



State of New Jersey

Nursing Practice Act

Amendment
Chapter 65, P. L. 1949

Issued by

NEW JERSEY BOARD OF NURSING
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Amendment Chapter 65

AN ACT to amend "An act to regulate and control the teaching and practice of nursing and to prescribe penalties for the violations thereof (Revision of 1947)," approved June eleventh, one thousand nine hundred and forty-seven (P. L. 1947, c. 262).

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

Section
amended.

1. Section five of the act of which this act is amendatory is amended to read as follows:

5. Practical nursing.

C. 45:11-27.
Qualifications
of applicants.

(a) **Qualifications of applicants.** An applicant for a license to practice practical nursing shall submit to the board evidence in such form as the board may prescribe that the applicant: (1) has attained his or her eighteenth birthday; (2) is of good moral character; (3) has completed two years of high school or the equivalent thereof, as determined by the New Jersey State Department of Public Instruction; (4) has completed a course of study in a school of practical nursing approved by the board and holds a diploma therefrom, or holds a diploma from a school of practical nursing operated by a board of education in this State and is certified by the Department of Education as having completed the number of hours of instruction in the subjects in the curriculum prescribed by the board and an approved course of affiliation, or has equivalent qualifications as determined by the board.

b. License.

(1) **By examination.** The applicant shall be required to pass a written examination in such subjects as the board may determine, which examination may be supplemented by an oral or practical examination or both. Upon successfully passing such examinations, the applicant shall be licensed by the board to practice practical nursing.

(2) **By endorsement** without examination. The board may issue a license to practice practical nursing without examination to any applicant who has been duly licensed as a practical nurse or a person entitled to perform similar services under a different title by practical nurse examination or by original waiver under the laws of another State, territory or possession of the United

States, or the District of Columbia, if in the opinion of the board the applicant has the qualifications required by this act for licensing of practical nurses or equivalent qualifications.

(3) **Waiver.** If application therefor is made on or before June eleventh, one thousand nine hundred and fifty, the board may issue without examination a license to practice practical nursing to an applicant who submits to the board evidence in such form as the board may prescribe that the applicant has qualifications (1) and (2) provided in subsection "a" of this section and has had at least two years of satisfactory experience in practical nursing, at least one year of which shall have been performed in this State except in cases of such nursing performed in an agency or service of the Federal Government; *provided*, that, except in cases of such nursing performed in an agency or service of the Federal Government, such applicant is endorsed under oath by two physicians duly licensed to practice medicine and surgery in New Jersey who have personal knowledge of the applicant's qualifications and satisfactory performance of practical nursing and by two persons who have employed the applicant.

c. **Fees.** An applicant for license by examination shall pay to the board at the time of application a fee of ten dollars (\$10.00) and at the time of each application for re-examination a fee of five dollars (\$5.00). At the time of application an applicant for license without examination shall pay to the board a fee of five dollars (\$5.00), and an applicant for license by waiver shall pay to the board a fee of ten dollars (\$10.00).

d. **Title used by licensee.** Any person who holds a license to practice practical nursing under this act shall during the effective period of such license be entitled to use the title "Licensed Practical Nurse" but no abbreviation thereof. The effective period of a license or a renewal thereof shall commence on the date of issuance and shall terminate at the end of the calendar year in which it is issued, and shall not include any period or suspension ordered by the board as hereinafter provided.

2. Section fifteen of the act of which this act is amendatory is amended to read as follows:

15. **Violations of the act.** It shall be unlawful for any person (including any corporation, partnership, association or individual):

a. To represent in any way that such person is a registered nurse or to use after his or her name the

Section
amended.

C. 45:11-37.
Violations.

abbreviation "R.N." unless such person holds a subsisting, unsuspended license as a professional nurse under this act; or

b. To represent in any way that such person is licensed as a practical nurse or to use the title "licensed practical nurse" unless such person holds a subsisting, unsuspended license as a practical nurse under this act; or

c. After two years after the effective date of this act, to conduct or to represent in any way that such person conducts a school for professional nursing, unless such person holds a subsisting, unsuspended certificate of accreditation under this act.

d. After January first, one thousand nine hundred and fifty, to conduct or to represent in any way that such person conducts a school for practical nursing unless such person holds the subsisting, unsuspended approval of the board.

e. To obtain or attempt to obtain by fraud a license or renewal thereof or a certificate of accreditation or a renewal thereof under this act; or

f. To represent in any way that such person is authorized to issue a license for the practice of professional nursing or practical nursing or a certificate of accreditation for a school of professional nursing; or

g. To transfer, offer to transfer, or permit the use by another of any license issued under this act; or

h. Without the approval of the board, to transfer, offer to transfer, or permit the use by another of a certificate of accreditation issued under this act; or

i. Otherwise to violate any provision of this act; or

j. To aid or abet any person to violate any provision of this act.

Penalty.

Every person violating any of the foregoing provisions of this section shall be subject to a penalty of two hundred dollars (\$200.00) for each violation, and if after conviction as hereinafter provided such person shall again violate any provision of this act, such person shall be subject to a penalty of five hundred dollars (\$500.00) for each subsequent offense. A voluntary payment of a penalty for a violation of any provision of this act shall be deemed to be a conviction rendering such person liable for the greater penalty for subsequent violations, and the continuation of an offense after conviction shall be deemed to be a subsequent offense.

3. This act shall take effect immediately.

Approved April 28, 1949.