteer

ambulance, first aid and rescue squad members who are seeking EMT or EMT-D certification or recertification.

(b) A training agency which is otherwise reimbursed for the training and testing of volunteer ambulance, first aid or rescue squad members shall not be eligible for reimbursement from the Fund.

(c) A training agency which receives monies from the Fund shall not charge a fee to an individual who is a member of, or an applicant to be a member of, a volunteer ambulance, first aid or rescue squad, as attested to by the chief supervising officer of that squad on the form found at Appendix B, incorporated herein by reference.

8:40A-2.2 Disbursement of funds

(a) Reimbursement from the Fund shall be in conformance with N.J.S.A. 26:2K-56 and 57.

(b) The priority for reimbursement from the Fund shall be in the following order, subject to available balances in the Fund:

1. EMT certification;
2. EMT recertification;
3. EMT-D certification;
4. EMT-D recertification.

(c) Training agencies shall be reimbursed on an annual basis, in accordance with the priority schedule set forth at (b) above, for each student who successfully completes an approved basic or continuing education program.

1. The per capita reimbursement rate and payment schedule shall be determined by the State Advisory Council and adopted by the Commissioner.

2. The per capita reimbursement rate and the annual payment schedule shall be the same for all training agencies.

(d) Funds shall not be disbursed until such time as the training agency has submitted written documentation which identifies the training program and names of students for which reimbursement is requested, using Appendices C, D and K, as appropriate.

SUBCHAPTER 3. BASIC EMT TRAINING AGENCY ACCREDITATION

8:40A-3.1 Application

(a) An agency, organization, or entity seeking accreditation as a basic EMT training agency shall make application to the Department. Applications shall be made in a form

and manner as prescribed by the Department. Completed applications shall be forwarded to:

Office of Emergency Medical Services
Education Section
PO Box 360
Trenton, NJ 08625-0360

(b) Each application shall include the following:

1. A complete list of personnel required to be associated with the training agency (that is, Program Director, Program Coordinator, Program Medical Advisor, Primary EMT Instructor and EMT Instructors). This list shall include the name, address, and telephone number for each individual listed above. Should the Program Director, Program Coordinator or Program Medical Advisor change after submission of the application or after approval, the applicant shall file an amended list with the Department within 30 days of the change;

2. An estimate of the total number of basic EMT students to be trained on an annual basis;

3. An estimate of the minimum and maximum number of students that can be accommodated in any one training program;

4. Documentation that there is adequate training equipment and aids to ensure that each student is able to have access as required by the program curriculum; and

5. Documentation that the applicant has developed and shall implement a policy of control of access to student records in accordance with the standards of the Family Educational Rights and Privacy Act of 1974, 20 U.S.C. § 1232.

(c) The Department shall review all applications for completeness. Incomplete applications shall not be processed until such time as the application has been amended and is deemed complete.

(d) A site visit shall be conducted prior to the Commissioner rendering a decision on any application. The site visit shall be conducted in accordance with the standards set forth at N.J.A.C. 8:40A-3.2.

(e) The Department reserves the right to request additional information before processing an application for accreditation.

(f) The Department shall make a determination on an application within 90 days from the date on which the application is received by the Department. It is recommended that all applications be mailed via certified mail, return receipt requested.

(g) All applicants shall be notified in writing of the Department's decision. In accordance with the Administrative Procedure Act, N.J.S.A. 52:14B-1 et seq., an agency, organization or entity denied accreditation as a training agency shall be entitled to a hearing at the Office of Administrative Law to contest that denial.

Amended by R.1997 d.516, effective December 1, 1997.
See: 29 N.J.R. 3955(a), 29 N.J.R. 5078(a).

8:40A-3.2 Site visits

(a) A site visit shall be conducted in order to evaluate the applicant's ability to provide training in accordance with this chapter. For basic courses conducted by an educational institution, the site review team shall consist of one representative each from OEMS, the State EMT-B Faculty, and the New Jersey State First Aid Council. For basic courses conducted by first aid squads or other entities, the site review team shall consist of one representative from OEMS, one representative from the State EMT-B Faculty, and three representatives from the New Jersey State First Aid Council. No member of the site review team shall be an interested party in EMS activities in the same geographical area as the applicant. The visit may include, but is not limited to:

1. Interviews with the proposed Program Director, Program Coordinator, Program Medical Advisor, Primary EMT Instructor, and EMT Instructors, as necessary;

2. A tour of the proposed facilities, including classrooms and practice areas;

3. A tour of any proposed satellite training area(s); and

4. A review of the equipment, audio-visual aids, supplies and training aids to be utilized.

(b) The site review team may request additional information as it deems necessary in order to render its recommendation to the Commissioner.

(c) At the conclusion of its visit, the site review team shall prepare a report and shall give a copy of the report to the applicant. This report shall identify the deficiencies, if any, found as a result of the site review, and shall advise the applicant that it has 30 days within which to correct the deficiencies.

(d) Thereafter, the site visit team, together with the Director of OEMS, shall make a written recommendation to the Commissioner.

(e) In addition to site visits for initial accreditation, the Department may conduct periodic and unannounced site visits for the purpose of monitoring compliance with this chapter. Each accredited agency shall be subject to a reaccreditation visit at least once every three years.

(d) The Program Medical Advisor shall be available for consultation, as needed.

8:40A-4.4 Primary EMT Instructor

(a) Each training agency shall have a designated Primary EMT Instructor.

(b) The qualifications necessary to serve as the Primary EMT Instructor shall be as follows:

1. Possession of a current New Jersey EMT Instructor certification;
2. Endorsement of the Program Coordinator;
3. Knowledge of all aspects of pre-hospital emergency care, techniques and methods of adult education, and managing resources and personnel; and
4. A minimum of 120 hours of observed instruction as a EMT Instructor under the direct supervision of a Program Coordinator.

