

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

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

**Source and Effective Date**

R.2009 d.8, effective December 3, 2008.  
See: 40 N.J.R. 4293(a), 41 N.J.R. 269(a).

**Chapter Expiration Date**

In accordance with N.J.S.A. 52:14B-5.1b, Chapter 44H, Orthotics and Prosthetics Board of Examiners, expires on December 3, 2015. See: 43 N.J.R. 1203(a).

**Chapter Historical Note**

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

Subchapter 4, Clinical Residency in New Jersey for Orthotics and Prosthetics, was repealed by R.2002 d.196, effective June 17, 2002.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

Chapter 44H, Orthotics and Prosthetics Board of Examiners, was readopted as R.2003 d.310, effective July 3, 2003. See: 35 N.J.R. 1200(a), 35 N.J.R. 3593(b).

Chapter 44H, Orthotics and Prosthetics Board of Examiners, was readopted as R.2009 d.8, effective December 3, 2008. See: Source and Effective Date. See, also, section annotations.

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**SUBCHAPTER 1. PURPOSE AND SCOPE;  
DEFINITIONS****13:44H-1.1 Purpose and scope**

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

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

(c) This chapter shall not apply to:

1. Any person who is licensed to practice medicine and surgery, dentistry or podiatry in this State;
2. A student, fellow or trainee in orthotics or prosthetics who is pursuing a course of study at a college or university accredited by an accrediting agency recognized by the United States Department of Education, or working in a training center or research facility which has a written affiliation agreement with a college or university accredited by an accrediting agency recognized by the United States Department of Education, to the extent that the activities and services performed are a part of the course of study under the supervision of a licensee pursuant to N.J.A.C. 13:44H-3.6;
3. A student who, pursuant to N.J.A.C. 13:44H-3.5, is training to be a licensed prosthetist assistant, a licensed orthotist assistant or a licensed prosthetist-orthotist assistant to the extent that the activities and services are a part of the course of study under the supervision of a licensee pursuant to N.J.A.C. 13:44H-3.6;
4. A licensed occupational therapist or licensed physical therapist when designing, modifying, fabricating or applying upper extremity adaptive equipment, finger splints and hand splints;
5. A licensed physical therapist in providing corsets and soft cervical collars;
6. A licensed physical therapist in providing lower extremity orthotics made of fabric, canvas, neoprene or elastic with or without metal or plastic insertable or removable hinges or stays;
7. A licensed physical therapist in providing any lower extremity, low temperature splint or ankle foot orthotic when such bracing is for the evaluation or treatment of an adult patient for less than three months or for a pediatric patient for less than one year without the necessity to consult with a licensed orthotist and when the braces do not become the patient's property;
8. A licensed physical therapist in providing any off-the-shelf ankle foot orthosis made of fabric, canvas, neoprene or elastic and any low temperature posterior leaf ankle foot orthosis;
9. A licensed physical therapist in providing any high temperature posterior leaf ankle foot orthosis when the licensed physical therapist is conducting research at a college or university accredited by a regional or national accrediting agency recognized by the United States Department of Education;
10. A licensed physical therapist in managing lower extremity prosthetic volumetric changes, provided that the physical therapist consults with the dispensing prosthetist prior to implementing any non-reversible changes; and
11. A certified pedorthist whose activities are limited to the practice of orthotics and prosthetics for the ankle and below.

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

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

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

### 13:44H-1.2 Definitions

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

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

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

"Established facility" means a facility that:

1. Is primarily devoted to the provision of orthotic or prosthetic devices;
2. Provides a dedicated area for the proper care, treatment and dignity of clients receiving such devices; such area shall be large enough to allow for extended and continuous ambulation; and
3. Is appropriately equipped to design, cast and measure, provide, service, adjust, maintain and replace (when necessary) orthotic and prosthetic devices.

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

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

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

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

"Prosthetic appliance" means any artificial device that is not surgically implanted and that is used to replace a missing limb, appendage, or any other external human body part including devices such as artificial limbs, hands, fingers, feet

and toes, but excluding dental appliances and largely cosmetic devices such as artificial breasts, eyelashes, wigs and other devices which could not by their use have a significantly detrimental impact upon the musculoskeletal functions of the body.

