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SUBCHAPTER 1. MEDICAL SCHOOLS, COLLEGES, EXTERNSHIPS, CLERKSHIPS AND POST-GRADUATE WORK

13:35-1.1 Observership program

(a) "Observer" shall mean an undergraduate medical student of an allopathic or osteopathic school accredited either by the Liaison Committee on Medical Education or the American Osteopathic Association or a foreign medical school listed in the World Health Organization Directory and whose graduates are accepted by the New Jersey Board of Medical Examiners as eligible to sit for the licensure examination. Observerships are limited to the student's vacation period in an extra-curricular professional experience as delineated in this section.

- (b) An observership program shall be limited to:
1. Observation of operative procedures;
 2. The taking of histories;
 3. The performance of physical examinations;
 4. The performance of non-invasive procedures under the direct supervision of and in the immediate presence of the supervising licensed physician; and
 5. The participation in patient rounds and other organized patient care activities of the supervising physician.

(c) At no time shall the observer be delegated any responsibility for the care of the patient, the patient's diagnosis or any aspect of the patient's treatment, including the prescription of medication for the patient. An observer shall make no entries on the patient's permanent record.

(d) The observer shall at all times of patient contact wear an identifying badge inscribed "Medical Student."

(e) Prior to commencing participation in an observership program, the student shall have obtained written permission from the Chief of Staff and the Administration of the participating hospital and shall retain such letter.

(f) Under no circumstances shall the performance of any of the duties listed in (b) above by an observer, while engaged in such a program, be construed as the practice of medicine.

(g) The time spent in an observership program shall not be considered as part of or credited toward fulfillment of any statutory academic or clinical requirements for licensure.

Amended by R.1999 d.356, effective October 18, 1999.
See: 31 N.J.R. 1742(a), 31 N.J.R. 3117(a).

Substituted references to observers for references to externs and substituted references to observerships for references to externships throughout; in (a), substituted "delineated in this section" for "hereafter delineated" at the end; and in (f), substituted "duties listed in (b) above" for "above duties" following "any of the".

13:35-1.2 Fifth Pathway

(a) The Board shall accept application for licensure from an applicant who does not meet the usual statutory prerequisites for educational background, in the following circumstances to be known as the Fifth Pathway:

1. The applicant has completed the entirety of the academic curriculum in residence at a medical school in a foreign country located outside of the United States, Puerto Rico or Canada or in a school-authorized clinical training program;
2. The medical school was approved throughout the applicant's period of education by the government of the country of domicile to confer the degree of Doctor of Medicine and Surgery or its equivalent, and was listed in the World Health Organization Directory;
3. The applicant has satisfactorily completed all the requirements for a matriculated student of that foreign medical school to receive a diploma, except for internship and/or social service;
4. The applicant has achieved a passing score on a screening examination acceptable to the Educational Commission on Foreign Medical Graduates (ECFMG) even though not eligible for ECFMG certification; and
5. The applicant has had his or her academic record reviewed and approved by a medical school approved by the Liaison Committee on Medical Education, which school has accepted the applicant in a one-academic-year

(e) A licensee whose license has been automatically suspended for five years or less for failure to renew pursuant to (d) above may be reinstated by the Board upon completion of the following:

1. Payment of the reinstatement fee and all past delinquent biennial renewal fees pursuant to N.J.A.C. 13:35-10.7; and
2. Submission of an affidavit of employment listing each job held during the period of suspended license which includes the name, address, and telephone number of each employer.

(f) In addition to the fulfilling the requirements set forth in (e) above, a licensee whose license has been automatically suspended for more than five years who wishes to return to practice shall reapply for licensure and shall demonstrate that he or she has maintained proficiency. An applicant who fails to demonstrate to the satisfaction of the Board that he or she has maintained proficiency while suspended may be subject to an examination or other requirements as determined by the Board prior to reinstatement of his or her license.

(g) Renewal applications shall provide the licensee with the option of either active or inactive status. A licensee electing inactive status shall pay the inactive license fee set forth in N.J.A.C. 13:35-10.7 and shall not engage in practice.

(h) A licensee who elected inactive status and has been on inactive status for five years or less may be reinstated by the Board upon completion of the following:

1. Payment of the reinstatement fee; and
2. Submission of an affidavit of employment listing each job held during the period the licensee was on inactive status which includes the name, address, and telephone number of each employer.

(i) In addition to the fulfilling the requirements set forth in (h) above, a licensee who has been on inactive status for more than five years who wishes to return to the practice of medicine shall reapply for licensure and shall demonstrate that he or she has maintained proficiency. An applicant who fails to demonstrate to the satisfaction of the Board that he or she has maintained proficiency while on inactive status may be subject to an examination or other requirements as determined by the Board prior to reinstatement of his or her license.

New Rule, R.2005 d.120, effective April 18, 2005.

See: 36 N.J.R. 4633(a), 37 N.J.R. 1203(a).

Former N.J.A.C. 13:35-10.4, Approved activities, recodified to N.J.A.C. 13:35-10.5.

13:35-10.5 Approved activities

(a) A licensed athletic trainer may provide the full spectrum of pre-season, in-season and post-season conditioning

programs. These programs include maintenance and reconditioning programs, as well as bandaging, wrapping, taping, padding, and splinting procedures for the prevention and management of injuries.

(b) Nothing in this subchapter shall be interpreted to prohibit licensed athletic trainers from providing first-aid.