(c) The responsibilities of the Primary EMT Instructor shall include, but not be limited to:

1. Physically monitoring class sessions to assure program continuity and ensuring that each student has the cognitive, affective and psychomotor skills necessary to function as an EMT in the absence of the Program Coordinator.
2. Teaching of specific program lessons;
3. Attending all mandatory Department workshops relating to the implementation of the program curriculum; and
4. Assuming the responsibilities of the Program Coordinator in his or her absence.

Amended by R.1997 d.516, effective December 1, 1997.
See: 29 N.J.R. 3955(a), 29 N.J.R. 5078(a).
In (c)1, substituted "affective" for "effective".

8:40A-4.5 EMT Instructors

(a) Each training agency shall have an adequate number of EMT Instructors to provide adequate instructor coverage, as required by N.J.A.C. 8:40A-6.3(a), at all practical skills sessions.

(b) The qualifications necessary to serve as an EMT Instructor shall be as follows:

1. Possession of a current New Jersey EMT Instructor certification; and
2. Endorsement of the Program Coordinator.

(c) The responsibilities of an EMT Instructor shall include, but shall not be limited to:

1. Assisting the Primary EMT Instructor in the demonstration and practice designed to develop and evaluate student skill competencies; and
2. Assisting the Primary EMT Instructor in conducting the program sessions.

SUBCHAPTER 5. EMT INSTRUCTOR CERTIFICATION AND RECERTIFICATION

8:40A-5.1 Certification

(a) An individual seeking certification as an EMT Instructor shall make application to the Department. Applications shall be made on a form provided by the Department. Completed applications shall be forwarded to:

Office of Emergency Medical Services
Education Section
PO Box 360
Trenton, NJ 08625-0360

(b) The qualifications necessary for certification as an EMT Instructor shall be documented on the application form required in (a) above and shall be as follows:

1. Attainment of his or her 18th birthday prior to entering into any of the training programs required by this chapter;
2. Possession of a current New Jersey EMT certification;
3. No less than three years active experience in the emergency medical services system;
4. Successful completion of the Department's Instructor Training Institute program. The Instructor Training Institute is a program of instruction which integrates methodologies of teaching the adult learner with the specific educational objectives of the program curriculum. Individuals that possess at least a Bachelor's degree in education from an accredited college or possess a certification in education from New Jersey or any other state may apply for exemption from this requirement;
 - i. Individuals seeking an exemption from the requirement to attend the Instructor Training Institute shall submit a copy of their curriculum vitae, together with the endorsement of their Program Coordinator, to OEMS. OEMS shall review the request, and notify the applicant of its decision.
5. Completion of 120 hours of supervised instruction under the direct supervision of a Program Coordinator and Primary EMT Instructor. Supervised instruction shall cover all areas of the program curriculum for basic EMT training. No more than 30 hours may be credited

prior to the completion of the Instructor Training Institute; and

6. Successful completion of the Instructor Training Institute written and practical skills examination, issued by OEMS.

(c) All applicants shall be notified in writing of the Commissioner's decision. In accordance with the Administrative Procedure Act, N.J.S.A. 52:14B-1 et seq., an applicant denied certification as an EMT Instructor shall be entitled to a hearing at the Office of Administrative Law, in accordance with N.J.A.C. 1:1, to contest that denial.

(d) EMT Instructor certifications shall be valid for a period of three years. All certifications shall expire on either December 31 or June 30; however, no certification shall be valid for less than three years. Certification as an EMT Instructor shall also serve as certification as an EMT for the purposes of any applicable law or rule.

(e) No individual shall impersonate or refer to himself or herself as an EMT Instructor unless that individual is certified by the Commissioner in accordance with this section. Penalties for impersonating or referring to oneself as an EMT Instructor shall be in accordance with N.J.S.A. 2C:21-17 et seq.

Amended by R.1997 d.516, effective December 1, 1997.
See: 29 N.J.R. 3955(a), 29 N.J.R. 5078(a).

8:40A-5.2 Recertification

(a) In order to be eligible for recertification as an EMT Instructor, an individual shall:

1. Maintain satisfactory performance in the instruction of EMT training programs as attested to, in writing, by the Program Coordinator of the course site with which the EMT Instructor is affiliated;

2. Provide active instruction in an approved basic EMT training programs of at least 100 hours every three years. The EMT Instructor may accrue up to 50 hours by serving as the EMT Instructor of record for an approved core program; and

3. Earn 15 elective credits every three years, which shall not be earned in a program in which the individual is serving as the instructor.

i. Instructors who are also certified as prehospital advanced life support providers in accordance with N.J.A.C. 8:41 may substitute advanced life support continuing education hours for the elective continuing education credit.

(b) Each Program Coordinator shall forward documentation to OEMS regarding the performance of the EMT Instructor. Should all required documentation be received and in order, the EMT Instructor shall be recertified for a period of three years.

(c) All applicants shall be notified in writing of the Commissioner's decision. In accordance with the Administrative Procedure Act, N.J.S.A. 52:14B-1 et seq., an applicant denied recertification as an EMT Instructor shall be entitled to a hearing at the Office of Administrative Law to contest that denial.

(d) The requirements for certification of an individual who has allowed his or her New Jersey EMT Instructor certification to expire (that is, an individual who has not made application for recertification) shall be as follows:

1. Possession of a current New Jersey EMT certification;

2. Serve as an instructor aide for at least 50 hours in an approved basic EMT training program under the direct supervision of the Program Coordinator and Primary EMT Instructor;

3. Accumulation of 15 elective continuing education credit hours; and

4. Endorsement of the Program Coordinator.

SUBCHAPTER 6. BASIC TRAINING PROGRAMS

8:40A-6.1 Application

(a) The training agency shall submit an "Application to Conduct an EMT-Basic Program" (Appendix A), incorporated herein by reference to OEMS for approval prior to offering or conducting any basic training program. Applications shall be received in OEMS no later than 90 days prior to the scheduled start of the program.

(b) Incomplete applications shall be returned to the applicant and shall not be processed.

