

**CHAPTER 37**

**NEW JERSEY BOARD OF NURSING**

**Authority**

N.J.S.A. 45:11-24.

**Source and Effective Date**

R.2000 d.55, effective January 13, 2000.  
See: 31 N.J.R. 3988(a), 32 N.J.R. 450(a).

**Executive Order No. 66(1978) Expiration Date**

Chapter 37, New Jersey Board of Nursing, expires on January 13, 2005.

**Chapter Historical Note**

Chapter 37, New Jersey Board of Nursing, was adopted as R.1970 d.66, effective June 3, 1970. See: 1 N.J.R. 22(a), 2 N.J.R. 55(e).

Subchapter 13, Nurse Anesthetists, was adopted by R.1984 d.493, effective November 5, 1984. See: 16 N.J.R. 2067(a), 16 N.J.R. 3054(d).

Pursuant to Executive Order No. 66(1978), Subchapter 2, Licensure by Examination for Professional Nurses, Subchapter 3, Licensure by Examination for Practical Nurses, Subchapter 4, Foreign Nurses, Subchapter 5, Licensure by Endorsement, and Subchapter 6, Nursing Procedures, were readopted as R.1985 d.105, effective March 4, 1985. See: 16 N.J.R. 3179(a), 17 N.J.R. 607(a).

Pursuant to Executive Order No. 66(1978), Chapter 37, New Jersey Board of Nursing, was readopted by R.1990 d.122, effective January 23, 1990. See: 21 N.J.R. 3854(b), 22 N.J.R. 6631(a).

Subchapter 7, Certification of Nurse Practitioners/Clinical Nurse Specialists, was adopted as R.1994 d.212, effective May 2, 1994. See: 25 N.J.R. 2829(a), 26 N.J.R. 1876(a).

Subchapter 14, Homemaker-Home Health Aides, was adopted as R.1994 d.289, effective June 6, 1994, with N.J.A.C. 13:37-14.10, Competency examination, operative December 6, 1994. See: 25 N.J.R. 1950(a), 25 N.J.R. 3704(b), 26 N.J.R. 2293(c).

Pursuant to Executive Order No. 66(1978), Chapter 37, New Jersey Board of Nursing, was readopted by R.1995 d.88, effective January 19, 1995, and Subchapter 2, Licensure by Examination for Professional Nurses, Subchapter 3, Licensure by Examination for Practical Nurses, Subchapter 4, Licensure by Examination for Foreign Nurses, Subchapter 5, Licensure by Endorsement, and Subchapter 12, Fee Schedule, were repealed and Subchapter 2, Licensure by Examination; Professional and Practical Nurses, Subchapter 3, Practice as a Graduate Nurse, Subchapter 4, Licensure by Endorsement; Professional and Practical Nurses, and Subchapter 5, General Requirements of Licensure; License Renewal; Fee Schedule, were adopted as new rules by R.1995 d.88, effective February 21, 1995. See: 26 N.J.R. 4731(a), 27 N.J.R. 728(a).

Pursuant to Executive Order No. 66(1978), Chapter 37, New Jersey Board of Nursing, was readopted by R.2000 d.55, effective January 13, 2000, and Subchapter 3, Practice as a Graduate Nurse, was repealed by R.2000 d.55, effective February 7, 2000. See: Source and Effective Date. See, also, section annotations.

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**SUBCHAPTER 1. PROGRAMS IN NURSING  
EDUCATION**

**13:37-1.1 Application for establishment of a new program in nursing or reorganization of an existing program**

(a) An institution seeking to establish a new program in nursing and/or reorganize an existing program shall submit in writing to the Board of Nursing an application consisting of the following items:

1. The philosophy and objectives of the program in accordance with N.J.A.C. 13:37-1.2, criteria for accreditation;
2. An Analysis of Need for the program;
3. Evidence of financial resources adequate for the planning, implementation and continuation of the program including a projected budget for a five year period;

4. An organizational chart describing the lines of authority and the administrative structure of the program;

5. Curricula vitae for all nurse educators and consultants responsible for the development and administration of the program.

(b) The application shall be submitted to the Board no later than 11 months prior to the establishment of a new program or the reorganization of an existing program.

(c) After reviewing these materials the Board shall either:

1. Grant preliminary permission to pursue the development of the proposed program. This preliminary permission does not ensure that provisional accreditation will be granted; or

2. Require the redesign and/or revision of the preliminary program materials or the submission of additional information. Redesign or revision of preliminary program materials does not ensure that provisional accreditation will be granted; or

3. Deny permission to establish a new program and/or reorganize an existing program.

(d) The institution may request a hearing before the Board to appeal a decision of (c)2 or 3 above.

