

3. The passing score required in order to be licensed shall be the same as the passing score identified by the National Board for Respiratory Care or, if a substantially equivalent examination is used, the passing score is identified by the body administering that examination.

Amended by R.1997 d.260, effective June 16, 1997.

See: 29 N.J.R. 1253(b), 29 N.J.R. 2665(b).

Deleted (b), relating to non-Board exams taken prior to August 20, 1991.

13:44F-4.3 Refusal to issue, suspension or revocation of license

The Board may refuse to issue or may suspend or revoke any license issued by the Board, after an opportunity for a hearing pursuant to the Administrative Procedure Act, N.J.S.A. 52:14B-1 et seq., for any of the reasons set forth in N.J.S.A. 45:1-21.

SUBCHAPTER 5. TEMPORARY LICENSURE

13:44F-5.1 Temporary license

(a) Any person deemed eligible to sit for the licensure examination by virtue of completion of an accredited training program may apply for the issuance of a temporary license which is effective for no more than six months.

(b) All temporary license holders under this section shall be required to work under the direct supervision of a physician or licensed respiratory care practitioner. For purposes of this section, "direct supervision" means continuous on-site presence of a supervising licensed respiratory care practitioner or supervising physician either of whom is constantly accessible through electronic communication and available to render immediate physical assistance as required.

(c) The temporary license holder shall advise the Board, in writing, of the name and permanent license number of the licensee(s) under whose direct supervision the temporary licensee is or will be working. The temporary licensee shall keep the Board advised, in writing, of any subsequent change in supervising licensee(s).

(d) Except in the case of undue hardship, as determined by the Board, the holder of a temporary license shall be required to take the next scheduled examination. The temporary licensee shall submit a request to the National Board for Respiratory Care to inform the Board of the temporary licensee's test results. The temporary license shall automatically expire 45 days subsequent to the next examination following issuance of the candidate's temporary license, except that if the candidate fails the examination, the provisions of (d)2 and 3 below shall apply.

1. If a temporary licensee passes the examination and intends to practice respiratory care in the State of New Jersey, he or she shall immediately apply for permanent licensure in the State of New Jersey by submitting a completed application to the Board together with the appropriate initial license fee as set forth in N.J.A.C. 13:44F-8.1 no later than 10 days following the temporary licensee's receipt of test results.

2. If a temporary licensee fails the examination for the first time, the temporary license shall automatically expire upon notification to the temporary licensee of the test results by the National Board for Respiratory Care. The temporary licensee may reapply for the next examination, and if he or she intends to continue the practice of respiratory care, he or she shall, within 10 days of the issuance of test results:

i. Apply to the Board for a one-time temporary license renewal; and

ii. Forward to the Board the temporary license renewal fee as set forth in N.J.A.C. 13:44F-8.1.

3. If a temporary licensee fails the examination for the second time, the temporary license shall expire automatically upon notification to the temporary licensee of the test results by the National Board for Respiratory Care, and he or she shall surrender the license to the Board.

(e) Except in the case of undue hardship, as determined by the Board, if the temporary license holder fails to appear on the scheduled date of the second examination, the temporary license shall automatically expire.

Amended by R.1997 d.260, effective June 16, 1997.

See: 29 N.J.R. 1253(b), 29 N.J.R. 2665(b).

In (a), added "which is effective for no more than six months"; in (b), inserted reference to physician supervision and inserted "immediate" preceding "physical assistance"; substantially amended (d); deleted (e) and (g), relating to renewals and expirations of temporary licenses, respectively; and recodified former (f) as (e).

13:44F-5.2 (Reserved)

Repealed by R.1997 d.260, effective June 16, 1997.

See: 29 N.J.R. 1253(b), 29 N.J.R. 2665(b).

Section was "Temporary licensure of individuals practicing respiratory care as of August 20, 1991".

SUBCHAPTER 6. LICENSURE BY ENDORSEMENT

13:44F-6.1 Eligibility for licensure by endorsement

(a) An applicant possessing a valid license issued by another state or possession of the United States or the District of Columbia shall be issued a license to practice respiratory care in New Jersey provided that:

1. The requirements for licensure in that state or possession of the United States or the District of Columbia are substantially equivalent to the requirements of this chapter; and

2. The applicant has not previously failed the Board-approved examination.

(b) Nothing herein shall preclude the Board, in its discretion, from deeming an applicant who possesses a license issued by another jurisdiction but who has failed the examination to be eligible for licensure.

13:44F-6.2 Application requirements for licensure by endorsement

(a) An applicant seeking licensure by endorsement shall submit the following to the Board:

1. An application form together with the required fee;
2. Proof satisfactory to the Board that the applicant is currently licensed in another state or possession of the United States or the District of Columbia and that the license is in good standing; and
3. An affidavit that the applicant has not failed the Board-approved examination.

SUBCHAPTER 7. LICENSE RENEWALS

13:44F-7.1 Biennial license renewal

(a) Prior to the expiration of the current biennial license period, the licensee shall submit an application for license renewal together with the biennial license renewal fee.

(b) If the licensee fails to renew his or her license on or before the date specified in the license renewal notice, the license shall automatically expire.

13:44F-7.2 Reinstatement

(a) If a license expires due to nonpayment of the biennial renewal fee, it may be reinstated within two years upon application to the Board and payment of the current and any past due biennial renewal fee together with the pertinent late fee or reinstatement fee as set forth in N.J.A.C. 13:44F-8.

(b) The Board will not renew a license if the renewal application is submitted to the Board more than two years after the date of license expiration. In such event, the individual shall be required to apply for an initial license and to take the next scheduled examination.

SUBCHAPTER 8. GENERAL PROVISIONS

13:44F-8.1 Fees

(a) State Board of Respiratory Care charges for licensure and other services as follows:

1. Application fee\$125.00
2. Initial license fee
 - i. During the first year of a biennial renewal period160.00
 - ii. During the second year of a biennial renewal period 80.00
3. License renewal fee, biennial160.00
4. Late renewal fee (within 30 days)100.00
5. Duplicate license fee 50.00
6. Six-month temporary license 40.00
 - i. Temporary license renewal 40.00
7. Temporary visiting license 80.00
 - i. Temporary visiting license renewal 80.00
8. Reinstatement fee (after 60 days)175.00
9. Duplicate wall certificate 50.00
10. Verification of licensure 25.00

Amended by R.1996 d.111, effective February 20, 1996.
See: 27 N.J.R. 4497(a), 28 N.J.R. 1221(b).
Decreased fees and eliminated the fee for 18 month temporary licenses.

13:44F-8.2 Patient records

(a) Respiratory care practitioners shall prepare contemporaneous, permanent treatment records. Every patient record shall be kept for at least seven years from the date of the most recent entry, except that if a patient is a minor, the records shall be kept for an additional two years beyond the age of 18. Such records shall include:

1. The dates and times of all treatments including adverse effects, if any;
2. Findings of patient assessment;
3. A patient care plan which includes treatment goals;
4. The chief complaint and diagnosis;
5. Progress notes;
6. Written prescription for care or a care plan signed by a physician, or a verbal order or prescription memorialized by the prescriber in writing pursuant to the provisions of N.J.A.C. 13:44F-3.1(b)3. The licensee shall document verbal prescriptions in the patient record contemporaneously with administration of treatment;
7. Results of appropriate tests;
8. In an outpatient setting, a discharge summary which includes the outcome of respiratory care treatment and the status of the patient at the time of discharge; and
9. The signature or initials of the licensee who rendered the care. If the licensee chooses to sign by means of initials, his or her complete signature must appear at least once in the records.