(c) Each application shall include:

1. The names and credentials of the instructional staff. Qualified instructional staff as utilized in this section means:

i. Physicians;

ii. Registered Nurses;

iii. Physician Assistants;

iv. New Jersey Certified Paramedics;

v. Respiratory Therapists;

vi. New Jersey EMT Instructors; and

vii. Individuals with specialized training applicable to the topic;

2. The location, date and time of each program session; and

3. Documentation that practical skills sessions shall have adequate EMT instructor coverage, in accordance with N.J.A.C. 8:40A-6.3(a);

(d) Applications for programs which do not demonstrate compliance with the requirements of this chapter shall be returned to the applicant with an explanation as to why the program is insufficient.

(e) In accordance with the Administrative Procedure Act, N.J.S.A. 52:14B-1 et seq., a training agency whose application for program approval has been denied shall be entitled to a hearing at the Office of Administrative Law to contest that denial.

8:40A-6.2 Goals and objectives

(a) Each training agency shall provide a written statement which sets forth the goals and objectives of each training program, and which details the specific requirements that each student must successfully complete to be endorsed to

take the State Written Certification Examination. All statements issued in accordance with this section shall conform to the program curriculum.

(b) These statements should be utilized to provide the basis of program planning, implementation and evaluation, and may be developed in conjunction with a local advisory committee representing the various communities and populations that the training agency serves.

(c) All goals and objectives established in accordance with this section shall include assurance that students completing the program shall have met the minimum requirements as outlined in the program curriculum inclusive of all cognitive, affective and psychomotor skills objectives approved by the Department and contained in the program curriculum.

Amended by R.1997 d.516, effective December 1, 1997.

See: 29 N.J.R. 3955(a), 29 N.J.R. 5078(a).

In (c), substituted "affective" for "effective".

8:40A-6.3 Staffing

(a) Each program shall be sufficiently staffed so as to provide for the instruction of students in the program materials. Sufficient staffing means:

1. One Program Coordinator;
2. One Primary EMT Instructor; and
3. Enough EMT Instructors to maintain a ratio of one EMT Instructor to every six students in practical skills instruction groups.
 - i. A training agency may elect to utilize one certified EMT Instructor together with a qualified instructor aide in groups with no more than ten students during practical skills instruction sessions.

(b) A training agency may utilize certified EMTs with at least one year of prehospital EMT experience and paramedics as instructor aides.

(c) A certified training agency which demonstrates that a hardship exists regarding the availability of training for prospective members of volunteer first aid and rescue squads may apply for a waiver to conduct a course and maintain an instructor to student ratio of 1:10. The certified training agency shall identify the following when applying for the waiver:

1. A demonstrated need for members of volunteer first aid and rescue squads in the area served by the certified training agency;
2. Documentation that compliance with the instructor to student ratio as listed in (a) above would result in a number of prospective members of volunteer first aid and rescue squads being excluded from entry into an approved training program; and
3. Documentation that the training agency has insufficient numbers of instructor and/or instructor aides to maintain the required instructor to student ratio as required in (a) above.

(d) Training agencies granted a waiver pursuant to this section shall be monitored for student performance on the State written certification examination. Student scores in programs which have received a waiver pursuant to this section must maintain test scores equal or above those of the State average for the same semester.

1. Staff from OEMS shall work with the Program Director and Program Coordinator to develop a plan to select and recruit instructor aides and instructors in order to obtain and maintain sufficient instructors to meet the instructor to student ratio defined at (a) above.

Amended by R.1997 d.357, effective September 2, 1997.
See: 29 N.J.R. 1504(a), 29 N.J.R. 3855(c).
Added (c) and (d).

8:40A-6.4 Curriculum

(a) To the extent permissible by applicable New Jersey State law, the Department hereby adopts and incorporates by reference the "Emergency Medical Technician-Basic: National Standard Curriculum," promulgated under the authority of 23 U.S.C. §§ 401 et seq. by the Secretary of the United States Department of Transportation, published by the Highway Traffic Safety Administration, 400 7th St. SW, Washington, DC 20590, as the curriculum for all EMT basic training programs conducted in the State of New Jersey. (The curriculum is also available on the Internet at WWW.NHTSA.DOT.GOV.)

(b) No EMT basic training program shall provide instruction in material which is beyond the permitted scope of practice for an EMT, as defined by the National Standard Curriculum, New Jersey law and this chapter.

(c) Each lecture portion of the basic training program shall comply with the corresponding lesson plan listed in the program curriculum.

(d) Each practical skills session shall comply with the standard of care as defined in the program curriculum, New Jersey law and this chapter.

(e) Each basic training program shall include a 10-hour clinical experience in an accredited emergency department.

1. The clinical experience shall be limited to observation of procedures and patients, and the application of clinical skills which are taught as part of the program. The clinical experience shall occur under the direct supervision of a preceptor designated by the supervisor of the emergency department staff.

2. No individual shall serve as a preceptor unless that individual is medically qualified to operate at least to the level of an EMT.

3. Students participating in the clinical experience shall not be required or allowed to perform any skill or procedure that is not approved for an EMT, nor shall a student be allowed to replace required emergency department staff.

4. The Program Coordinator or hospital staff may permit the student to spend up to five hours of the required clinical experience as an observer on an approved mobile intensive care unit, subject to the restrictions in 1 and 3, above.

(f) The State EMT Faculty shall assist the Department in the implementation of the basic EMT training program curriculum, and the oversight of the instructional plan.

8:40A-6.5 Training sites

(a) Each training agency shall maintain a site with areas for the lecture and practical sessions. These may be, but need not be, separate areas. These areas should be such

that the agency can conduct sessions which are educationally conducive to the learning process.

(b) Each agency is responsible for determining that it is in compliance with any applicable Federal, State or local law or regulation.

8:40A-6.6 Satellite training sites

(a) A training agency may have one or more satellite training sites.

(b) Each satellite site must meet the requirements for the primary training site set forth at N.J.A.C. 8:40A-6.5.