(c) A licensed athletic trainer may, at the direction of a licensed physician, administer the following physical treatment modalities:

1. Cold;
2. Heat;
3. Light;
4. Sound;
5. Electricity;
6. Electromagnetic waves;
7. Water; and

8. Traditional mobilization techniques, rehabilitative exercise programs, traction, and massage.

(d) A licensed athletic trainer may, at the direction of a licensed physician, provide testing or neuromotor and musculoskeletal functional capability for the purposes of conditioning, reconditioning or otherwise evaluating the athlete's performance capability. However, nothing in this subchapter shall be interpreted to permit a licensed athletic trainer to conduct electromyographic testing or nerve conduction velocity studies.

(e) The licensed athletic trainer shall not diagnose an injury or illness. However, prior to implementing or while maintaining the plan of care, the licensed athletic trainer shall exercise professional judgment to determine whether any intervening circumstances have adversely affected the athlete's ability to participate in or continue to participate in the plan of care.

(f) A written record regarding the treatment of an athletic injury shall be created by the licensed athletic trainer and maintained for a period of seven years from the date of the last entry.

(g) Nothing in this subchapter shall be interpreted to prohibit licensed athletic trainers from being employed or performing activities which do not require licensure or registration provided they do not hold themselves out as athletic trainers during that employment or performance.

(h) Nothing in this section shall be interpreted to prohibit unlicensed individuals from applying bandaging, wrapping, taping, padding or splinting techniques to non-injured athletes.

Recodified from N.J.A.C. 13:35-10.6 and amended by R.2004 d.273, effective July 19, 2004. See: 35 N.J.R. 2834(a), 36 N.J.R. 3400(a). Rewrote the section. Former N.J.A.C. 13:35-10.4, Examinations, repealed. Recodified from N.J.A.C. 13:35-10.4 by R.2005 d.120, effective April 18, 2005. See: 36 N.J.R. 4633(a), 37 N.J.R. 1203(a). Former N.J.A.C. 13:35-10.5, Violations, recodified to N.J.A.C. 13:35-10.6.

13:35-10.6 Violations

Without limiting the prosecution of any practices which may be unlawful under any other state or Federal law, a violation of this subchapter shall be deemed to be a violation of the Athletic Training Licensure Act, N.J.S.A. 45:9-37.35 et seq., and shall be subject to the sanctions and penalties of N.J.S.A. 45:1-1 et seq.

Recodified from N.J.A.C. 13:35-10.7 and amended by R.2004 d.273, effective July 19, 2004. See: 35 N.J.R. 2834(a), 36 N.J.R. 3400(a). Substituted "Licensure" for "Practice" and " of N.J.S.A. 45:1-1 et seq." for "provided for thereunder". Recodified from N.J.A.C. 13:35-10.5 and amended by R.2005 d.120, effective April 18, 2005. See: 36 N.J.R. 4633(a), 37 N.J.R. 1203(a). Former N.J.A.C. 13:35-10.6, Fees, recodified to N.J.A.C. 13:35-10.7.

13:35-10.7 Fees

(a) The following fees shall be charged by the Board for athletic trainer licensure:

- 1. Application Fee \$100.00
- 2. Temporary licensure or authorized licensure without examination \$60.00
- 3. Initial Licensure Fee
 - i. If paid during the first year of a biennial renewal period \$80.00
 - ii. If paid during the second year of a biennial renewal period \$40.00
- 4. Biennial renewal \$80.00
- 5. Endorsement \$60.00
- 6. Late renewal fee \$50.00
- 7. Reinstatement fee \$60.00
- 8. Inactive license fee (to be determined by the Director by regulation)

Recodified from N.J.A.C. 13:35-10.8 and amended by R.2004 d.273, effective July 19, 2004. See: 35 N.J.R. 2834(a), 36 N.J.R. 3400(a). Rewrote the section. Former N.J.A.C. 13:35-10.6, Approved activities, recodified to N.J.A.C. 13:35-10.4.

Recodified from N.J.A.C. 13:35-10.6 and amended by R.2005 d.120, effective April 18, 2005. See: 36 N.J.R. 4633(a), 37 N.J.R. 1203(a). Former N.J.A.C. 13:35-10.7, Reserved, repealed. Amended by R.2005 d.175, effective June 6, 2005. See: 37 N.J.R. 206(a), 37 N.J.R. 1203(a), 37 N.J.R. 2041(b). Rewrote the section.

13:35-10.8 (Reserved)

New Rule, R.1993 d.260, effective June 7, 1993. See: 25 N.J.R. 1058(a), 25 N.J.R. 2487(a). Administrative Correction. See: 25 N.J.R. December 6, 1993. Amended by R.1995 d.330, effective June 19, 1995. See: 27 N.J.R. 640(a) (see also 27 N.J.R. 1746(a)), 27 N.J.R. 2410(a). Increased some of the fees. Repealed by R.2004 d.273, effective July 19, 2004. See: 35 N.J.R. 2834(a), 36 N.J.R. 3400(a). Former N.J.A.C. 13:35-10.8, Fees, recodified to N.J.A.C. 13:35-10.6.

SUBCHAPTER 11. ALTERNATIVE RESOLUTION PROGRAM

13:35-11.1 Definitions

As used in this subchapter the following words and terms have the following meanings, unless the context indicates otherwise:

"Alternative Resolution Program" or "ARP" means a program established pursuant to this subchapter for those subject to Board jurisdiction who are suffering from chemical dependencies and other impairments which shall permit such licensees to disclose their status to an entity which would allow for confidential oversight.

"Board" means the New Jersey State Board of Medical Examiners.

"Chemical dependency" means a condition involving the continued misuse of chemical substances.

"Chemical substances" is to be construed to include alcohol, drugs or medications, including those taken pursuant to a valid prescription for legitimate medical purposes and in accordance with the prescriber's direction, as well as those used illegally.