(e) After receiving preliminary permission to establish a new program and/or reorganize an existing program, the institution shall submit to the Board no later than five full calendar months prior to the month anticipated for the start of the program the following items:

1. All of the documents needed to satisfy the requirements of N.J.A.C. 13:37-1.2, Criteria for accreditation;

2. A statement of the conceptual/organizational framework of the curriculum;

3. A projected budget for a five year period;

4. An organizational chart as contained in (a) above;

5. A written statement containing information on the anticipated student population including at least the following:

i. The number of students to be admitted to each of the first four classes after establishment or reorganization of the program;

ii. Maximum student enrollment;

iii. Timetable for attainment of maximum student enrollment;

iv. Admission, retention and dismissal policies;

## v. Student services.

6. A written statement describing the support staff, the curricula vitae for all faculty members, dates of faculty appointment, and time phase plan for increases in faculty commensurate with student enrollment.

Amended by R.1976 d.368, effective November 19, 1976.

See: 8 N.J.R. 199(b), 8 N.J.R. 575(a).

New Rule, R.1985 d.285, effective June 3, 1985.

See: 17 N.J.R. 51(a), 17 N.J.R. 1426(b).

This section was originally Definitions.

Amended by R.1988 d.558, effective December 5, 1988.

See: 20 N.J.R. 1645(b), 20 N.J.R. 3021(a).

**13:37-1.2 Eligibility for accreditation**

(a) The following educational entities shall be considered eligible for accreditation:

1. A school, division or department of nursing authorized to operate by its own charter, articles of incorporation or resolution of the governing board of its sponsoring institution.

2. Degree granting institutions shall be approved and licensed by the New Jersey State Department of Higher Education and accredited by the appropriate academic accrediting agencies.



(b) The following educational programs shall be considered eligible for accreditation;

1. **Baccalaureate Degree Program:** Programs leading to a baccalaureate degree in nursing accredited by the New Jersey State Board of Nursing conducted by an educational unit in nursing as an integral part of a higher educational institution licensed by the New Jersey State Department of Higher Education for the purpose of granting baccalaureate degrees. Baccalaureate degree programs shall include both generic and upper division curricula.

2. **Associate Degree Program:** Programs leading to an associate degree with a major in nursing accredited by the New Jersey State Board of Nursing, conducted by an educational unit in nursing as an integral part of a higher educational institution, licensed by the New Jersey State Department of Higher Education for the purpose of granting associate degrees.

3. **Diploma Program:** Programs leading to a diploma in nursing, (and, for a cooperative program, an Associate in Applied Science degree or Associate in Science degree) accredited by the New Jersey State Board of Nursing, conducted by an educational unit in nursing under the sponsorship of a hospital or consortium of hospitals in the State of New Jersey.

4. **Practical Nursing Program:** Within the meaning of N.J.S.A. 45:11-27(a)(4), programs leading to a diploma conducted for the purpose of giving basic required education in practical nursing accredited by the New Jersey State Board of Nursing. A program in practical nursing operated by the public school district or Board of Education and certified by the New Jersey State Department of Education, offering a course of study in practical nursing shall show evidence of its compliance with the requirements of the New Jersey State Board of Nursing and shall include clinical experience within cooperating clinical affiliates approved by the Board of Nursing.

New Rule, R.1985 d.285, effective June 3, 1985.

See: 17 N.J.R. 51(a), 17 N.J.R. 1426(b).

This section was originally "Application for initial accreditation."

Amended by R.1985 d.483, effective September 16, 1985.

See: 17 N.J.R. 1528(a), 17 N.J.R. 2282(a).

Added (v) through (y).

Amended by R.1988 d.558, effective December 5, 1988.

See: 20 N.J.R. 1645(b), 20 N.J.R. 3021(a).

Amended by R.1995 d.88, effective February 21, 1995.

See: 26 N.J.R. 4731(a), 27 N.J.R. 728(a).

### 13:37-1.3 Criteria for granting and withdrawing accreditation

(a) Except as set forth in (b) below, full accreditation shall be granted to any eligible program meeting all the standards and requirements of this subchapter. A certificate of full accreditation shall be issued in accordance with N.J.S.A. 45:11-34.

(b) Provisional accreditation shall be granted to a new program that meets the standards and requirements for accreditation set forth in this subchapter. Upon Board receipt and evaluation of the results of the licensing examination of the first graduating class, the program shall be eligible for full accreditation.

(c) A Board staff field representative shall visit all nursing programs and clinical affiliates at regular intervals as determined by the Board. The field representative shall examine the program for compliance with this subchapter and shall prepare a written report for the review of the Board.

(d) The Board may withdraw program accreditation in the event the program does not comply with the rules of this subchapter. The institution shall be given the opportunity for a hearing to appeal this decision.

(e) The eligibility of students currently enrolled in a program to sit for the licensing examination shall not be affected in the event a program has its accreditation withdrawn or in the event of a change in accreditation status from full to conditional.

