

ASSEMBLY, No. 928

STATE OF NEW JERSEY

214th LEGISLATURE

PRE-FILED FOR INTRODUCTION IN THE 2010 SESSION

Sponsored by:

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Assemblywoman Oliver, Assemblymen Gusciora and Diegnan

SYNOPSIS

Permits physicians and veterinarians to earn continuing education credits by providing certain free medical or veterinary services.

CURRENT VERSION OF TEXT

Introduced Pending Technical Review by Legislative Counsel



1 AN ACT concerning continuing education for physicians and
2 veterinarians, amending P.L.2001, c.307 and P.L.1952, c.198 and
3 supplementing chapter 16 of Title 45 of the Revised Statutes.

4
5 **BE IT ENACTED** by the Senate and General Assembly of the State
6 of New Jersey:

7
8 1. Section 10 of P.L.2001, c.307 (C.45:9-7.1) is amended to
9 read as follows:

10 10. a. **[The]** Except as provided in paragraph (2) of subsection
11 d. of this section, the State Board of Medical Examiners shall
12 require each person licensed as a physician, as a condition for
13 biennial registration pursuant to section 1 of P.L.1971, c.236
14 (C.45:9-6.1), or as a podiatrist, as a condition for biennial
15 registration pursuant to R.S.45:5-9, to complete 100 credits of
16 continuing medical education, all of which shall be in Category I or
17 Category II as defined in subsection i. of this section.

18 b. The board shall:

19 (1) Establish standards for continuing medical education,
20 including the subject matter and content of courses of study;

21 (2) Accredite education programs offering credit toward
22 continuing medical education requirements or recognize national or
23 State organizations that may accredit education programs;

24 (3) Allow satisfaction of continuing medical education
25 requirements through equivalent educational programs, such as
26 participation in accredited graduate medical education programs,
27 examinations, papers, publications, scientific presentations,
28 teaching and research appointments and scientific exhibits, and
29 establish procedures for the issuance of credit upon satisfactory
30 proof of attainment of these equivalent educational programs;

31 (4) Create an advisory committee to be comprised of at least
32 five members, including representatives of the Medical Society of
33 New Jersey, the Academy of Medicine of New Jersey, the New
34 Jersey **[Osteopathic]** Association of Osteopathic Physicians and
35 Surgeons, the New Jersey Podiatric Medical **[Association]** Society
36 and such other professional societies and associations as the board
37 may identify, to provide guidance to the board in discharging its
38 responsibilities pursuant to this section; and

39 (5) **[Delineate]** Establish, through the promulgation of
40 regulations, any specific courses or topics which, on the
41 recommendation of the advisory committee created pursuant to
42 paragraph (4) of this subsection and in the discretion of the board,
43 are to be required , and designate which are the core requirements
44 for continuing medical education, including the number of required

EXPLANATION – Matter enclosed in bold-faced brackets **[thus]** in the above bill is not enacted and is intended to be omitted in the law.

Matter underlined thus is new matter.

1 hours, subject matter and content of courses of study.

2 c. Each hour of an educational course or program shall be
3 equivalent to one credit of continuing medical education.

4 d. (1) The board may, in its discretion, waive requirements for
5 continuing medical education on an individual basis for reasons of
6 hardship such as illness or disability, retirement of license, or other
7 good cause. A waiver shall apply only to the current biennial
8 renewal period at the time of board issuance.

9 (2) The board shall offset up to 10 of the required 100 credits
10 for continuing medical education biennially by the number of hours
11 of volunteer medical services rendered by licensees, at the rate of
12 one half of one credit of continuing medical education for each hour
13 of volunteer medical service rendered, provided that such licensees
14 shall be required to complete at least the core requirements
15 established pursuant to paragraph (5) of subsection b. of this
16 section. The board may reduce, in part, an application by a licensee
17 to offset credits of continuing medical education pursuant to this
18 paragraph if the board finds, in its discretion, that the applicant
19 requires such continuing medical education in order to maintain or
20 restore professional competence, or may deny all such applications
21 if the board finds that continuing medical education above the core
22 requirements is necessary because of developments in science or
23 technology. The board may also, in its discretion, and for good
24 cause, notify a licensee that the licensee is ineligible to offset
25 credits of continuing medical education pursuant to this paragraph
26 for any other reason established by regulation by the board.

