

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; PROFESSIONAL AND PRACTICAL NURSES**

#### **13:37-2.1 Eligibility requirements**

(a) Each applicant for licensure as a professional nurse or a practical nurse shall 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 and shall pass the Board approved examination identified in N.J.A.C. 13:37-2.2. The course of practical nursing study must be at least 44 weeks in length, excluding vacations and holidays.

(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.

#### 13:37-2.2 Board approved licensing examination

(a) The Board-approved licensing examination for professional nurses is the National Council Licensure Examination for Registered Nurses (NCLEX-RN).

(b) The Board-approved licensing examination for practical nurses is the National Council Licensure Examination for Practical Nurses (NCLEX-PN).

(c) The passing score on the examination shall be determined by the Board and will be reported to the applicant as pass or fail.

(d) 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 conducted by a qualified instructor within the meaning of N.J.A.C. 13:37-1.10 in the area(s) of need.

#### 13:37-2.3 Application requirements; professional and practical nurses

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

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

2. The non-refundable application fee set forth in N.J.A.C. 13:37-12.1(a)1; and

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

#### 13:37-2.4 Application requirements; graduates of foreign nursing programs

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

1. All of the documents required in N.J.A.C. 13:37-2.3;

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

3. For practical nurse applicants, a valid certificate of successful completion of TOEFL, with a minimum score acceptable to the Board;

4. Written verification of licensure in good standing from each country and/or state in which the applicant is or has been licensed. For purposes of this section, licensure in good standing means a license which is not expired, suspended, revoked, surrendered or restricted; and

5. Evidence of possession of a properly issued and held visa or immigration card.

(b) Graduates of foreign practical nursing programs shall also submit an official transcript indicating that the applicant successfully completed the equivalent of graduation from an approved nursing program. The transcript shall indicate the date of graduation or the date the degree/diploma was conferred. The Board or its agent shall review the transcript to determine equivalency. An applicant who is deficient in medical, surgical, pediatric, obstetric or psychiatric nursing shall be required to complete a course in a Board approved practical nursing program in the area(s) of deficiency.

(c) Any applicant who obtained his or her credentials (for example, transcripts, licenses or certificates) through fraud, deception, misrepresentation, false promise or false pretense shall not be eligible to take the examination nor to be licensed.

#### 13:37-2.5 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).

### SUBCHAPTER 3. PRACTICE AS A GRADUATE NURSE

#### 13:37-3.1 Qualifications to practice as a graduate professional or practical nurse

(a) An individual may be employed as a graduate professional or practical nurse pending notification of examination results provided that, within 60 days of successfully completing a Board-approved course of study or, for graduates of foreign nursing programs, within 60 days of the date of first arrival in the United States of America, the individual:

1. Applies to the testing service and takes the appropriate licensing examination; and
2. Applies to the Board for licensure and submits all of the documents required pursuant to N.J.A.C. 13:37-2.1.

(b) A graduate nurse shall practice only in approved settings, as set forth in N.J.A.C. 13:37-3.2, and only under the direct supervision of a registered professional nurse. For purposes of this subchapter, direct supervision shall require the physical presence of a registered professional nurse within the patient care unit or home.

(c) Individuals who have completed a nursing program or who have arrived in the United States more than 60 days prior to application for licensure shall not be permitted to work as graduate nurses.

#### 13:37-3.2 Approved settings for graduate nurse practice

(a) A graduate nurse shall be permitted to practice only in settings approved by the Board. Board approval shall be limited to licensed acute, long-term, rehabilitation and/or psychiatric hospital facilities and/or home health agencies.

(b) A graduate nurse shall not assume charge responsibilities.

(c) A graduate nurse shall not render nursing services in a physician's or dentist's office, nor for a private employment agency, temporary help agency, visiting nurses' agency, residential or ambulatory care facility, and shall not perform private duty nursing.

### 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; and
2. 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.

## SUBCHAPTER 5. GENERAL REQUIREMENTS OF LICENSURE; LICENSE RENEWAL; FEE SCHEDULE

### 13:37-5.1 License requirement

No licensee shall engage in nursing practice without being in possession of a current license which is active and not suspended, revoked or surrendered.

### 13:37-5.2 Responsibilities of dual licensure

(a) A licensed registered professional nurse who is also licensed as a practical nurse shall be held to the level of responsibility of a registered professional nurse, regardless of his or her employment or work status.