### 13:37-1.4 Conditional accreditation

(a) The Board shall place an accredited program on conditional accreditation if:

1. The program fails to meet or maintain the standards and requirements for accreditation contained in this subchapter; or

2. Less than 80 percent of its graduates achieve passing grades in the licensing examination.

(b) The Board may limit the number of students enrolled in a program placed on conditional accreditation. The institution shall be given the opportunity for a hearing to appeal this decision.

(c) The program shall be notified by letter of conditional accreditation by the Board including any conditions which must be corrected within a specific time period established by the Board.

(d) The Board may, upon request, remove a program from conditional accreditation if it can be demonstrated that the standards and requirements contained in this subchapter have been met.

### 13:37-1.5 (Reserved)

Repealed by R.1985 d.285, effective June 3, 1985.

See: 17 N.J.R. 51(a), 17 N.J.R. 1426(b).

### 13:37-1.6 Probation

A program may be placed on probation when its graduates fail to achieve 80 percent passing on the licensing examinations for two consecutive years. A program placed

on probation shall not admit new or transfer students into the program. The institution shall be given the opportunity for a hearing to appeal this decision.

#### 13:37-1.7 Plans of organization and administration

(a) The institution shall have an effective plan of organization and administration appropriate to the purpose and implementation of the program in nursing. There shall be a written organizational plan describing the internal organization of the program, lines of authority, procedures for providing communication with the governing body and clinical affiliates and the role of any advisory committee associated with the program.

(b) The program shall be assured of stable, financial resources adequate for and effectively allocated to support its educational activities. There shall be a budget prepared in accordance with sound educational and financial practices. The financial statement shall give a clear picture of the status of the program.

(c) There shall be a qualified nurse administrator of the nursing program who shall have direct authority for the fiscal and academic administration of the program. The administrator shall be responsible to the governing body of the sponsoring institution.

#### 13:37-1.8 Program philosophy and objectives

(a) The nursing program shall have in writing a defined statement of philosophy and program objectives which are consistent with the definition of nursing as set forth in N.J.S.A. 45:11-23(b).

(b) The philosophy and program objectives shall be developed by the faculty.

(c) The philosophy of the program shall include, but not be limited to, the faculty's beliefs about the following:

1. Nursing and nursing education.
2. Humans and society.
3. Education as a life-long process (continuing education).
4. Teaching-learning process.

(d) The program objectives shall measure the entry level competencies of the graduate.

(e) The philosophy and program objectives shall be used by the faculty in planning, developing, implementing, and evaluating the total program.

(f) The written statement of philosophy and objectives shall be shared with the faculty, students, cooperating agencies, advisory committees and interested persons.

(g) The philosophy and objectives shall be consistent with professional, educational and ethical standards of nursing.

#### 13:37-1.9 Qualifications of program administrator

(a) In Registered Nursing Programs (Baccalaureate), in addition to the qualifications contained in N.J.A.C. 13:37-1.10, the administrator shall hold a masters degree with a major in nursing and an earned doctoral degree.

(b) In Registered Nursing Programs (Associate Degree and Diploma), in addition to the qualifications contained in N.J.A.C. 13:37-1.10, the administrator shall hold a minimum of a masters degree with a major in nursing.

(c) In Licensed Practical Nursing Programs, in addition to the qualifications contained in N.J.A.C. 13:37-1.10(a)1, 3, 4 and 5, the administrator shall hold a minimum of a bachelors degree in nursing with additional courses in education.

(d) All degrees shall be earned at accredited schools of nursing.

#### 13:37-1.10 Faculty qualifications

(a) For purposes of this section, faculty shall include persons from out-of-state nursing programs who are responsible for teaching students in a clinical affiliate located in New Jersey.

(b) All individuals with faculty responsibilities shall have the following qualifications:

1. Current registration in New Jersey as a professional nurse;
2. Graduation from accredited Masters Degree Program with a major in nursing, except that
  - i. Faculty in Licensed Practical Nursing Programs shall hold a minimum of a bachelors degree with a major in nursing; and
  - ii. Instructors in any school operated by a public board of education in any local or county school district shall meet the professional qualification requirements of the school district;

NOTE: Only those faculty members who began their employment on or before September 1, 1981 may qualify for an exemption from this requirement in accordance with previous Board policy.

3. Academic, professional/clinical experience qualifications appropriate to the specific area of responsibility of the appointed position.
4. Maintenance of up-to-date professional competence (that is, participation in on-going clinical practice);

5. Maintenance of up-to-date continuing education (that is, participation in) professional conferences, workshops, seminars, advanced academic courses, research projects and writing);

6. Compliance with all academic and professional qualifications for appointment required by the sponsoring institution.

(c) All degrees shall be earned at accredited schools of nursing.

(d) Each newly appointed faculty member shall file a record of professional preparation and experience with the Board.

