

3. Generic baccalaureate degree programs: For purposes of this subchapter, a generic baccalaureate degree program is a program conducted by an educational institution with a program in nursing, which leads to a baccalaureate degree in nursing and makes a student eligible for licensure as a registered professional nurse. The educational institution shall be licensed by the New Jersey Commission on Higher Education for the purpose of granting baccalaureate degrees. Registered professional nurse completion programs, which are educational programs that provide licensed registered nurses who do not have a baccalaureate degree the opportunity to complete their baccalaureate degrees, shall be considered baccalaureate degree programs;

4. Associate degree programs: For purposes of this subchapter, an associate degree program means a program conducted by an educational institution with a program which leads to an associate degree in nursing and makes a student eligible for licensure as a registered professional nurse. The educational institution shall be licensed by the New Jersey Commission on Higher Education for the purpose of granting associate degrees;

5. Diploma programs: For purposes of this subchapter, a diploma program means a program conducted by a nursing school under the sponsorship of a hospital or consortium of hospitals in the State of New Jersey, that leads to a diploma in nursing or, in collaboration with a college or university, grants an Associate in Applied Science degree or Associate in Science degree; and

6. Practical nursing programs: For purposes of this subchapter, a practical nursing program means a program conducted for the purposes of providing education in practical nursing, that leads to a diploma or certificate in practical nursing, and which is not operated by any local, county or State Board of Education in this State. A practical nursing program that is operated by a board of education is not under the jurisdiction of the Board pursuant to N.J.S.A. 45:11-24 and is not required to meet the requirements of this subchapter.

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).

Repeal and New Rule, R.2003 d.167, effective April 21, 2003.

See: 34 N.J.R. 1317(a), 35 N.J.R. 1678(a).

Section was "Application for establishment of a new program in nursing or reorganization of an existing program".

Amended by R.2005 d.251, effective August 1, 2005.

See: 37 N.J.R. 208(a), 37 N.J.R. 2885(a).

In (c)1-4, inserted "and makes a student eligible for licensure as a registered professional nurse" following "degree in nursing"; and in (c)3, inserted "generic" preceding "baccalaureate" in two places.

13:37-1.2 Application for establishment of a new program in nursing

(a) An educational institution seeking to establish a new program in nursing shall submit in writing to the Board an application consisting of the following items:

1. The type of program, for example, generic doctoral degree program or baccalaureate degree program;

2. The philosophy, organizing framework, objectives and outcomes of the program in accordance with N.J.A.C. 13:37-1.5;

3. Evidence of financial resources adequate for the planning, implementation and continuation of the program, including a projected five-year budget;

4. A table of organization describing the lines of authority and the administrative structure of the program;

5. Curricula vitae for all faculty and consultants responsible for the development and administration of the program; and

6. A letter from the chief executive officer which reflects that he or she has secured initial and continued financial support for the program.

(b) An application to establish a new program in nursing shall be submitted to the Board no later than eight months prior to the proposed establishment of a new program.

(c) After reviewing the application, the Board shall either:

1. Grant permission to pursue the development of the proposed program. However, such permission does not ensure that provisional accreditation will be granted by the Board;

2. Require revisions to the proposed program or to the materials submitted as required by (a) above or the submission of additional information. Revisions to the proposed program or to the application materials does not ensure that provisional accreditation will be granted by the Board; or

3. Deny permission to establish a new program.

(d) The educational institution may request in writing an appearance before the Board for reconsideration of the revisions or denial based upon (c)2 or 3 above within 30 days of written notification of the required revisions or denial.

(e) After receiving permission to pursue the development of a new program, the educational institution shall submit to the Board the following items no later than four months prior to the anticipated start date of the program:

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

2. The projected maximum student enrollment;

3. Admission, progression, retention and dismissal policies;

4. Appeals policy for any disciplinary matter;

5. A description of student services;

6. A plan for increases in faculty commensurate with increased student enrollment;

7. The curriculum plan, including course objectives for all nursing courses;

8. A written statement describing the support staff; and

9. A written Systematic Plan for Program Evaluation of the effectiveness of the curriculum. The Plan shall identify the communities of interest, which include any person or group who is interested in the quality of graduates from a nursing program, and shall include:

- i. The components being evaluated;
- ii. The responsible party for evaluating the components;
- iii. Outcomes that reflect program objectives;
- iv. Methods for evaluating components; and
- v. Actions resulting from the collection and analysis of data.