(b) A dually licensed individual who wishes to limit his or her nursing responsibilities to those required of a licensed practical nurse shall either:

1. Terminate his or her registered professional nurse license by submitting written notification to the Board of said intent; or
2. Maintain registered professional nurse licensure in inactive status.

### 13:37-5.3 Notification of change of address

A licensee or certificate holder of the Board of Nursing shall notify the Board in writing of any change of address from that currently registered with the Board and shown on the most recently issued license or certificate. Such notice shall be given not later than 30 days following the change of address.

### 13:37-5.4 Reporting of unlawful conduct

Every nurse licensee shall report in a timely manner to the Board of Nursing or its designated representative any and all incidents or series of incidents which upon objective evaluation leads to the good faith belief that the conduct is in violation of the Nurse Practice Act (N.J.S.A. 45:1-14, 45:11-23 et seq.) or any regulation adopted by the Board.

### 13:37-5.5 Self-reporting

(a) Every nurse and homemaker-home health aid licensed and/or certified under the Nurse Practice Act, N.J.S.A. 45:1-14 et seq., shall immediately notify the Board, in writing, upon the following:

1. Acquiring a physical or mental impairment or disability that adversely affects his or her current ability to practice nursing with reasonable skill and safety;
2. Being the accused in an indictment or conviction of a crime involving moral turpitude or a crime adversely relating to his or her practice when such indictment or conviction is rendered after the effective date of this regulation;
3. Being a named defendant or respondent in a civil, criminal or administrative investigation, complaint or judgment involving alleged malpractice, negligence or misconduct relating to his or her practice when such investigation, complaint or judgment occurred after the effective date of this regulation;
4. Being the subject of any voluntary license or certification surrender or any disciplinary action or order by any state or Federal agency, board or commission, including any order of limitation or preclusion; or
5. Failing to maintain or renew any certification which is required by law as a condition of practice and/or as a condition of license or certification renewal.

(b) Any nurse or homemaker-home health aid licensed and/or certified under the Nurse Practice Act, N.J.S.A. 45:11-23 et seq., who violates any provision of the Act or N.J.S.A. 45:1-14 et seq. may, upon notice to the licensee and the opportunity for a hearing in accordance with the Administrative Procedure Act, N.J.S.A. 52:14B-1 et seq., be subject to disciplinary action by the Board including practice restriction.

### 13:37-5.6 Biennial license renewal

(a) All 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 current biennial period.

(b) The Board shall send a biennial renewal notice by regular mail to each current licensee at the last known address on or about October 1 of the year of expiration. The renewal form requests information on current employment status as well as on any criminal proceedings pending against the licensee.

(c) Licenses shall be divided into two categories known as "active" and "inactive" licenses. "Active" licenses are required of all persons engaged in any type of nursing practice. An "inactive" license may be requested by an individual who is eligible for an active license but who is not engaged in any type of nursing practice.

(d) Each licensee in either class shall truthfully complete and file the biennial renewal form with the Division of Consumer Affairs, State of New Jersey, CN 152, Trenton, New Jersey 08625-0152 on or before December 31 of the year of expiration. The biennial renewal form shall be accompanied by a check or money order for the renewal fee set forth in N.J.A.C. 13:37-12.1.

**13:37-5.7 Reinstatement**

An individual whose license has been inactive, suspended or revoked for more than two years shall be required to complete, as a condition of reinstatement, a nurse refresher course approved by the Board.

**13:37-5.8 Fee schedule**

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

1. Application fee	50.00
2. Initial license fee	50.00
3. Licensure by endorsement	60.00
4. Verification for endorsement	30.00
5. Renewal of license (Biennial)	
i. Active	50.00
ii. Inactive	25.00
6. Late license renewal	50.00
7. Lapsed license fee	100.00
8. Duplicate license	25.00
9. Change of name or address	15.00
10. Written verification of licensure	15.00
11. Notary fee	5.00
12. Record duplication	5.00
13. Copy of Nurse Practice Act	5.00
14. 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	20.00
2. Program approval fee for each location at which course is offered (annual)	100.00
3. Instructor's Manual	20.00
4. Student Manual	10.00
5. Initial certification fee	
i. If paid during the first year of a biennial renewal period	10.00
ii. If paid during the second year of a biennial renewal period	5.00
6. Renewal of certificate (Biennial)	10.00
7. Late renewal of certificate	10.00
8. Duplicate certificate	5.00
9. Certification by endorsement	10.00

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

1. Application fee	100.00
2. Initial certification fee	
i. If paid during the first year of a biennial renewal period	75.00
ii. If paid during the second year of a biennial renewal period	37.50
3. Renewal of certification (biennial)	75.00

4. Certification by endorsement	75.00
5. Late renewal of certificate (one to 30 days)	50.00
6. Reinstatement fee (after 30 days)	100.00
7. Duplicate certificate	25.00

Amended by R.1996 d.127, effective March 4, 1996.  
See: 27 N.J.R. 4496(a), 28 N.J.R. 1394(a).