“Prosthetist” means a person who practices prosthetics and who represents himself or herself to the public by title or by description of services, under a title incorporating such terms as “prosthetics,” “prosthetist,” “prosthetic” or “L.P.” or any similar title or description of services, provided that the individual has met the eligibility requirements contained in N.J.S.A. 45:12B-11 and N.J.A.C. 13:44H-3.1, and has been licensed pursuant to N.J.S.A. 45:12B-1 et seq. and this chapter.

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

“Prosthetist-orthotist” means any person who practices both disciplines of prosthetics and orthotics and who represents himself or herself to the public by title or by description of services, under any title incorporating such terms as “prosthetics-orthotics,” “prosthetist-orthotist,” “prosthetic-orthotic” or “L.P.O.” or any similar title or description of services, provided that the individual has met the eligibility requirements contained in N.J.S.A. 45:12B-11 and N.J.A.C. 13:44H-3.1, and has been duly licensed in both disciplines of prosthetics and orthotics pursuant to N.J.S.A. 45:12B-1 et seq. and this chapter.

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

“Support” means a device to redistribute the load for, or make stable or secure, a weakened or injured limb, trunk, head or neck.

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

Added “Orthotist”, “Orthotist assistant”, “Pedorthist”, “Prosthetist”, “Prosthetist assistant”, “Prosthetist-orthotist” and “prosthetist-orthotist assistant”.

## SUBCHAPTER 2. SCOPE OF PRACTICE

### 13:44H-2.1 Scope of orthotist practice; orthotist assistant

(a) The scope of practice of a licensed orthotist shall include patient evaluation for, and the measuring, designing, constructing, assembling, fitting, adjusting and servicing of, orthotic appliances or orthoses, which are prescribed by a licensed physician, podiatrist or dentist for the correction or alleviation of musculoskeletal diseases, injuries or deformities.

(b) A licensed orthotist may employ a licensed orthotist assistant for the molding, painting, cutting, mixing, grinding, polishing, sewing, laminating, gluing, screwing, riveting, fastening or vacuum forming of an orthotic appliance or orthosis, which tasks must be performed under the supervision of a licensed orthotist pursuant to N.J.A.C. 13:44H-3.6.

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

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

Rewrote (a); in (b), substituted “a licensed orthotist assistant for” for “a technician only for” and “a licensed orthotist pursuant to N.J.A.C. 13:44H-3.6” for “a Board licensee”.

### 13:44H-2.2 Scope of prosthetist practice; prosthetist assistant

(a) The scope of practice of a licensed prosthetist shall include patient evaluation for, and the measuring, designing, constructing, assembling, fitting, adjusting and servicing of, any type of upper and lower extremity prosthetic appliance prescribed by a physician licensed to practice medicine or surgery or a licensed doctor of podiatric medicine.

(b) A licensed prosthetist may employ a prosthetist assistant for the molding, painting, cutting, mixing, grinding, polishing, sewing, laminating, gluing, screwing, riveting, fastening or vacuum forming of any type of upper and lower extremity prosthetic appliance which tasks shall be performed under the supervision of a prosthetist pursuant to N.J.A.C. 13:44H-3.6.

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

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

Rewrote the section.

### 13:44H-2.3 Limited practice by certified pedorthists

The scope of practice of a certified pedorthist granted a license pursuant to N.J.A.C. 13:44H-3.2 shall be limited to the design, manufacture, fit and modification of shoes and related foot appliances which extend from the ankle and below and which are prescribed by a physician licensed to practice medicine or surgery or a licensed doctor of podiatric medicine for the amelioration of painful or disabling conditions of the foot. “Foot appliances” for the purposes of this section include prosthetic fillers and orthotic appliances for use from the ankle and below.

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

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

Rewrote the section.