(f) After reviewing the materials required by (e) above, the Board shall either:

1. Grant provisional accreditation to the program;
2. Require revisions to the program or the program materials required by (e) above or the submission of additional information. Revisions to the program or program materials do not ensure that provisional accreditation will be granted by the Board; or
3. Deny permission to establish a new program.

(g) The educational institution may request, in writing, an appearance before the Board for reconsideration of the revisions or denial based upon (f)2 or 3 above within 30 days of written notification of the required revisions or denial.

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).

Repeal and New Rule, R.2003 d.167, effective April 21, 2003.

See: 34 N.J.R. 1317(a), 35 N.J.R. 1678(a).

Section was "Eligibility for accreditation".

13:37-1.3 Provisional accreditation

(a) A nursing program that has been granted provisional accreditation pursuant to N.J.A.C. 13:37-1.2 may admit students.

(b) A nursing program that has been granted provisional accreditation shall not be granted accreditation until:

1. The first class has graduated;
2. Seventy-five percent of students from the first or second graduating class, who have taken the licensing

examination, pass the examination the first time it is taken by the student; and

3. A self-study report is submitted to the Board that shows the nursing program is in compliance with the requirements of N.J.A.C. 13:37-1.4 through 1.11.

(c) A registered professional nurse completion program, as defined in N.J.A.C. 13:37-1.1(b)3, shall be granted accreditation once it has graduated its first class and has submitted a self-study report to the Board.

(d) The Board may conduct a survey of the program, through its designee, to assure compliance with N.J.A.C. 13:37-1.4 through 1.11.

(e) A program that does not meet the requirements of (b) above shall remain on provisional accreditation status. A program may remain on provisional accreditation status for no more than two years from the date the first class graduates. A program that has not met the requirements of (b) above in that two-year period shall cease to admit students and shall be placed on probation until the last student enrolled in the program graduates or otherwise leaves the program. Once the last student has left the program, the program shall lose its provisional accreditation. A program that has lost provisional accreditation pursuant to this subsection may reapply for accreditation pursuant to N.J.A.C. 13:37-1.2.

(f) A program, or an institution that offers a program, that does not provide its students an opportunity to complete their education and graduate as required by (e) above, may not reapply for accreditation for 10 years from the date the program ended.

Repeal and New Rule, R.2003 d.167, effective April 21, 2003.

See: 34 N.J.R. 1317(a), 35 N.J.R. 1678(a).

Section was "Criteria for granting and withdrawing accreditation".

Amended by R.2005 d.32, effective January 18, 2005.

See: 36 N.J.R. 2300(a), 37 N.J.R. 294(c).

In (b), rewrote 2.

13:37-1.4 Maintaining accreditation: organization and administration of a nursing program

(a) A nursing program shall have:

1. A written organizational and administrative plan describing the internal organization of the program, lines of authority, procedures for providing communication with the governing body and clinical agencies, and the role of any advisory committee associated with the program;

2. Stable financial resources which are allocated to adequately support the program's educational activities;

3. A program administrator who meets the requirements of N.J.A.C. 13:37-1.6 and has direct authority for the fiscal and academic administration of the program. The administrator shall be responsible to the governing body of the sponsoring institution;

4. Written criteria for faculty promotion and faculty retention;

SUBCHAPTER 4. LICENSURE BY ENDORSEMENT; PROFESSIONAL AND PRACTICAL NURSES

13:37-4.1 Eligibility requirements for licensure by endorsement

(a) A registered professional nurse or licensed practical nurse licensed in another state, territory or possession of the United States, or the District of Columbia, who wishes to be licensed in New Jersey may be licensed by endorsement in this State if he or she meets the requirements for licensure as set forth in N.J.S.A. 45:1-14 et seq., 45:11-26 and 45:11-27.