#### 13:37-1.11 Required number of faculty

(a) The number of faculty members in the program shall be sufficient to achieve program goals. The required number of faculty shall be determined by the following factors:

1. Number of students enrolled;
2. Number and locations of clinical affiliate facilities;
3. Total reasonable work-load capacity of the faculty;
4. Maintenance of supervision of students in clinical experiences within a student-faculty ratio of not more than 10 students to one clinical faculty member.

#### 13:37-1.12 Development and implementation of nursing program

(a) Responsibility for developing and implementing the program shall be placed in the nursing faculty. Faculty responsibilities shall include, but not be limited to:

1. Development and maintenance of a written statement of the purposes, mission and objectives of the program, consistent with the requirements of N.J.S.A. 45:11-23 et seq.;
2. Active participation in the construction, implementation, teaching and evaluation of the curriculum consistent with the requirements of N.J.A.C. 13:37-1.13;
3. Participation in the establishment and implementation of criteria for faculty promotion and retention;
4. Establishment and implementation of criteria for student admission, promotion, retention and completion of the program consistent with the requirements of N.J.A.C. 13:37-1.17;
5. Evaluation of student achievement on the basis of written criteria prepared or selected by the faculty;
6. Determination of eligibility of students for graduation and admission to the licensing examination;
7. Development of a written plan for evaluation of the effectiveness of the curriculum. The plan shall include instruments for evaluation, time of the evaluation, and

intended uses of the evaluation. Evaluations shall be kept current and in accordance with the written plan. The Board may request evidence of the implementation of such evaluation.

#### 13:37-1.13 Curriculum organization and content

(a) The curriculum shall be organized as follows:

1. The curriculum shall be designed by the faculty to reflect the stated philosophy and objectives of the program;
2. The conceptual framework of the curriculum shall be clearly stated and facilitate implementation of the curriculum goals;
3. Rationale shall be specified for the allocation of credit for the nursing courses;
4. Non-nursing courses shall be attended with students in other disciplines.

(b) All professional nursing programs shall reflect and implement a written organizational framework which utilizes the nursing process. It shall include sufficient learning experiences encompassing casefinding, health teaching, health counseling, and the provisions of care supportive to or restorative of life and well-being.

(c) All professional nursing programs shall include a broad spectrum of liberal arts and science offerings. Each student shall be required to take at least one college level course leading to proficiency in English composition. Content areas in the biological, physical and behavioral sciences shall include but not be limited to anatomy, physiology, chemistry, microbiology, physics, psychology, sociology and anthropology.

(d) All professional nursing programs shall contain nursing courses with content from the major areas: medical-surgical, psychiatric, mental health, parent-child health, as well as promotion and maintenance of health, prevention and detection of illness and restoration of life. Clinical laboratory experience shall be planned as an integral part of the curriculum.

(e) All professional nursing programs shall contain course content on ethical issues affecting practice and professional responsibilities.

(f) All practical nursing programs shall be designed to incorporate materials and concepts from the physical, biological and behavioral sciences relevant to the principals and practice of nursing and contemporary issues in health care. The course of study shall be a minimum of 44 weeks in length excluding holidays and vacations. Forty percent of the total hours shall be devoted to classroom theory and laboratory. The remaining 60 percent shall be devoted to clinical experience and clinical conference. The program

shall be organized so that theory and clinical practice are offered concurrently throughout the entire program.

(g) All nursing programs shall contain content relating to chemical substance abuse.

(h) All professional nursing programs shall be designed to prepare the practitioner to provide care in a variety of delivery systems and arenas, including community nursing/home care.

#### 13:37-1.14 Changes in nursing programs

(a) No major change in a nursing program shall be implemented without the prior approval of the Board. Major program changes include:

1. Changes of administrative control. When a change or transfer of administrative control is contemplated, nursing program officials shall submit to the Board the following information in writing:

i. An application made pursuant to N.J.A.C. 13:37-1.1 for initial approval of a nursing program under the auspices of the new sponsoring institution;

ii. A study/analysis substantiating the need for the change;

iii. The anticipated plan of administrative and organizational control;

iv. The anticipated effect of the change on students, faculty and resources;

2. Organizational/structural changes or changes of the administrator of the program;

3. Major changes in curriculum or alterations of the present curriculum. Major curriculum changes include:

i. Changes in philosophy or objectives which alter the present curriculum;

ii. An increase or decrease in the length of the program; or

iii. Reorganization of the curriculum.

4. When a major change in curriculum is contemplated, nursing program officials shall submit to the Board the following information in writing:

i. Rationale for the proposed changes, including its anticipated effect on faculty, students, resources and facilities;

ii. Presentation of the differences between the current curriculum and the proposed curriculum changes;

iii. A timetable for implementation of the change;

iv. Methods of evaluation which will be used to determine the effect of the change.