8:40A-6.7 Student qualifications

(a) No individual shall be enrolled in or receive credit for a basic training program unless that individual:

1. Has attained the age of 18 by the first day of the program;

i. Individuals who have reached their 16th birthday by the first day of the program may be enrolled in a basic training program subject to the limitations listed in (b) below;

2. Is physically capable of performing all of the essential tasks defined in the program curriculum, inclusive of the United States Department of Transportation's defined roles and responsibilities of the EMT as listed in that program curriculum;

3. Is certified in cardiopulmonary resuscitation (CPR) to the level of the professional rescuer by either the American Heart Association, American Red Cross, or National Safety Council; and

4. Has not been convicted of a crime, or of any offense contained in Chapter 14 of the Criminal Justice Code (N.J.S.A. 2C:14-1, et seq.) Also, no person shall be enrolled in a basic EMT program who has been convicted of a non-criminal drug offense within the 24 months prior to the starting date of the program.

i. An individual may apply for a waiver of this requirement. All requests will be considered in compliance with the Reformed Convicted Offenders Act, N.J.S.A. 2A-168A.

(b) Minors may enroll in a basic training program subject to the following conditions:

1. The individual shall produce signed parental consent to participate in the program;

2. The individual shall agree to comply with all applicable labor laws including, but not limited to, N.J.S.A. 34:2-21.17 and all applicable regulations promulgated by the Commissioner of Labor regarding the utilization of hazardous machinery and devices; and

3. The individual shall agree to comply with all applicable rules regarding attendance, performance and program examinations.

(c) Minors shall not be permitted to:

1. Operate power-driven machinery, inclusive of fire apparatus and ambulance or rescue vehicles;

2. Oil, wipe or clean any machinery in motion, inclusive of rescue tools;

3. Utilize any machine which grinds, buffs, or polishes;

4. Operate any hoisting equipment, inclusive of chain and cable come-a-longs;

5. Utilize any torch device utilized to heat, melt or cut metals, including rescue torches;

6. Operate and/or maintain any high pressure hydraulic tool or air bag; or

7. Operate or utilize a defibrillator of any type.

(d) In addition, minors shall not be:

1. Exposed to injurious quantities of any toxic or noxious dust, gases, vapors and/or fumes; or

2. Exposed to, or allowed to participate in, direct fire-fighting operations.

(e) Minors shall receive practical skills instruction and shall be permitted to safely observe any of the skills listed in (c) above.

(f) The training agency shall ensure that the provisions of (c) and (d) above are enforced.

8:40A-6.8 Attendance

(a) Each student shall attend all required program sessions. Attendance shall be recorded on the session roster (Appendix C, incorporated herein by reference). All session rosters shall be sent to OEMS prior to the State Written Certification Examination. No student shall be credited with attendance at a session who:

1. Fails to attend the entire session;

2. Arrives more than 15 minutes late for the session;

3. Has been expelled from the session for disruptive behavior;

4. Leaves prior to the completion of the session;

5. Attends the session, but is unwilling to participate in the required activities and instruction for that session; and

6. Fails to sign the attendance sheet.

(b) Any student missing a session shall make the session up prior to becoming eligible to sit for the State written certification examination. The Program Coordinator shall be responsible for assisting the student with locating a suitable make-up session. The options available to the students are:

1. Attendance at the same session in another training program;
2. Attendance at a special session scheduled by the coordinator which covers the lecture material and practical skills; or
3. Utilization of audio/visual materials in conjunction with the required practical skills session conducted by a Primary EMT Instructor or EMT Instructor as approved by the Program Coordinator.

(c) All required course work, including make-up sessions for absences, and the written certification examination process must be completed within six months from the scheduled end of the basic training program. Make-up sessions shall be documented by the Program Coordinator or Primary EMT Instructor (Appendix D, incorporated herein by reference).

8:40A-6.9 Reporting requirements

Each training agency shall provide the Department with the number of enrolled students (that is, those students attending program sessions on or after the 10th program session) as soon as possible after the 10th session.

SUBCHAPTER 7. CONTINUING EDUCATION PROGRAMS

8:40A-7.1 Application

(a) Any entity, organization or private agency which seeks to offer a continuing education program shall submit an "Application to Conduct a Continuing Education Program" (Appendix H, incorporated herein by reference) to OEMS for approval prior to offering or conducting any continuing education program. Applications shall be received in OEMS no later than 30 days prior to the scheduled start of the program.

(b) Incomplete applications shall be returned to the applicant and shall not be processed.

(c) Each application shall include:

1. The names and credentials of the instructional staff. Qualified instructional staff as utilized in this section means:
 - i. Physicians;
 - ii. Registered Nurses;

iii. Physician Assistants;

iv. New Jersey Certified Paramedics;

v. Respiratory Therapists (EMT recertification programs only);

vi. New Jersey EMT Instructors (EMT recertification programs only); and

vii. Individuals with specialized training applicable to the topic (EMT recertification programs only);

2. The location, date and time of each program session;

3. The program outline, objectives and curriculum;

4. Copies of any handouts or texts to be utilized during the program;

5. Documentation that practical skills sessions shall have EMT Instructor to student ratios as required by N.J.A.C. 8:40A-6.3(a);

6. A copy or description of the proposed final examination. The examination may be written, practical or both, depending on the nature of the program; and

7. Documentation that the program shall fall within the scope of practice for an EMT, as defined by the program curriculum.

(d) A training agency may submit an application for a program which has been previously approved by OEMS. The application form shall specify the date, times and location of the session, and shall identify all program instructors. The application shall also include the previous approval number for the program. If the program is proprietary, documentation that the applicant is authorized to conduct the program shall be submitted. No additional information shall be required.

(e) Certain continuing education programs have been reviewed by the Department and have been issued permanent approval numbers. Training agencies seeking to offer such programs need only file a program notification with OEMS. The pre-approved programs are listed in Appendix I, incorporated herein by reference.

(f) Applications for programs which do not demonstrate compliance with the requirements of this chapter shall be returned to the applicant with an explanation as to why the program is insufficient.