(b) An applicant for licensure by endorsement as a licensed practical nurse shall have graduated from a practical nurse program. Attendance in or successful completion of a professional nursing program shall not serve as an equivalent for the practical nursing educational requirement.

Repeal and New Rule, R.2004 d.327, effective August 16, 2004.
See: 35 N.J.R. 3752(a), 36 N.J.R. 3884(a).
Section was "Eligibility requirements".

13:37-4.2 Application requirements for licensure by endorsement

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

1. A completed application form, provided by the Board, which requests information concerning the applicant's educational and experiential background;
2. A non-refundable initial license fee and application for licensure by endorsement fee as set forth in N.J.A.C. 13:37-5.5(a)2 and 3; and
3. Written or electronic verification of status of licensure from every state, territory or possession of the United States, or the District of Columbia, in which the applicant was ever licensed. The verification shall either be forwarded directly to the Board from the applicable state board, if written, or if electronic, be issued by the applicable state board.

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.
Recodified from N.J.A.C. 13:37-4.3 and amended by R.2004 d. 327, effective August 16, 2004.
See: 35 N.J.R. 3752(a), 36 N.J.R. 3884(a).
Rewrote the section.

13:37-4.3 (Reserved)

Repealed by R.2004 d.327, effective August 16, 2004.
See: 35 N.J.R. 3752(a), 36 N.J.R. 3884(a).
Section was "Application requirements; licensure by endorsement".

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 individual 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

- 7. Lapsed license fee (after 30 days) 100.00 plus fee set forth in (a)5 above 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

(d) The following fees shall be charged by the Board in connection with accreditation of nursing programs:

- 1. Initial accreditation application \$1,000
- 2. Renewal of accreditation without waiver 1,000
- 3. Renewal of accreditation with waiver 400.00

(e) The following fees shall be charged by the Board in connection with certification of sexual assault nurse examiners:

- 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 plus the applicable initial certification fee set forth in (d)2 above 100.00

(f) The following fees shall be charged by the Board in connection with certification of massage, bodywork and somatic therapists:

- 1. Application fee \$75.00
- 2. Initial certification fee
 - i. If paid during the first year of a biennial renewal period \$120.00
 - ii. If paid during the second year of a biennial renewal period \$60.00
- 3. Renewal of certification \$120.00
- 4. Late certification renewal \$50.00 Plus the applicable biennial certification renewal fee set forth in (d)3 above
- 5. Lapsed certificate fee \$100.00 Plus the applicable biennial certification renewal fee set forth in (d)3 above
- 6. Continuing education sponsor fee \$100.00
- 7. Duplicate certificate \$35.00
- 8. Inactive license fee (to be established by the Committee by rule)

Amended by R.1996 d.127, effective March 4, 1996.
 See: 27 N.J.R. 4496(a), 28 N.J.R. 1394(a).
 Amended by R.1999 d.49, effective February 1, 1999.
 See: 30 N.J.R. 3602(a), 31 N.J.R. 443(a).
 Rewrote the section.
 Recodified from N.J.A.C. 13:37-5.8 by R.2000 d.55, effective February 7, 2000.
 See: 31 N.J.R. 3988(a), 32 N.J.R. 450(a).
 Former N.J.A.C. 13:37-5.5, Self-reporting, repealed.
 Amended by R.2003 d.167, effective April 21, 2003.
 See: 34 N.J.R. 1317(a), 35 N.J.R. 1678(a).
 Added (d).
 Amended by R.2004 d.114, effective March 15, 2004 (operative July 13, 2004).
 See: 35 N.J.R. 1195(a), 36 N.J.R. 1407(a).
 Added (e).
 Amended by R.2004 d.432, effective November 15, 2004.
 See: 35 N.J.R. 4819(a), 36 N.J.R. 5133(a).
 Added (f).

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).