5. Written notification as contained in (l)2, 3, and 4 above shall be submitted at least four calendar weeks prior to the Board Meeting at which approval is sought.

#### 13:37-1.15 Required educational and administrative resources

(a) Classrooms, laboratories, conference rooms, offices and other space as needed shall be provided to meet the needs of the students and faculty;

(b) Adequate office space and equipment consistent with current technology shall be provided for the administrator, faculty and clerical staff;

(c) Furnishings, supplies and equipment consistent with current technology shall be provided to achieve the educational purposes of the program;

(d) The library shall be adequate in size and holdings to meet the educational needs of the students and faculty. Provision shall be made in the budget for regular and adequate acquisitions to the library collection. Library facilities consistent with current technology, including audio-visual equipment, shall be adequate and available to students and faculty.

#### 13:37-1.16 Clinical affiliates

(a) Every clinical affiliate shall be approved or disapproved on the basis of the following:

1. Resources for training in clinical practice shall implement the nursing process and shall reflect adequate and safe patient care.

2. Accreditation by the appropriate authority prior to the assignment of students.

3. There shall be a written agreement between the nursing program and the clinical affiliate. The agreement shall be signed and adhered to by the parties and shall include but not be limited to provision for the following:

i. Periodic review of the terms of the written agreement.

ii. Adequate notice of termination of the agreement by either party.

iii. Control of student education by the faculty of the nursing program.

iv. Continuous educational planning for students assigned to the clinical affiliate.

v. Joint annual evaluation of the effectiveness of the clinical experience.

vi. Student-faculty ratio of not more than 10 students to one faculty member.

4. A clinical affiliate located outside of New Jersey shall meet the requirements of (n)1 and 2 above and shall be approved as a qualified institution for providing clinical experience in nursing by the Board of Nursing of the state in which it is located.

5. Whenever a change in the clinical facilities is contemplated, the Board shall be notified of the proposed change in writing for its review and approval prior to the implementation of the change.

**13:37-1.17 Criteria for student admission, promotion, retention and completion of the program**

(a) The program's nursing facility shall ensure that the program meets all the requirements of N.J.S.A. 45:11-26 or 45:11-27.

(b) Students shall be selected on the basis of established criteria in conformity with Federal and State laws on discrimination.

(c) There shall be written policies for admission, readmission promotion, retention, graduation and transfer of students.

(d) There shall be written criteria for granting course credit for programs admitting students with advanced standing.

(e) There shall be written policies governing payment and refund of tuition and other fees.

(f) Dates shall be set for the beginning and ending of each term.

(g) A grievance procedure shall be established and made available to the students.

(h) Individual liability insurance shall be required for all students.

(i) Written policies regarding health, counseling and guidance services, financial aid, and living accommodations shall be established.

(j) All written policies affecting students shall be distributed to students.

(k) Current information about the school shall be distributed to students, applicants for admission and the Board of Nursing. The bulletin shall include the following items:

1. General description of the program;
2. Accreditation;
3. Admission, retention, promotion and graduation requirements;
4. Curriculum plan and course descriptions; and
5. Statement of tuition fees and refund policies.

**13:37-1.18 Program recordkeeping and reporting requirements**

(a) Every nursing program shall maintain a system of recordkeeping which shall contain all data relating to its accreditation. Such data shall include course outlines, faculty organization, committee minutes, agency contracts, pertinent correspondence, reports of standardized tests and survey. These records shall be made available to the Board of Nursing upon request.

(b) There shall be a recordkeeping system that provides for accurate recording of admission data and student academic records. Provision shall be made for safe storage of records to prevent loss by destruction and unauthorized use. Student records shall be made available to the Board of Nursing upon request.

(c) An annual report of the school of nursing shall be submitted each year on a date determined by the Board. Forms will be supplied by the Board two months before the report is due.

**13:37-1.19 Program termination or suspension**

(a) Procedures for termination of the program include:

1. "Phasing out," in which students enrolled continue until they complete the program; no students are admitted or accepted by transfer; qualified faculty remain; and Board requirements continue to be met;
2. Transfer of students to other schools in a manner providing a minimum loss to the students.

(b) The administrative officer responsible for an educational institution or hospital which plans to discontinue the educational program in nursing, or to suspend any essential part of its program, shall so advise the Board, in writing, at least six months prior to the admission of the last class. The written notification shall include the reasons for terminating the program and the specific plans for students enrolled.

(c) The administrative officer shall be responsible for the safekeeping of records and shall notify the Board of the future custody of records at least 10 days prior to the official date of closure. The official date of closure shall be the date on which the last student is properly transferred or completes the program.

New Rule, R.1995 d.88, effective February 21, 1995.  
See: 26 N.J.R. 4731(a), 27 N.J.R. 728(a).

