Saturday, March 14, 2020

Here are the most recent health care related regulatory developments as published in the New Jersey Register in January and February 2020:

- On January 6, 2020, at 52 N.J.R. 10(a), the Board of Nursing issued a rule proposal to amend N.J.A.C. 13:37 Subchapter 1, relating to nursing programs. The proposed amendments would require nursing program administrators to have three years of experience with a background in developing curriculum; limit the body of graduates that will affect a nursing program’s licensing examination pass rate; delete requirements that faculty members who teach online have a New Jersey license; and require half of the faculty in practical nursing programs to hold master’s degrees. The Board proposes these amendments and new rules in recognition of the ongoing evolution of the role of registered professional nurses and licensed practical nurses with the goal of ensuring that individuals entering the nursing professional receive a high-quality education that equips them to provide nursing services in a safe and effective manner.

- On January 6, 2020, at 52 N.J.R. 16(a), the Board of Nursing issued a proposed
new rule to permit nursing education programs to require students to take a predictor examination at the end of the program, but to also prohibit a program from preventing a student from graduating or taking a licensing examination, based on the student’s performance on the predictor examination.

- On January 6, 2020, at 52 N.J.R. 45(a), the Board of Nursing adopted a final rule amending the rules related to provisional accreditation of nursing programs. See N.J.A.C. 13:37-1.3.

- On February 3, 2020, at 52 N.J.R. 143(a), the Department of Law and Public Safety, Division of Consumer Affairs, Board of Medical Examiners adopted new telemedicine regulations related to Hearing Aid Dispensers that are consistent with telemedicine regulations adopted by other licensing boards. The new regulations are at N.J.A.C. 13:35-8.21-8.28.

- On February 18, 2020, at 52 N.J.R. 193(a), the Department of Law and Public Safety, Division of Consumer Affairs, Board of Psychology Examiners proposed repeals, amendments and new rules related to the licensure of psychologists with respect to reciprocity, renewal, reactivation, reinstatement, advertisement, updates to the list of characteristics as a basis of discrimination and updates to reference the DSM and the International Statistical Classification of Diseases and Related Mental Health Problems.

- On February 18, 2020, at 52 N.J.R. 199(a), the Department of Law and Public Safety, Division of Consumer Affairs, Board of Medical Examiners adopted final amended and new rules related to the licensed athletic trainers with respect to reciprocity, renewal, reactivation, reinstatement, scope, records and sexual misconduct. See N.J.A.C. 13:35, Subchapter 10.

- On February 18, 2020, at 52 N.J.R. 354(b), the Department of Law and Public Safety, Division of Consumer Affairs, Board of Medical Examiners issued a public notice of receipt of petition for rulemaking from Abraham Sharaby that was received by the BME on December 30, 2019, requesting that the Board amend N.J.A.C. 13:35-6.16, so that policies required by that rule indicate whether a physician has participated in the Medical Aid in Dying for the Terminally Ill Act (“Act”). The petitioner also requested that the Board provide this information as part of the website profile the Division maintains for each licensed physician. The petitioner contended that a physician’s choice to provide services under the Act is important information that a patient should be aware of prior to relying on such a physician to provide health care services to the patient. The petitioner is concerned that a physician he selects to provide health care services may at a future date recommend that he end his life if his health status becomes precarious.

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