**SUBCHAPTER 6. NURSING PROCEDURES**

**13:37-6.1 Nursing procedures**

Nursing procedures shall be determined by the Nursing Practice Act of this State, subject to the interpretation and revision by the Board of Nursing.

As amended, R.1984 d.137, eff. April 16, 1984.  
See: 15 N.J.R. 1850(a), 16 N.J.R. 922(a).

This section replaces a section entitled "Intradermal Tuberculin Test."

**13:37-6.2 Delegation of selected nursing tasks**

(a) The registered professional nurse is responsible for the nature and quality of all nursing care including the assessment of the nursing needs, the plan of nursing care, the implementation, and the monitoring and evaluation of the plan. The registered professional nurse may delegate selected nursing tasks in the implementation of the nursing regimen to licensed practical nurses and ancillary nursing personnel. Ancillary nursing personnel shall include but not be limited to: aides, assistants, attendants and technicians.

(b) In delegating selected nursing tasks to licensed practical nurses or ancillary nursing personnel, the registered professional nurse shall be responsible for exercising that degree of judgment and knowledge reasonably expected to assure that a proper delegation has been made. A registered professional nurse may not delegate the performance of a nursing task to persons who have not been adequately prepared by verifiable training and education. No task may be delegated which is within the scope of nursing practice and requires:

1. The substantial knowledge and skill derived from completion of a nursing education program and the specialized skill, judgment and knowledge of a registered nurse;
2. An understanding of nursing principles necessary to recognize and manage complications which may result in harm to the health and safety of the patient.

(c) The registered professional nurse shall be responsible for the proper supervision of licensed practical nurses and ancillary nursing personnel to whom such delegation is made. The degree of supervision exercised over licensed practical nurses and ancillary nursing personnel shall be

determined by the registered professional nurse based on an evaluation of all factors including:

1. The condition of the patient;
2. The education, skill and training of the licensed practical nurse and ancillary nursing personnel to whom delegation is being made;
3. The nature of the tasks and the activities being delegated;
4. Supervision may require the direct continuing presence or the intermittent observation, direction and occasional physical presence of a registered professional nurse. In all cases, the registered professional nurse shall be available for on-site supervision.

(d) A registered professional nurse shall not delegate the performance of a selected nursing task to any licensed practical nurse who does not hold a current valid license to practice nursing in the State of New Jersey. A registered professional nurse shall not delegate the performance of a selected nursing task to ancillary nursing personnel who have not received verifiable education and have not demonstrated the adequacy of their knowledge, skill and competence to perform the task being delegated.

(e) Nothing contained in this rule is intended to limit the current scope of nursing practice.

(f) Nothing contained in this rule shall limit the authority of a duly licensed physician acting in accordance with N.J.S.A. 45:9-1 et seq.

New Rule, R.1986 d.431, effective October 20, 1986.  
See: 18 N.J.R. 1176(a), 18 N.J.R. 1448(a), 18 N.J.R. 2128(a).

## SUBCHAPTER 7. CERTIFICATION OF NURSE PRACTITIONERS/CLINICAL NURSE SPECIALISTS

### 13:37-7.1 Application for certification

(a) Any nurse who wishes to practice as a nurse practitioner/clinical nurse specialist, or present, call or represent himself or herself as a nurse practitioner/clinical nurse specialist must be certified by the Board.

(b) Each applicant for certification shall submit the following materials to the Board:

1. Proof of a current New Jersey registered professional nurse license in good standing;
2. A completed application form and the application fee set forth in N.J.A.C. 13:37-12.1. The application form solicits information including: general biographical, educational and experiential data;

3. Proof that the applicant has successfully completed the educational requirements set forth in N.J.A.C. 13:37-7.2 or, where applicable, N.J.A.C. 13:37-7.4. The applicant shall obtain verification of successful completion from the school(s) where the applicant completed the educational requirements; and

4. Proof that the applicant has successfully completed the examination requirements set forth in N.J.A.C. 13:37-7.3 or, where applicable, the certification requirements of N.J.A.C. 13:37-7.4.