**SUBCHAPTER 2. LICENSURE BY EXAMINATION; REGISTERED PROFESSIONAL AND LICENSED PRACTICAL NURSES**

**13:37-2.1 Eligibility requirements**

(a) Every applicant for licensure as a registered professional nurse or a licensed practical nurse shall meet the

requirements for licensure, as set forth in N.J.S.A. 45:1-14 et seq., N.J.S.A. 45:11-26 and 27. Every applicant shall pass either the National Council Licensure Examination for Registered Nurses (NCLEX-RN) or the National Council Licensure Examination for Practical Nurses (NCLEX-PN).

(b) An applicant who fails to pass three consecutive licensing examinations shall submit to the Board, prior to the fourth licensing examination, proof of successful completion of a remediation course, consisting of 30 hours and conducted by a qualified instructor within the meaning of N.J.A.C. 13:37-1.10. The remediation course shall be completed within one year prior to taking the fourth examination. An applicant who fails the fourth examination may retake the examination two more times before being required to take the remediation course again.

Amended by R.2000 d.55, effective February 7, 2000.  
See: 31 N.J.R. 3988(a), 32 N.J.R. 450(a).  
Rewrote the section.

### 13:37-2.2 Application requirements; professional and practical nurses

(a) Each applicant for licensure shall file with the Board:

1. A completed application form, provided by the Board, which requests information concerning the applicant's educational and experiential background;

2. The nonrefundable application fee set forth in N.J.A.C. 13:37-5.5(a)1; and

3. A written certification from the registrar, or program administrator authorized by the registrar, attesting that the applicant has successfully completed all requirements for graduation from a Board-accredited registered professional nursing program or a Board-accredited licensed practical nursing program. The certification shall indicate the date of graduation or the date the degree or diploma was conferred.

(b) An applicant for licensure as a licensed practical nurse shall complete a program designed to educate him or her as a licensed practical nurse. Attendance in or successful completion of a registered professional nursing program shall not serve as an equivalent for the licensed practical nursing educational requirement.

Amended by R.1999 d.49, effective February 1, 1999.  
See: 30 N.J.R. 3602(a), 31 N.J.R. 443(a).

In (a)2, changed N.J.A.C. reference.  
Recodified from N.J.A.C. 13:37-2.3 and amended by R.2000 d.55, effective February 7, 2000.  
See: 31 N.J.R. 3988(a), 32 N.J.R. 450(a).

Rewrote the section. Former N.J.A.C. 13:37-2.2, Board approved licensing examination, repealed.

### 13:37-2.3 Application requirements; graduates of foreign nursing programs

(a) An applicant for licensure who graduated from a foreign nursing program shall submit:

1. The documents required in N.J.A.C. 13:37-2.2(a)1 and 2;

2. For registered professional nurse applicants, a valid certification by the Commission on Graduates of Foreign Nursing Schools (CGFNS);

3. For licensed practical nurse applicants, a certification by a foreign transcript evaluating service and a passing score on the Test of English as a Foreign Language exam, TOEFL; and

4. A CGFNS certificate indicating graduation from a nursing program or licensure as a registered nurse in the foreign country.

(b) A graduate of a foreign licensed practical nursing program who has not taken courses in medical, surgical, pediatric, obstetric or psychiatric nursing shall complete a course in a licensed practical nursing program in the area(s) of deficiency offered by a practical nursing education program approved by the State Department of Education or by the Board pursuant to N.J.A.C. 13:37-1.

(c) Any applicant who obtained his or her credentials, such as transcripts, licenses or certificates, through fraud, deception, misrepresentation, false promise or false pretense shall not be eligible to take the examination or for licensure.

Recodified from N.J.A.C. 13:37-2.4 and amended by R.2000 d.55, effective February 7, 2000.  
See: 31 N.J.R. 3988(a), 32 N.J.R. 450(a).

Rewrote the section. Former N.J.A.C. 13:37-2.3, Application requirements; professional and practical nurses, recodified to N.J.A.C. 13:37-2.2.

### 13:37-2.4 Forensic nurse sexual assault examiner; training requirements

A registered nurse licensed by the Board or a nurse practitioner/clinical nurse specialist certified by the Board who wishes to qualify as a forensic nurse sexual assault examiner pursuant to the provisions of P.L. 1995, c.187, shall successfully complete a comprehensive course in clinical forensics focusing on the various aspects of conducting an examination and physical assessment of the sexual assault victim as well as on recognizing, collecting and documenting evidence, which course shall be approved or conducted by the Monmouth County Prosecutor's Office.

New Rule, R.1996 d.175, effective April 1, 1996.

See: 28 N.J.R. 236(a), 28 N.J.R. 1859(b).

Recodified from N.J.A.C. 13:37-2.5 by R.2000 d.55, effective February 7, 2000.

See: 31 N.J.R. 3988(a), 32 N.J.R. 450(a).