(g) In accordance with the Administrative Procedure Act, N.J.S.A. 52:14B-1 et seq., a training agency whose application for program approval has been denied shall be entitled to a hearing at the Office of Administrative Law to contest that denial.

(h) Only those continuing education programs issued an approval number by the Department shall qualify for reimbursement from the Fund.

(i) Only an approved sponsoring MICU hospital, as defined by N.J.A.C. 8:41A, may be approved to conduct EMT-D or FR-D certification and EMT-D or FR-D recertification programs.

Amended by R.1997 d.516, effective December 1, 1997.
See: 29 N.J.R. 3955(a), 29 N.J.R. 5078(a).
In (j), added "or FR-D"

8:40A-7.2 Curriculum

(a) There shall be two categories of continuing education, Core curriculum and Elective curriculum, as follows:

1. Core requirements are as follows:

i. The core continuing education program shall consist of the 12 individual sessions listed in Appendix J, incorporated herein by reference, which are consistent with the United States Department of Transportation National Standard Curriculum EMT-Basic Refresher Program. Satisfactory completion of the continuing education program shall require completion of each of the 12 Core sessions.

ii. An alternative to completion of each of the individual sessions listed in Appendix J shall be completion of the Core 13 program, which covers the entire refresher program curriculum as part of a single, comprehensive program.

iii. Core sessions shall not be duplicated or substituted.

2. Elective requirements are as follows:

i. The Elective continuing education program shall consist of training and instruction which serve to expand upon the areas that have been identified as part of the responsibilities of the EMT. These programs may include, but shall not be limited to, programs which expand upon the program curriculum within the scope of practice of an EMT, provide information on topics which are reflected in the roles, responsibilities and duties of the EMT, and other programs which reflect areas that have been identified by the State Advisory Council as appropriate for EMTs.

ii. No Elective program shall be substituted for any required Core program, nor shall Core credit be granted for programs that are approved as Elective programs.

3. The Department's "EMT-B Transition Program" may be utilized to fulfill either the Core or Elective continuing education requirements, but not both requirements.

(b) Programs that meet the requirements of this chapter shall be issued an approval number and awarded a specific number of credits. The award of credits shall be as follows:

1. Each individual Core session—2.0 credits;
2. Complete Core 13 program—24.0 credits; and

3. Elective program—1.0 credit per hour of relevant lecture, and 0.5 credit per hour of relevant practical skills sessions.

8:40A-7.3 Staffing

(a) Each continuing education program shall be sufficiently staffed so as to provide for the instruction of students in the program materials.

(b) Instructors for Elective programs shall demonstrate by experience and education that they possess a superior knowledge of the subject matter to be taught. This may be demonstrated by either a certification from another state or jurisdiction, certification from a nationally recognized organization, or by submission of a curriculum vitae which outlines the instructor's education and experience relative to the subject matter.

(c) Instructors for EMT-D certification and EMT-D recertification programs shall be currently certified in advanced cardiac life support, in accordance with the requirements established by the American Heart Association, and shall be certified in CPR to the standards required by this chapter.

8:40A-7.4 Student qualifications

(a) No individual shall be enrolled in or receive credit for a continuing education program unless that individual:

1. Has attained the age of 18 by the first day of the program (EMT-D certification and EMT-D recertification programs only);

2. Possesses a current New Jersey EMT certification. An individual whose EMT or Paramedic certification is suspended shall not be permitted to enroll in a continuing education program; and

3. Possesses a current CPR certification (participants in EMT-D certification and EMT-D recertification programs only.)

8:40A-7.5 Attendance

(a) Each student shall attend all required program sessions. Attendance shall be recorded on the session roster (Appendix K). All session rosters shall be sent to OEMS within 30 days from the date of program completion. No student shall be credited with attendance at a session who:

1. Fails to attend the entire session;
2. Arrives more than 15 minutes late for the session;
3. Has been expelled from the session for disruptive behavior;
4. Leaves prior to the completion of the session;
5. Attends the session, but is unwilling to participate in the required activities and instruction for that session; or
6. Fails to sign the attendance sheet.

8:40A-7.6 Reporting requirements

(a) Each training agency shall provide the Department with the number of enrolled students no later than 30 days after the completion of the program.

(b) Each training agency shall forward completed sign in sheets and attendance verification and/or data, as indicated in Appendix K, to OEMS no later than 30 days after the completion of the program. Materials shall be sent to:

Continuing Education Coordinator
Emergency Medical Services
PO Box 360
Trenton, NJ 08625-0360

(c) Training agencies that seek to submit attendance data electronically shall contact the Coordinator of Continuing Education in OEMS to receive information on the mode of transmission. The Department may cancel the authority of any training agency to submit electronic data for cause, including incompatible format and fraudulent transmission of data.

Amended by R.1997 d.516, effective December 1, 1997.
See: 29 N.J.R. 3955(a), 29 N.J.R. 5078(a).

SUBCHAPTER 8. STATE WRITTEN CERTIFICATION EXAMINATION

8:40A-8.1 Eligibility

(a) Once a student has completed the required basic training program, inclusive of the required clinical experience, the Program Coordinator shall permit the student to take a practical skills verification examination.

(b) The practical skills verification examination shall be administered by the basic course Program Coordinator, Core 13 or Transition program coordinator, and shall adhere to the standards listed in Appendix E, incorporated herein by reference. The results of the practical skills verification examination shall be recorded on the forms listed in Appendix E, and shall be retained by the Program Coordinator.

(c) Upon successful completion of the practical skills verification examination, and provided all basic training program work is complete, the basic course Program Coordinator, Core 13 or Transition program coordinator shall issue a "Certificate of Eligibility for the New Jersey State Written Certification Examination" (Appendix F1, incorporated herein by reference), and shall schedule the student for the State Written Certification Examination.

(d) Should a student be unable to successfully demonstrate competency in the practical skills verification examination, or if the student has failed to meet any other

requirement of the program, the coordinator shall issue the student a "Notice of Examination Ineligibility" (Appendix G, incorporated herein by reference), and file the original with OEMS within 10 days of the determination.

