

New Jersey Healthcare Regulatory Developments- June 2019



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Here are the most recent health care related regulatory developments as published in the New Jersey Register on June 3, 2019:

- On June 3, 2019, at 51 N.J.R. 877(a), the Department of Human Services, Division of Medical Assistance and Health Services, readopted the rules at N.J.A.C. 10:54, Physician Services. The rules provide the standards for approval of physicians as independent providers of services, within their licensed scope of practice, to New Jersey Medicaid/NJ FamilyCare fee-for-service beneficiaries. The rules also identify covered and non-covered physician services under the fee-for-service Medicaid/NJ FamilyCare program. DMAHS has identified the need for amendments to the rules. However, they were too significant for the readoption. The anticipated amendments may include substantive and technical amendments to the chapter to either implement, or memorialize compliance with, the provisions of Federal and State regulatory requirements, including, but not limited to, the Patient Protection and Affordable Care Act (PPACA). Once the review is completed, a separate rulemaking containing proposed amendments will be published in the New Jersey Register. The readopted rules would stay in effect for a seven year period.
- On June 3, 2019, at 51 N.J.R. 878(a), the Department of Law and Public Safety, Division of Consumer Affairs, State Board of Medical Examiners adopted

amendments at N.J.A.C. 13:35-2-A, relating to the limited licenses of midwives. There are new definitions of “certified midwife,” “certified nurse midwife” and “consulting physician.”

- On June 3, 2019, at 51 N.J.R. 880(a), the Department of Law and Public Safety, Division of Consumer Affairs, State Board of Medical Examiners adopted amendments to the rules regarding the CME requirements. The amended regulations specify required CME topics for the 100 CME credits to be completed by licensees in two categories of CME credits (Category I and Category II). Two (2) of the 40 Category I credits must be a program or topic related to end-of-life care and one (1) of the 40 Category I credits must be in program or topic concerning prescription opioids, including responsible prescribing practices, alternatives to opioids for managing and treating pain, and the risks and signs of opioid abuse, addiction, and diversion. (N.J.A.C. 13:35-6.15)
- On June 3, 2019, at 51 N.J.R. 894(a), the Department of Law and Public Safety, Division of Consumer Affairs, Board of Physical Therapy Examiners adopted certain amendments to N.J.A.C. 13:39 permitting wound debridement by physical therapists only after communication with patient’s physician or podiatrist and permits general supervision of physical therapy assistants by physical therapists. General supervision requires that a physical therapist is available at all times by telecommunications but is not required to be on-site for direction and supervision.
- On June 3, 2019, at 51 N.J.R. 897(a), the Department of Law and Public Safety, Division of Consumer Affairs, Board of Social Work Examiners adopted an amendment correcting N.J.A.C. 13:44G-8.1 to correct an internal reference in the Clinical Supervision section.
- On June 3, 2019, at 51 N.J.R. 897(b), the Department of Law and Public Safety, Division of Consumer Affairs, State Board of Medical Examiners adopted amendments to N.J.A.C. 13:45A-35 to require the permanent inclusion of gabapentin to the list of prescriptions on the PMP list that must be electronically transmitted to the Division by New Jersey licensed pharmacies and registered out-of-State pharmacies.
- On June 3, 2019, at 51 N.J.R. 899(b), the Commissioner of the Department of Health published a notice that postponed the certificate of need call for applications for transplantation.
- On June 3, 2019, at 51 N.J.R. 899(c), the Department of Health, Public Health Services Branch, Division of Medicinal Marijuana issued a Request for Applicants for entities that seek authority to apply for a permit to operate an alternative treatment center.

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