Former N.J.A.C. 13:37-2.4, Application requirements; graduates of foreign nursing programs, recodified to N.J.A.C. 13:37-2.3.

### 13:37-2.5 (Reserved)

Recodified to N.J.A.C. 13:37-2.4 by R.2000 d.55, effective February 7, 2000.

See: 31 N.J.R. 3988(a), 32 N.J.R. 450(a).

## SUBCHAPTER 3. (RESERVED)

## Subchapter Historical Note

Petition for Rulemaking regarding repealed Subchapter 3, Practice as a Graduate Nurse. See: 32 N.J.R. 2623(a), 32 N.J.R. 3500(a), 32 N.J.R. 4019(b), 32 N.J.R. 4480(a).

SUBCHAPTER 4. LICENSURE BY  
ENDORSEMENT; PROFESSIONAL AND  
PRACTICAL NURSES**13:37-4.1 Eligibility requirements**

(a) Each applicant for licensure by endorsement shall:

1. Meet all of the qualifications for the type of licensure sought, as set forth in N.J.S.A. 45:1-14 et seq., 45:11-23 et seq. and this chapter;
2. Be licensed by examination in a jurisdiction which is a member of the National Council of State Boards of Nursing; and
3. Have attained a passing score on the licensing examination consistent with the provisions of N.J.A.C. 13:37-4.2 and 4.3.

(b) Attendance in or successful completion of a professional nursing program shall not serve as an equivalent or substituted qualification for the practical nursing educational requirement.

(c) An applicant who is deficient in the required curriculum content set forth in N.J.A.C. 13:37-1.13 or who fails to provide written verification of licensure in good standing from the state of original licensure and from the state in which the applicant is currently licensed shall not be eligible for licensure by endorsement.

(d) Any applicant who obtains his or her credentials (for example, transcripts, licensure) through fraud, deception, misrepresentation, false promise or false pretense shall not be eligible to be licensed.

**13:37-4.2 Examination scores; professional nurses**

(a) Applicants for professional nurse licensure by endorsement shall be required to have attained a passing score on the licensing examination as follows:

1. If licensed prior to March 1954, the passing score required in the state of original licensure.
2. If licensed between March 1954 and July 1982, the passing score required in New Jersey in all subjects of State Board Test Pool Examination.
3. If licensed after July 1982, the score required for all applicants for licensure by NCLEX-RN.

(b) Applicants for practical nurse licensure by endorsement shall be required to have attained a passing score on the licensure examination as follows:

1. If licensed prior to January 1, 1949, the passing score required in the state of original licensure.
2. If licensed between January 1, 1949 and December 31, 1960, a score of 350.
3. If licensed after January 1, 1961, a score of 375 on the State Board Test Pool Examination.
4. If licensed after October 1982, a score of 350 on the NCLEX-PN.
5. If licensed after October 1989, a "pass" score on the NCLEX-PN.

**13:37-4.3 Application requirements; licensure by endorsement**

(a) Each applicant for licensure by endorsement shall submit or arrange to submit the following to the Board:

1. All of the documents required in N.J.A.C. 13:37-2.3;
2. An initial license fee and application for licensure by endorsement fee as set forth in N.J.A.C. 13:37-5.8(a)2 and 3; and
3. Written verification of licensure in good standing from the state in which the applicant was originally licensed and from the state in which the applicant is currently licensed. The verification shall be forwarded directly to the Board from the applicable state board. The verification from the state of original licensure shall indicate that the applicant attained a passing score on the national licensing examination equal to that required of candidates in New Jersey at the time of the applicant's initial licensure in the original state of licensure.

(b) Where the state of original licensure did not utilize the examinations referred to in this subsection or the applicant otherwise fails to attain a passing score, the applicant shall be required to apply for licensure by examination pursuant to N.J.A.C. 13:37-2.

Amended by R.1999 d.49, effective February 1, 1999.

See: 30 N.J.R. 3602(a), 31 N.J.R. 443(a).

In (a), inserted a new 2, and recodified former 2 as 3.

SUBCHAPTER 5. GENERAL REQUIREMENTS OF  
LICENSURE; LICENSE RENEWAL; FEE  
SCHEDULE**13:37-5.1 License requirement**

Before engaging in nursing practice, as defined in N.J.S.A. 45:11-23(b), or representing oneself as a nurse, an individu-

al shall obtain and maintain a current license that is active. No licensee shall engage in nursing practice if his or her license is expired, suspended, revoked or surrendered.

Amended by R.2000 d.55, effective February 7, 2000.  
See: 31 N.J.R. 3988(a), 32 N.J.R. 450(a).  
Rewrote the section.

**13:37-5.2 Biennial license renewal**

Licenses shall be valid for two calendar years, except that initial licenses shall be valid from the date the applicant passed the examination to the end of the then current biennial period.