27 e. The board shall not require completion of continuing
28 medical education credits for any registration period commencing
29 within 12 months of the effective date of this section.

30 f. The board shall require completion of medical education
31 credits on a pro-rated basis for any registration period commencing
32 more than 12 months but less than 24 months from the effective
33 date of this section.

34 g. The board shall require new licensees to successfully
35 complete, within 24 months of becoming licensed, an orientation
36 course, in those topics identified by the board through regulation,
37 conducted by an organization recognized by the board.

38 h. The board shall not require a new licensee to complete
39 required continuing medical education credits, other than the
40 orientation course described in subsection g. of this section, for any
41 registration period commencing within 12 months of the licensee's
42 participation in and completion of an accredited graduate medical
43 education program.

44 i. As used in this section~~[,]~~ :

45 "Category I and Category II" means those categories of medical
46 education courses recognized by the American Medical
47 Association, the American Osteopathic Association, the American

1 Podiatric Medical Association, the Accreditation Council for
2 Continuing Medical Education or other comparable organizations
3 recognized by the board ;

4 “Core requirements” means the continuing medical education
5 determined by the board to be necessary to maintain currency in
6 professional knowledge and skills in order to deliver competent care
7 to patients; and

8 “Volunteer medical services” means medical care provided
9 without charge to low-income patients for health care services for
10 which the patient is not covered by any public or private third party
11 payer, in accordance with such standards, procedures, requirements
12 and limitations as are established by the board.

13 (cf: P.L.2001, c.307, s.10)

14

15 2. Section 4 of P.L.1952, c.198 (C.45:16-9.4) is amended to
16 read as follows:

17 4. Every person licensed to practice veterinary medicine,
18 surgery and dentistry shall procure a certificate of registration
19 which shall be issued upon the payment of a fee determined by the
20 board for a two-year period. A registrant not practicing in this State
21 may apply for an inactive registration and shall pay a fee
22 determined by the board. An inactive registrant shall not practice
23 veterinary medicine, surgery or dentistry in this State. The
24 secretary shall mail to each person licensed to practice veterinary
25 medicine, surgery and dentistry at least 30 days prior to the deadline
26 for registration a printed blank form to be properly filled in and
27 returned to the secretary by such licensed person on or before the
28 deadline for registration, together with such fee. In addition to
29 information about the registrant, the board shall require each
30 licensee to provide the following information on the application or
31 renewal application form: the name, address and telephone number
32 of each veterinary facility in which the registrant will practice 500
33 or more hours per year; the type of practice; the legal organization
34 of the practice and that entity's name, address and telephone
35 number, if different from the facility address and telephone number;
36 and the name of the principals for that entity. Upon the receipt of
37 the form properly filled in, and such fee, the certificate of
38 registration shall be issued and transmitted.

39 **[A]** Except as otherwise provided in section 3 of
40 P.L. , c. (C.) (pending before the Legislature as this bill), a
41 registrant applying for active license renewal shall complete not
42 less than 20 hours of continuing veterinary education, of a type
43 approved by the board, during each two-year license renewal period
44 to be eligible for relicensure. Prior to license renewal each licensee
45 shall submit to the board proof of completion of the required
46 number of hours of continuing education over the prior two-year
47 period. The board may, in its discretion, waive requirements for

1 continuing education for an individual for reasons of hardship, such
2 as illness or disability, retirement of the license or other good cause.

3 The failure on the part of the licensee to renew his certificate as
4 required shall not deprive such person of the right of renewal. The
5 fee to be paid if the certificate is renewed after the expiration date
6 shall be determined by the board. Notice to the licensee by mail on
7 or before the deadline for registration, addressed to his last post-
8 office address known to the board, informing him of his failure to
9 have applied for a renewal of his license certificate, shall constitute
10 legal notification of such delinquency by the board.