### 13:37-7.2 Educational requirements for certification

(a) Each applicant for certification shall be required to successfully complete and graduate from a masters level program designed to educate and prepare the nurse practitioners/clinical nurse specialists at a school duly accredited by any national accrediting agency approved by the Board.

(b) Each applicant shall be required to successfully complete a graduate level credit course in pharmacology from a school duly accredited by any national accrediting agency approved by the Board. Successful completion of a pharmacology course integrated into the masters level program referred to in (a) above will satisfy this requirement.

(c) Each applicant who has completed the pharmacology requirements referred to in (b) above more than five years prior to the filing date of his or her initial application for certification under N.J.S.A. 45:11-45 et seq. and this subchapter, shall be required to successfully complete one of the following:

1. A graduate level credit course in pharmacology from a school duly accredited by any national accrediting agency approved by the Board; or
2. Thirty contact hours in continuing professional education which:
  - i. Are related to the applicant's advanced practice category's scope of practice;
  - ii. Include pharmacokinetics and pharmacodynamic principles and their clinical application;
  - iii. Include the use of pharmacological agents in the prevention of illness, restoration and maintenance of health; and
  - iv. Are obtained within five years immediately prior to the date of application for prescriptive authority.

### 13:37-7.3 Examination requirements for certification

(a) Each applicant for certification shall be required to successfully pass the highest level practice examination in the area of specialization approved by the Board.

(b) Each applicant who meets the educational requirements of N.J.A.C. 13:37-7.2 shall apply to take the first available examination for which the applicant is eligible. The applicant may engage in advanced nursing practice pending the results of the first available examination, provided that the applicant clearly delineates the word, "applicant" each time said applicant assumes the title or designation of a "nurse practitioner/clinical nurse specialist" or any of its abbreviations. If the applicant is unsuccessful in passing two consecutive examinations, he or she shall not be eligible to engage in advanced nursing practice but shall not be denied the right to continue to take any examination for certification for which he or she qualifies. Said examination requirements must be completed within two years of the date of initial application.

**13:37-7.4 Educational and examination certification requirements in the area of OB/GYN and women's health**

(a) Applicants seeking certification as a nurse practitioner/clinical nurse specialist in the specialty area of OB/GYN or women's health on or before May 2, 2002 may be certified, provided said applicant submits the following to the Board:

1. Proof of successful completion of a post basic nursing certificate program accredited and/or approved by an entity acceptable to the Board of at least one academic year in the area of OB/GYN or women's health;
2. Proof of current certification from a nationally recognized OB/GYN or women's health certifying body approved by the Board;
3. Proof of successful completion of a six month preceptor program approved or given by an entity acceptable to the Board; and
4. Proof of successful completion of a pharmacology course which meets the following requirements:
  - i. A pharmacology course integrated into the post basic certificate program referred to in (a)2 above or equivalent pharmacology course, as determined by the Board;
  - ii. Each applicant who has completed the pharmacology requirements referred to in (a)4i above more than five years prior to the filing date of the initial application for certification under this subchapter shall be required to successfully complete one of the following:

(1) A graduate level credit course in pharmacology from a school duly accredited by any national accrediting agency approved by the Board; or

(2) Thirty contact hours of continuing professional education courses devoted to pharmacology and drug management approved by the Board as set forth in N.J.A.C. 13:37-7.2(c)1. Each contact hour shall represent or be equivalent to 50 minutes of actual course attendance.

resent or be equivalent to 50 minutes of actual course attendance.

**13:37-7.5 Biennial certification renewal**

(a) Every person who has been granted initial certification under N.J.S.A. 45:11-47 and 48 and this subchapter shall submit a timely application for certification renewal on a biennial basis. Subject to the grounds for disciplinary action listed in N.J.S.A. 45:1-21 or elsewhere in N.J.S.A. 45:11-23 et seq. or 45:1-14 et seq., a biennial certificate shall be issued by the Board upon the applicant's submission of proof that during the two calendar years immediately preceding application for renewal the applicant successfully completed 30 contact hours in continuing professional education courses approved by the Board as set forth in N.J.A.C. 13:37-7.2(c)1. Each contact hour shall represent or be equivalent to 50 minutes of actual course attendance. Failure to submit the aforementioned proof of continuing education shall constitute grounds for the refusal to renew said certification.