New Rule, R.2000 d.55, effective February 7, 2000.  
See: 31 N.J.R. 3988(a), 32 N.J.R. 450(a).  
Former N.J.A.C. 13:37-5.2, Responsibilities of dual licensure, repealed.

**13:37-5.3 (Reserved)**

Repealed by R.2000 d.55, effective February 7, 2000.  
See: 31 N.J.R. 3988(a), 32 N.J.R. 450(a).  
Section was "Notification of change of address".

**13:37-5.4 Categories of licenses**

Licenses shall be divided into two categories known as "active" and "inactive" licenses. All persons engaged in any type of nursing practice shall have an active license. An individual who is eligible for an active license but who is not engaged in any type of nursing practice may request an inactive license. Before engaging in nursing practice, a holder of an inactive license shall register with the Board as active and pay the active biennial license fee as set forth at N.J.A.C. 13:37-5.5(a).

New Rule, R.2000 d.55, effective February 7, 2000.  
See: 31 N.J.R. 3988(a), 32 N.J.R. 450(a).  
Former N.J.A.C. 13:37-5.4, Reporting of unlawful conduct, repealed.

**13:37-5.5 Fee schedule**

(a) The following fees shall be charged by the Board in connection with licensure of professional and practical nurses:

- 1. Application fee ..... \$75.00
- 2. Initial license fee ..... 65.00
- 3. Application for licensure by endorsement ..... 75.00 plus 65.00 initial license fee set forth in (a)2 above
- 4. Verification for endorsement ..... 30.00
- 5. Renewal of license (biennial)
  - i. Active ..... 65.00
  - ii. Inactive ..... 30.00
- 6. Late license renewal (one to 30 days) ..... 50.00 plus the applicable biennial license renewal fee set forth in (a)5 above
- 7. Lapsed license fee (after 30 days) ..... 100.00 plus the applicable biennial license renewal fee set forth in (a)5 above
- 8. Duplicate license ..... 35.00
- 9. Written verification of licensure ..... 25.00
- 10. Copy of Nurse Practice Act ..... 5.00
- 11. Copy of L.P.N. Standards of Practice ..... 3.00

(b) The following fees shall be charged by the Board in connection with certification of homemaker-home health aides:

- 1. Application fee ..... \$50.00
- 2. Program approval fee for each location at which course is offered (annual) ..... 250.00
- 3. Instructor's Manual ..... 25.00
- 4. Student Manual ..... 15.00
- 5. Initial certification fee
  - i. If paid during the first year of a biennial renewal period ..... 20.00
  - ii. If paid during the second year of a biennial renewal period ..... 10.00
- 6. Renewal of certificate (biennial) ..... 20.00
- 7. Late renewal of certificate (one to 30 days) ..... 10.00 plus the certification renewal fee set forth in (b)6 above
- 8. Lapsed certification fee (after 30 days) ..... 20.00 plus the certification renewal fee set forth in (b)6 above
- 9. Duplicate certificate ..... 10.00
- 10. Application for certification by endorsement ..... 30.00 plus the applicable initial certification fee set forth in (b)5 above

(c) The following fees shall be charged by the Board in connection with certification of nurse practitioners/clinical nurse specialists:

- 1. Application fee ..... \$100.00
- 2. Initial certification fee
  - i. If paid during the first year of a biennial renewal period ..... 100.00
  - ii. If paid during the second year of a biennial renewal period ..... 50.00
- 3. Renewal of certification (biennial) ..... 100.00
- 4. Application for certification by endorsement ..... 100.00 plus the applicable initial certification fee set forth in (c)2 above
- 5. Late renewal of certificate (one to 30 days) ..... 75.00 plus the certification renewal fee set forth in (c)3 above
- 6. Lapsed certification fee (after 30 days) ..... 100.00 plus the certification renewal fee set forth in (c)3 above
- 7. Duplicate certificate ..... 35.00

Amended by R.1996 d.127, effective March 4, 1996.  
See: 27 N.J.R. 4496(a), 28 N.J.R. 1394(a).  
Amended by R.1999 d.49, effective February 1, 1999.  
See: 30 N.J.R. 3602(a), 31 N.J.R. 443(a).  
Rewrote the section.  
Recodified from N.J.A.C. 13:37-5.8 by R.2000 d.55, effective February 7, 2000.  
See: 31 N.J.R. 3988(a), 32 N.J.R. 450(a).  
Former N.J.A.C. 13:37-5.5, Self-reporting, repealed.

**13:37-5.6 Responsibilities of licensure**

A licensee shall be held to the level of practice associated with his or her licensure, either as a registered professional nurse or licensed practical nurse, regardless of his or her employment status. For example, when a registered professional nurse is employed as a licensed practical nurse, he or she will be held to the standards of a registered professional nurse.

New Rule, R.2000 d.55, effective February 7, 2000.  
See: 31 N.J.R. 3988(a), 32 N.J.R. 450(a).