1. Students issued a "Notice of Examination Ineligibility" shall be required to complete a Core 13 program to become eligible to seek certification, unless the student has failed to completely attend the entire basic EMT training program. Such students must complete another basic EMT training program to become eligible.

2. In accordance with the Administrative Procedure Act, N.J.S.A. 52:14B-1 et seq., an individual who has been issued a "Notice of Examination Ineligibility" shall be entitled to a hearing at the Office of Administrative Law to contest the determination of ineligibility.

(e) Each training agency shall provide the Department with the number of students that have successfully completed the training program and have been endorsed to take the State Written Certification Examination as soon as possible after the final class session.

8:40A-8.2 Admittance to the State Written Certification Examination

(a) Only individuals who have successfully completed the training programs required by this chapter shall be permitted to take the State Written Certification Examination for certification as an EMT.

(b) Requirements for admission to a State Written Certification Examination are as follows:

1. Presentation of a photo identification card;
2. Presentation of a valid "Certificate of Eligibility of the New Jersey State Written Certification Examination" form which shall include verification that:
 - i. Not more than six months have elapsed since the scheduled end of the individual's basic training program; and
 - ii. The individual's out-of-State EMT or paramedic certification(s) is/are not currently suspended or revoked, if applicable; and
3. Presentation of a valid CPR certification, to the level of profession rescuer, as issued by the American Heart Association, American Red Cross, or National Safety Council.

(c) The State Written Certification Examination shall be administered at least once per month. Only individuals who have been registered in accordance with this section shall be admitted to take the State Written Certification Examination. All requests to schedule an individual for the State Written Certification Examination shall be in writing, and shall be received in OEMS no later than 15 days before the schedule examination date. The Department reserves the right to limit the number of examinees at any test site.

(d) The Department shall accommodate individuals with demonstrated learning disabilities, including dyslexia, in taking the State Written Certification Examination. Such accommodation shall be limited to extending the allotted time for the examination. A request for accommodation shall be submitted through the Program Coordinator no less than 30 days prior to the examination date, and shall be accompanied by documented proof of the disability. The Department shall review the documentation, and if necessary, contact the individual or physician for additional information.

(e) Individuals who have been found to have compromised the integrity of the State Written Certification Examination, including theft of the examination materials, copying or reproducing test materials, or any other form of cheating shall be removed from the examination, and shall be barred from future examinations.

8:40A-8.3 Examination results

(a) Results of the State Written Certification Examination shall be forwarded to the individual examinee via regular U.S. mail within six weeks of the date of the examination. Under no circumstances shall the results be provided by telephone, nor shall the score of the State Written Certification Examination be provided to any party other than the examinee and the Program Coordinator.

(b) Individuals who score 70 percent correct or greater on the State Written Certification Examination and have met all other requirements for EMT certification as identified at N.J.A.C. 8:40A-9.1 shall be issued a New Jersey EMT certification.

(c) Individuals who score less than 70 percent correct on the State Written Certification Examination shall be permitted one additional opportunity to sit for the examination and to achieve a passing score. Individuals who score 70 percent correct or greater on the second attempt and have met all other requirements for EMT certification as identified at N.J.A.C. 8:40A-9.1 shall be issued a New Jersey EMT certification.

(d) An individual who has completed an approved basic training program and has twice failed the State Written Certification Examination may become eligible to sit for the State Written Certification Examination by successfully completing an approved Core 13 program and obtaining a "Certificate of Eligibility for the New Jersey State Written Certification Examination" (Appendix F2, incorporated herein by reference) from the Program Coordinator.

(e) All attempts of the State Written Certification Examination must be completed within six months of the scheduled end of the basic training program.

SUBCHAPTER 9. EMT, EMT-D AND FR-D CERTIFICATION AND RECERTIFICATION

Subchapter Historical Note

Subchapter 9, EMT and EMT-D Certification and Recertification, was renamed EMT, EMT-D and FR-D Certification and Recertification, by R.1997 d.516, effective December 1, 1997. See: 29 N.J.R. 3955(a), 29 N.J.R. 5078(a).

8:40A-9.1 EMT certification

(a) Requirements for certification as an EMT shall be as follows:

1. Attainment of the age of 18;
2. Successful completion of an approved basic training program;
3. Successful completion of an approved ten hour clinical experience; and
4. Achievement of a passing score on the State Written Certification Examination.

(b) All applicants shall be notified in writing of the Department's decision. In accordance with the Administrative Procedure Act, N.J.S.A. 52:14B-1 et seq., an applicant denied certification as an EMT shall be entitled to a hearing at the Office of Administrative Law to contest that denial.

(c) EMT certification shall be valid for a period of three years. All certifications shall expire on either December 31 or June 30; however, no certification shall be valid for less than three years, except as otherwise provided for by this chapter. Certifications shall be valid through the expiration date listed on the card. No grace periods are allowed, nor shall extensions be granted.

(d) The requirements for certification of an individual who has allowed his or her EMT certification to expire (that is, an individual who has not completed the required number of continuing education credits necessary for recertification) shall be as follows:

1. Successful completion of an approved Core 13 or the Department's "EMT-B Transition" program;
2. Successful completion of the practical skills verification examination, as required by N.J.A.C. 8:40A-8.1(b); and
3. Achievement of a passing score on the State Written Certification Examination.

(e) Persons currently licensed in New Jersey as physicians, physicians assistants and registered nurses may obtain EMT certification in New Jersey by complying with the requirements listed in (d) above.

8:40A-9.2 Provisional EMT certification

(a) The Department may issue a provisional EMT certification in lieu of a full EMT certification if, in the Commissioner's opinion, such is necessary to protect the public health, safety or welfare, based on the requirements of this chapter and documentation thereof and the particular circumstances of the specific case.

(b) The terms and conditions of the provisional certification shall be specified at the time of issuance.