(b) No person shall practice as a nurse practitioner/clinical nurse specialist, or present, call or represent himself or herself as a nurse practitioner/clinical nurse specialist unless he or she has been duly issued and received a current biennial certificate to practice as a nurse practitioner/clinical nurse specialist pursuant to N.J.S.A. 45:11-45 et seq.

**13:37-7.6 Prescriptive practice**

Each nurse practitioner/clinical nurse specialist shall prescribe/order medications and devices in conformity with the provisions of this subchapter, N.J.S.A. 45:11-45 et seq., (especially N.J.S.A. 45:11-49) and jointly developed protocols. Each nurse practitioner/clinical nurse specialist shall prescribe/order medications and devices only at location(s) where written joint protocols are reviewed, updated and signed at least annually by the nurse practitioner/clinical nurse specialist and his or her collaborating physician.

**13:37-7.7 Requirements for issuing prescriptions and orders; dispensing medications**

(a) Every nurse practitioner/clinical nurse specialist issuing prescriptions and orders or dispensing medications in any setting other than in a licensed acute care or long-term care facility shall provide the following on all said prescriptions and orders:

1. The prescriber's full name, address, telephone number, license number, certification number and academic degree. This information shall be printed on all prescriptions/orders;
2. The full name, age and address of the patient;
3. The date of issuance of prescription/order;
4. The signature of prescriber, hand-written as "R.N., N.P., C." or "R.N., C.N.S., C."; and

5. The full name and academic degree of the collaborating physician. For prescriptions only, the address and telephone number of the collaborating physician shall be printed.

(b) Every nurse practitioner/clinical nurse specialist who prescribes/orders medications shall, in addition to the information set forth in (a) above, provide the following on all prescriptions.

1. The name, strength, route and quantity of drug or drugs to be dispensed;
2. Adequate instructions for the patient; a direction of "prn" or "as directed" alone shall be deemed an insufficient direction;
3. The number of refills permitted or time limit for refills, or both;
4. Every prescription blank shall be imprinted with the words "substitution permissible" and "do not substitute" and shall contain space for the nurse practitioner/clinical nurse specialist's initials next to the chosen option, in addition to the space required for the signature in (a)4 above;
5. Every nurse practitioner/clinical nurse specialist shall assure that each container of medication dispensed directly to a patient is labeled in a legible manner with at least the following information:
  - i. The full name(s) of the nurse practitioner/clinical specialist and the collaborating physician;
  - ii. The full name of patient;
  - iii. The date medication is dispensed;
  - iv. The expiration date of medication;
  - v. The name, strength and quantity of medication dispensed; and
  - vi. Adequate instructions for the patient regarding the frequency of administration of the medication;
6. When a nurse practitioner/clinical nurse specialist dispenses a pharmaceutical sample which has been packaged and labeled by the manufacturer and such sample package contains the information required by (b)5ii, v and vi above, the information listed in (b)5i and iii, inclusive, above need not be added;
7. When a nurse practitioner/clinical nurse specialist dispenses a medication other than a sample exempted pursuant to (b)6 above in a container without sufficient space for the information required by this subsection, the container shall be placed in a large container or envelope and the larger container or envelope shall be labeled as indicated in this subsection; and
8. Each container of medication dispensed shall contain only one type of medication.

(c) In no instance shall a nurse practitioner/clinical nurse specialist dispense drugs or sign a blank prescription form without complying with the standards in (b) above.

(d) In licensed acute care and long term care facilities where routine identifying information is maintained on file in a central repository or in the patients' record, it shall not be required for the nurse practitioner/clinical nurse specialist to include the identifying information contained in (a)1, 2 and 5 above on each prescription or order.

#### 13:37-7.8 Certification by endorsement

A nurse practitioner/clinical nurse specialist certified in another state who wishes to practice as a nurse practitioner/clinical nurse specialist, or present, call or represent himself or herself as a nurse practitioner/clinical nurse specialist must be certified by the Board and must meet all of the requirements provided in N.J.A.C. 13:37-7.1. The Board may, in lieu of the examination requirements of N.J.A.C. 13:37-7.1(b)4, accept proof that an applicant holds a current certification in a state whose standards at the time of application are substantially equivalent to those of this State.