### 13:44H-2.4 Prohibited practice; practice as an orthotist assistant, prosthetist assistant or a prosthetist-orthotist assistant

(a) No person may practice, attempt to practice, or hold oneself out as being able to practice orthotics, prosthetics or prosthetics-orthotics or hold oneself out as being able to act, or act, as an orthotist assistant, prosthetist assistant or a prosthetist-orthotist assistant without having obtained a license pursuant to N.J.S.A. 45:12B-1 et seq. and this chapter.

(b) No licensed orthotist, prosthetist or prosthetist-orthotist may employ a person to practice as an orthotist, prosthetist, prosthetist-orthotist, orthotist assistant, prosthetist assistant or a prosthetist-orthotist assistant unless that person has obtained a license pursuant to N.J.S.A. 45:12B-1 et seq. and this chapter.

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

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**SUBCHAPTER 3. CREDENTIALS REQUIRED FOR  
LICENSURE; TEMPORARY LICENSURE  
REQUIREMENTS; LICENSURE WITHOUT  
EXAMINATION; ORTHOTISTS AND  
PROSTHETISTS**

**13:44H-3.1 Requirements for orthotists, prosthetists and  
prosthetists-orthotists**

(a) A person who wishes to be licensed as an orthotist, prosthetist or prosthetist-orthotist shall successfully complete the examination given by the American Board for Certification in Orthotics and Prosthetics or its successor.

(b) An applicant for licensure as an orthotist, prosthetist or prosthetist-orthotist shall submit to the Board the following:

1. A completed application which shall include:

i. An official transcript indicating that the applicant received a bachelor's degree or its equivalent from a college or university accredited by a regional or national accrediting agency recognized by the United States Department of Education which shall be forwarded to the Board by the college or university; and

ii. Notarized documentation which indicates that the applicant has completed a clinical internship in the professional area for which a license is sought of at least 1,900 hours under the supervision of a licensee pursuant to N.J.A.C. 13:44H-3.6;

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

3. Proof that the applicant has successfully completed the licensing examination required by (a) above.

(c) Foreign-trained applicants shall obtain an evaluation of their professional educational and professional experience credentials from a credentialing agency recognized by the American Board for Certification in Orthotics and Prosthetics, its successor or the International Society of Prosthetists and Orthotists. The Board shall accept only an evaluation which is sent to the Board by the credentialing agency. Upon receipt of the evaluation by the Board, the Board shall review the evaluation and determine whether the applicant's education and experience credentials are substantially equivalent to those required in (b)1 above.

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

Rewrote the section.

Amended by R.2003 d.310, effective August 4, 2003.  
See: 35 N.J.R. 1200(a), 35 N.J.R. 3593(b).

In (b)1i and (c)1, substituted "An official transcript" for "Notarized documentation"; in (e), substituted "(b)1" for "(a)1".

Amended by R.2012 d.075, effective April 16, 2012.  
See: 43 N.J.R. 2278(a), 44 N.J.R. 1275(a).

Deleted former (c) and (d); and recodified (e) as (c).

**13:44H-3.2 Requirements for licensure of certified  
pedorthist**

(a) A certified pedorthist who seeks licensure shall submit to the Board the following:

1. A completed and notarized application form;

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

3. Proof of certification by the American Board for Certification of Pedorthists or its successor sent to the Board by the American Board for Certification of Pedorthists.

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

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

In (a), substituted "who seeks" for "seeking", deleted "pursuant to this chapter" and inserted "to the Board" preceding "submit", in the introductory paragraph, rewrote 1, in 2, amended N.J.A.C. reference in 2, deleted "directly" in 3.

**13:44H-3.3 (Reserved)**

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

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

Rewrote the section.

Public Notice: Extension of deadline for application for licensure.

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

Repealed by R.2009 d.8, effective January 5, 2009.

See: 40 N.J.R. 4293(a), 41 N.J.R. 269(a).

Section was "Licensure without examination (grandfathering); orthotists and prosthetists; credential requirements".

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

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

1. Has applied for licensure as an orthotist, prosthetist or prosthetist-orthotist, in the State of New Jersey; and

2. Is a licensee in good standing in any state in which he or she is licensed.

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

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