(c) Minors shall be issued only provisional EMT certification. Full certification shall be issued upon the attainment of the age of 18.

(d) Provisionally certified EMTs shall perform services only in the physical presence and under the direct supervision of a fully certified EMT.

(e) In accordance with the provisions of the Administrative Procedure Act, N.J.S.A. 52:14B-1 et seq., an individual other than a minor who is placed in provisional status shall have the right to a hearing at the Office of Administrative Law to contest the placing of restrictions or conditions on the individual.

8:40A-9.3 EMT recertification

(a) Requirements for recertification as an EMT shall be as follows:

1. Possession of a current New Jersey EMT certification; and

2. Successful completion of an approved continuing education program, consisting of 24 Core credit hours and 24 Elective credit hours. The 24 Core credit hours shall include two credit hours from each of the 12 Core courses listed in Appendix J.

(b) Continuing education credits shall not be carried forward from one recertification period to the next. At the beginning of the next recertification period the continuing education balance shall be reset to 0 Core and 0 Elective credits.

(c) In accordance with the Administrative Procedure Act, N.J.S.A. 52:14B-1 et seq., an individual denied recertification as an EMT shall be entitled to a hearing at the Office of Administrative Law to contest that denial.

(d) All EMT recertifications shall expire three years from the date of issue, unless modified in accordance with this chapter. Recertifications shall be valid through the expiration date listed on the card. No grace periods are allowed, nor shall extensions be granted.

8:40A-9.4 EMT-D and FR-D certification

(a) An individual seeking certification as an EMT-D or a FR-D shall make application to the Department through the sponsoring MICU hospital, as defined in N.J.A.C. 8:41A.

(b) Requirements for certification as an EMT-D shall be as follows:

1. Possession of a current New Jersey EMT certification;

2. Possession of a current CPR certification; and

3. Successful completion of the Department's EMT-D Initial Certification course, including successful completion of written and practical skills examinations as outlined in the program curriculum.

i. Upon successful completion of the EMT-D Initial Certification course, the individual shall be awarded 4.0 Elective credits. These credits may be applied to the total Elective credit hours needed to achieve EMT recertification;

(c) Requirements for certification as a FR-D shall be as follows:

1. Possession of a current certification as a first responder issued by the Department, in accordance with N.J.A.C. 13:1-6.1; the American Red Cross or the National Safety Council;

2. Possession of a current CPR certification to the level of the Professional Rescuer issued by the American Heart Association, the American Red Cross or the National Safety Council; and

3. Successful completion of the Department's EMT-D Initial Certification course, including successful completion of written and practical skills examinations as outlined in the program curriculum.

(d) Once the applicant has completed all requirements for certification including the successful completion of the written and practical skills examination as listed in (b)3 or (c)3 above, the sponsoring MICU hospital shall notify the applicant that he or she has completed the requirements, and that he or she may operate as an EMT-D or FR-D in accordance with this chapter and N.J.A.C. 8:41A. The sponsoring MICU shall forward the course completion data and student information to the Department within 30 days of the end of the training and testing program.

(e) Any student who fails to meet the requirements of this section shall be notified in writing by the sponsoring MICU hospital, with a copy sent to the Department. In accordance with the Administrative Procedure Act, N.J.S.A. 52:14B-1 et seq., an applicant denied certification as an EMT-D or FR-D shall be entitled to a hearing at the Office of Administrative Law, in accordance with N.J.A.C. 1:1, to contest that denial.

(f) EMT-D certification shall run concurrently with the individual's EMT certification, and shall terminate upon expiration of the individual's EMT certification. FR-D certification shall run concurrently with the individual's first responder certification, and shall terminate upon expiration of the individual's first responder certification. Certifications shall be valid through the expiration date listed on the card. No grace periods are allowed, nor shall extensions be granted.

(g) The requirement for certification of an individual who has allowed his or her New Jersey EMT-D or FR-D certification to expire (that is, an individual who has not completed the required number of hours of continuing education credits necessary for recertification or has failed to attend the annual skills verification session required by N.J.A.C. 8:40A-9.5(b)4) is successful completion of the Department's EMT-D initial certification course, including successful completion of written and practical skills examinations as outlined in the program curriculum.

1. Upon successful completion of the EMT-D Initial Certification course, the EMT shall be awarded 4.0 elective credits.

(h) An individual certified by the Commissioner as an EMT-D or FR-D is authorized to practice as an EMT-D or FR-D anywhere in the state, provided that the individual complies with all applicable rules regarding practice as an EMT-D or FR-D.

Amended by R.1997 d.516, effective December 1, 1997.
See: 29 N.J.R. 3955(a), 29 N.J.R. 5078(a).

Inserted new (c); and recodified existing (c) through (g) as (d) through (h).

8:40A-9.5 EMT-D and FR-D recertification

(a) Requirements for EMT-D recertification shall be as follows:

1. Possession of a current New Jersey EMT certification;
2. Possession of a current CPR certification;
3. Successful completion of a minimum of 6.0 elective credit hours of approved continuing education, inclusive of any written or practical skills examinations required as part of the program, over the course of a three year period. These continuing education hours must be specific to EMT-D curriculum and shall not include the time spent in annual CPR certification and/or the annual performance/practical skills evaluation. These continuing education hours may also be accredited to the EMT recertification requirements under Elective hours; and
4. Completion of an annual skills verification session under the supervision of the sponsoring MICU hospital and its EMT-D program medical director or designee. This skills verification session shall meet the criteria of the final practical skills examination as outlined in the program curriculum.

i. Individuals completing certification as an EMT-D for the first time, or regaining certification as an EMT-D, shall complete a total number of Elective credit hours of approved continuing education to equal 2.0 credit hours per year (or portion thereof) remaining in the three year certification period.