#### 13:37-7.9 Requirements for nurse practitioner/clinical nurse specialists certified pursuant to N.J.S.A. 45:11-48

(a) Until October 29, 1994, an individual who submits the following may qualify for certification without completing the educational and examination requirements set forth in N.J.A.C. 13:37-7.2 and 7.3:

1. Proof of a current New Jersey license as a registered professional nurse in good standing;
2. A completed application form and the application fee set forth in N.J.A.C. 13:37-12.1. The application form solicits information including: biographical, educational and experiential data; and
3. Proof that the applicant has been certified as a nurse practitioner/clinical nurse specialist or advanced practice nurse in one or more of the specialization areas listed in N.J.A.C. 13:37-7.11 by a national accrediting agency approved by the Board and that said national accrediting agency certifies that all persons awarded certification have successfully completed a nurse practitioner/clinical nurse specialist or advanced practice nurse program which included pharmacology in its required curriculum.

(b) Each applicant awarded certification under N.J.S.A. 45:11-48 shall be required to meet the pharmacology requirements of N.J.A.C. 13:37-7.2(c) and the biennial certification renewal requirements of N.J.A.C. 13:37-7.4.



**13:37-14.8 Homemaker-home health aides; training program requirement**

Every applicant for certification as a homemaker-home health aide in this State shall be required to complete a training program approved by the Board of Nursing, except as provided in N.J.A.C. 13:37-14.11 and 14.13. The applicant shall have completed the training program no later than four months after commencing the program.

**13:37-14.9 Application for certification; documents required**

(a) An applicant for certification as a homemaker-home health aide shall submit the following to the Board:

1. Evidence of satisfactory completion of a homemaker-home health aide training program approved by the Board;
2. Evidence in such form as the Board may prescribe that the applicant is of good moral character, is not a habitual user of controlled substances and has never been convicted of or pleaded nolo contendere, non vult contendere or non vult to an indictment, information or complaint alleging violation of a Federal or state law; and
3. The application fee as set forth in N.J.A.C. 13:37-12.1(b).

**13:37-14.10 Competency examination**

(a) Upon successful completion of an approved training program, the applicant shall register for the next scheduled administration of the competency examination administered by the Board or a Board-approved testing service.

(b) The applicant may be employed by a home health care agency under the supervision of a registered professional nurse while waiting to take the next scheduled administration of the competency examination.

(c) The competency examination shall be an examination administered by the Board of Nursing or a Board-approved testing service at least four times a year.

(d) The passing score on the examination shall be established and reviewed annually by the Board.

(e) An individual who fails the competency examination may retake the examination provided that he or she registers for the next scheduled administration of the examination.

(f) An individual awaiting the next scheduled administration of the examination in accordance with (e) above may continue to be employed by a home health care agency under the supervision of a registered professional nurse.

(g) If the individual fails in the second attempt to pass the examination, he or she shall successfully complete an

other homemaker-home health aide training program approved by the Board before taking the examination again. This individual shall not be employed as a homemaker-home health aide until he or she passes the examination.

(h) Upon application to the Board, an individual may satisfy the examination requirement for certification as a homemaker-home health aide by passing an oral competency evaluation in English or Spanish.

**13:37-14.11 Waiver of training program requirement**

Current nursing students who have successfully completed a course in fundamentals/basic nursing may take the competency examination without first completing an approved training program.

**13:37-14.12 Initial certification and renewal**

(a) An individual who passes the competency examination may be eligible for certification by the Board as a homemaker-home health aide.

(b) Certification shall be renewed on a biennial basis unless disciplinary action against the certified person has been instituted by the Board.

**13:37-14.13 Certification by endorsement**

An individual certified as a homemaker-home health aide in another state who can verify successful completion of an equivalent homemaker-home health aide program and competency examination may be eligible for certification by endorsement.

**13:37-14.14 Duties and powers of the Board**

(a) The Board may deny or revoke training program approval if the program sponsor has failed to comply with N.J.S.A. 45:11-24(d)(20) to (24) or this subchapter.

(b) The Board may investigate complaints made against a program sponsor or certified homemaker-home health aide and may conduct hearings in connection with such complaints.

(c) The Board may suspend or revoke the certification of a homemaker-home health aide who has violated any provisions of N.J.S.A. 45:11-24(d)(20) to (24) or this subchapter.

(d) Any Board action for certification suspension or revocation or training program revocation shall take place only upon notice to the licensee and the opportunity for a hearing in accordance with the Administrative Procedure Act, N.J.S.A. 52:14B-1 et seq., and the Uniform Administrative Procedure Rules, N.J.A.C. 1:1.

(e) Decisions on violations shall be a public record maintained by the Board pursuant to N.J.S.A. 45:11-24(d)(20) and (24).