

(f) Where an advertiser directly or indirectly provides compensation to a testimonial-giver, the fact of such compensation shall be conspicuously disclosed in a legible and readable manner in any advertisement in the following language or its substantial equivalent:

“COMPENSATION HAS BEEN PROVIDED FOR THIS TESTIMONIAL.”

### 13:44H-8.8 Retention of advertisements

(a) A licensee shall retain, for a period of three years from the date of initial publication or dissemination, a copy of every advertisement appearing in print media as well as a video or audio tape of every advertisement communicated by telephonic or electronic media. The orthotist, prosthetist, prosthetist-orthotist, orthotist assistant, prosthetist assistant, prosthetist-orthotist assistant or pedorthist shall indicate on all advertisements in his or her possession the date, name and place of publication.

(b) Documentation relating to the use of testimonials shall be retained for a period of three years from the date of last use of the testimonial. Documentation shall include, but not be limited to:

1. The name, address and telephone number of the testimonial-giver;
2. The type and amount or value of compensation; and
3. The notarized statement and release required pursuant to N.J.A.C. 13:44H-8.7(b).

Amended by R.2002 d.196, effective June 17, 2002.  
See: 33 N.J.R. 1864(a), 34 N.J.R. 2129(a).

In (a), inserted “orthotist assistant, prosthetist assistant, prosthetist-orthotist assistant” following “prosthetist-orthotist” and “, name” following “date”.

## SUBCHAPTER 9. CLIENT RECORDS

### 13:44H-9.1 Preparation and maintenance of client records

(a) A licensee shall prepare and maintain for each client a contemporaneous, permanent client record which accurately reflects the client contact with the orthotist, prosthetist, prosthetist-orthotist, orthotist assistant, prosthetist assistant, prosthetist-orthotist assistant or pedorthist, whether in an office, hospital or other evaluation or consultation setting.

(b) A licensee shall include at least the following information in the client record:

1. The client name (on each page of the record), address and telephone number;
2. The location and dates of all treatment, evaluation or consultation settings;

3. The identity of each provider of treatment, evaluation or consultation and the supervisor, if any;

4. The presenting situation;

5. The name and address of the referring physician, podiatrist or dentist;

6. All prescriptions relevant to the client;

7. A treatment or service plan;

8. Contemporaneous progress notes for each session;

9. Fees charged and paid unless a separate financial record is kept; and

10. The name of the manufacturer of any device not made by the licensee.

(c) The licensee shall periodically review and update the treatment or service plan.

(d) The licensee shall retain the permanent client record for at least seven years from the date of last entry, unless otherwise provided by law.

(e) All licensees shall comply with this section notwithstanding an employer’s recordkeeping requirements.

Amended by R.2002 d.196, effective June 17, 2002.  
See: 33 N.J.R. 1864(a), 34 N.J.R. 2129(a).

In (a), inserted “, orthotist assistant, prosthetist assistant, prosthetist-orthotist assistant” following “prosthetist-orthotist”.

### 13:44H-9.2 Release of client record

(a) A licensee shall provide the client record within 15 days of the request of, and directly to, the client, the client’s guardian or any other party designated by the client or the client’s guardian.

(b) A licensee may require that a record request be made in writing and may charge a fee for the reproduction of records, which shall be no greater than \$1.00 per page or \$100.00 for the entire record, whichever is less. (If the record requested is less than 10 pages, the licensee may charge up to \$10.00 to cover postage and the miscellaneous costs associated with retrieval of the record.)

(c) A licensee shall not charge a fee for completion of health insurance claim forms.

(d) A licensee may charge a reasonable fee for completion of reports required for third-party reimbursement of client treatment expenses or for use in judicial proceedings.

(e) When a report is needed to enable a client to receive ongoing care by another practitioner or for use in judicial proceedings, a licensee shall not require advance payment as a condition for releasing the report; except that a licensee may require advance payment for release of a report prepared by the licensee, for use by the licensee as an expert witness on behalf of the client.

SUBCHAPTER 10. FEES

**13:44H-10.1 Fee schedule**

(a) The following fees shall be charged by the Orthotics and Prosthetics Board of Examiners:

- 1. Application fee..... \$125.00
- 2. Examination fee ..... \$200.00  
 (plus cost charged by  
 examination administrator)
- 3. Initial license fee for orthotist, prosthetist and prosthetist-orthotist:
  - i. If paid during the first year of the biennial renewal period..... \$350.00
  - ii. If paid during the second year of the biennial renewal period..... \$175.00
- 4. Initial license fee for orthotist assistant, prosthetist assistant and prosthetist-orthotist assistant:
  - i. If paid during the first year of the biennial renewal period..... \$150.00

- ii. If paid during the second year of the biennial renewal period..... \$ 75.00
- 5. Biennial license renewal for orthotist, prosthetist and prosthetics-orthotist ..... \$350.00
- 6. Biennial license renewal orthotist assistant, prosthetist assistant and prosthetist-orthotist assistant..... \$150.00
- 7. Temporary license..... \$175.00  
 (one-year expiration)
- 8. Late renewal..... \$100.00
- 9. Reinstatement fee..... \$150.00
- 10. Written verification of licensure ..... \$ 25.00
- 11. Duplicate or replacement of renewal certificate ..... \$ 25.00
- 12. Duplicate or replacement of wall license ..... \$ 40.00
- 13. Continuing education sponsor fee..... \$100.00

Amended by R.2002 d.196, effective June 17, 2002.  
 See: 33 N.J.R. 1864(a), 34 N.J.R. 2129(a).  
 Rewrote the section.  
 Amended by R.2006 d.54, effective February 6, 2006.  
 See: 37 N.J.R. 955(a), 38 N.J.R. 1006(a).  
 Added (a)13, continuing education sponsor fee.