(b) Requirements for FR-D recertification shall be as follows:

1. Possession of a current certification as a first responder issued by the Department, in accordance with N.J.A.C. 13:1-6.1; the American Red Cross or the National Safety Council;
2. Possession of a current CPR certification to the level of the Professional Rescuer issued by the American Heart Association, the American Red Cross or the National Safety Council;
3. Successful completion of a minimum of 6.0 credit hours of continuing education, approved in accordance with this chapter, inclusive of any written and practical skills examinations required as part of the program, over the course of a three year period. These continuing education hours must be specific to EMT-D curriculum and shall not include time spent in annual CPR certification and/or the annual performance/practical skills evaluation; and
4. Completion of an annual skills verification session under the supervision of the sponsoring MICU hospital and its EMT-D program medical director or designee. This skills verification session shall meet the criteria of the final practical skills examination as outlined in the program curriculum.

i. Individuals completing FR-D certification for the first time, or regaining certification as an FR-D, shall complete a total number of credit hours of approved continuing education equal to 2.0 credit hours per year (or portion thereof) remaining in the three year certification period.

(c) In accordance with the Administrative Procedure Act, N.J.S.A. 52:14B-1 et seq., an individual denied recertification as an EMT-D or FR-D shall be entitled to a hearing at the Office of Administrative Law to contest that denial.

Amended by R.1997 d.516, effective December 1, 1997.
See: 29 N.J.R. 3955(a), 29 N.J.R. 5078(a).
Inserted (b).

8:40A-9.6 Suspension and revocation of EMT, FR-D and EMT-D certification

(a) The Department may suspend, revoke or refuse to issue or reissue any certification of any EMT, FR-D or EMT-D for any of the following reasons:

1. Demonstrated incompetence or inability to provide adequate services as defined in the program curriculum;

2. Deceptive or fraudulent procurement of certification or recertification credentials and/or documentation;
3. Willful or negligent practice beyond the scope of practice as defined by the program curriculum and this chapter;
4. Abuse or abandonment of a patient;
5. Rendering of services under the influence of alcohol or drugs;
6. Operation of an emergency vehicle in a reckless or grossly negligent manner or while under the influence of alcohol or drugs;
7. Unauthorized disclosure of medical or other confidential patient information;
8. Willful preparation or filing of false medical reports, or the inducement of others to do so;
9. Destruction of medical records;
10. Refusal to respond to a call or to render emergency medical care when operating in an official capacity because of a patient's race, sex, creed, national origin, sexual preference, age, disability, medical condition or ability to pay;
11. Failure to comply with any part of this chapter;
12. Conviction of a crime, a violation of any part of Chapter 14 of the Criminal Justice Code (N.J.S.A. 2C:14-1, et seq.), a conviction of an offense involving drugs, or conviction of any offense arising from actions as a pre-hospital EMS provider. For the purposes of this chapter, conviction shall mean a finding of guilt by a judge or jury, a guilty plea, a plea of nolo contendere or non-vult or accepting entry into a pretrial intervention program;
13. Willful or wanton misuse or theft of any drug, medication or medical equipment;
14. Willful obstruction of any official of the Department or other agency empowered to enforce the provisions of this chapter or New Jersey Law;
15. Revocation or suspension of certification or license as an EMT, paramedic or other medical professional by any other state or Federal jurisdiction;
16. Failure to maintain New Jersey EMT certification (EMT-D only);
17. Failure to maintain current certification as a first responder (FR-D only);
18. Failure to maintain CPR certification (EMT-D and FR-D only);
19. Failure to successfully complete the annual skills verification session (EMT-D and FR-D only); and
20. Any conduct which poses a threat to public health, safety or welfare.

(b) In accordance with the Administrative Procedure Act, N.J.S.A. 52:14B-1 et seq., an individual whose EMT, FR-D or EMT-D certification has been suspended or revoked shall be entitled to a hearing at the Office of Administrative Law to contest the suspension or revocation.

(c) The Commissioner or his or her designee may summarily suspend an EMT, FR-D or EMT-D certification when the continued certification of an individual poses an immediate threat to the health, safety or welfare of the public. An individual whose certification is summarily suspended shall have the right to appeal to the Commissioner for an expedited hearing at the Office of Administrative Law. If the summary suspension is upheld at the Office of Administrative Law, the individual whose certification has been summarily suspended shall have the right to apply for injunctive relief in the Superior Court of New Jersey. Nothing herein shall be construed to prevent the Commissioner from thereafter suspending or revoking the license in accordance with (a) above.

Amended by R.1997 d.516, effective December 1, 1997.

See: 29 N.J.R. 3955(a), 29 N.J.R. 5078(a).

Inserted new (a)17; and recodified existing (a)17 through (a)19 as (a)18 through (a)20.

8:40A-9.7 Reciprocity

(a) Individuals currently certified by the State of New York, the Commonwealth of Pennsylvania or the National Registry of EMTs shall have status as an EMT in New Jersey. No further testing shall be required, and their certification card issued by these agencies shall be valid for the purposes of proof of certification in New Jersey. This section shall not be construed to permit operation at any other level of certification or licensure.

(b) Individuals currently certified as an EMT in any other state or Federal jurisdiction not identified in (a) above, may apply for certification in New Jersey by making application to OEMS on forms provided by the Department (Appendix L, incorporated herein by reference).

(c) Upon receipt of an application for reciprocity, OEMS shall verify the applicant's current certification with the other jurisdiction. Only those individuals who are currently certified in a jurisdiction whose requirements for certification meet the minimum standards of the National Standard Curriculum shall be granted reciprocity.

(d) Once OEMS has reviewed the application and has determined that the applicant is qualified, the applicant shall be issued instructions on the certification process. Each applicant shall successfully complete the Core 12 skills verification examination and obtain a "Certificate of Eligibility for the New Jersey State Written Certification Examination" (Appendix F3, incorporated herein by reference) form from the Core 12 instructor, and shall complete the State Written Certification Examination process.

(e) The Department may refuse to grant reciprocity to an applicant if the application is incomplete, contains false or fraudulent information, if the applicant has been suspended or revoked in any other jurisdiction, or would otherwise be ineligible for New Jersey certification.

APPENDIX A

(RESERVED)