11 Applications for renewal of certificates shall be in writing to the
12 board, accompanied by the required fees. The license of any person
13 who fails to procure a renewal of certificate at the time and in the
14 manner required by this section shall be suspended by the board
15 upon notice. Any license so suspended shall be reinstated at any
16 time upon the payment of all past-due registration fees and an
17 additional reinstatement fee determined by the board. The board
18 may require that any applicant for registration who has ceased the
19 practice of veterinary medicine for a period in excess of three years
20 be reexamined by the board and be required to complete additional
21 continuing education requirements as a prerequisite to relicensure
22 by the board. Any person whose license shall have been suspended
23 for such cause shall, during the period of such suspension, be
24 regarded as an unlicensed person and, in case he shall continue or
25 engage in the practice of veterinary medicine, surgery or dentistry
26 during such period, shall be liable to penalties pursuant to the
27 provisions of P.L.1978, c.73 (C.45:1-14 et seq.).

28 Every duly licensed person, before commencing the practice of
29 veterinary medicine, surgery and dentistry in this State, shall,
30 within 30 days of the commencement of such practice, procure the
31 certificate of registration required in this act.

32 Every person practicing veterinary medicine, surgery and
33 dentistry in this State shall conspicuously display at all times his
34 license and registration certificate for the effective two-year period
35 in his main office. Every person who practices veterinary medicine,
36 surgery and dentistry without having such certificate on display, as
37 herein required, shall be liable to a penalty pursuant to section 12 of
38 P.L.1978, c.73 (C.45:1-25).

39 Every practitioner of veterinary medicine, surgery and dentistry,
40 licensed under the provisions of R.S.45:16-1 et seq., shall report to
41 the board in writing any change in his place of practice, whether
42 same be his main office or branch office, within 30 days of such
43 change.

44 (cf: P.L.2003, c.227, s.4)

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46 3. (New section) a. The State Board of Veterinary Medical
47 Examiners shall establish, through the promulgation of regulations,

1 any specific courses or topics which are to be required for
2 continuing veterinary education, and designate which are the core
3 requirements for continuing veterinary education, including the
4 number of required hours, subject matter and content of courses of
5 study.

6 For purposes of this section, “core requirements” means the
7 continuing veterinary education determined by the board to be
8 necessary to maintain currency in professional knowledge and skills
9 in order to deliver competent veterinary care.

10 b. The board shall offset up to 10 of the not less than 20 credits
11 for continuing veterinary education required pursuant to section 4
12 of P.L.1952, c.198 (C.45:16-9.4) by the number of spaying or
13 neutering services provided by a veterinarian in accordance with
14 subsection c. of this section, at the rate of one hour of continuing
15 veterinary education credits for every two spayed cats or dogs, or a
16 combination thereof, and one hour of continuing veterinary
17 education credits for every four neutered cats or dogs, or a
18 combination thereof, provided that a veterinarian shall be required
19 to complete at least the core requirements established pursuant to
20 subsection a. of this section.

21 The board may reduce, in part, an application by a licensee to
22 offset credits of continuing veterinary education pursuant to this
23 subsection if the board finds, in its discretion, that the applicant
24 requires continuing veterinary education in order to maintain or
25 restore professional competence, or may deny all applications if the
26 board finds that continuing veterinary education above the core
27 requirements is necessary because of developments in science or
28 technology.

29 The board may also, in its discretion and for good cause, notify a
30 veterinarian that the veterinarian is ineligible to offset credits of
31 continuing veterinary education pursuant to this subsection for any
32 other reason established by regulation by the board.

33 c. A veterinarian shall be eligible to offset up to 10 of the
34 required 20 or more credits for continuing veterinary education for
35 rendering spaying or neutering services free of charge, without
36 receiving compensation from any source for the rendering of such
37 services, to:

38 (1) a person eligible for, and participating in, at least one of the
39 programs enumerated in section 3 of P.L.1983, c.172 (C.4:19A-2);
40 or

41 (2) a municipality or a nonprofit group or organization that is
42 operating a program of trapping, spaying or neutering feral or stray
43 cats, and releasing the spayed or neutered feral or stray cats,
44 provided that the municipality or nonprofit group or organization
45 has attested in writing to the veterinarian that the cat to be spayed or
46 neutered by the veterinarian is feral or stray with no known owner.

1 4. The State Board of Medical Examiners, pursuant to the
2 "Administrative Procedure Act," P.L.1968, c.410 (C.52:14B-1 et
3 seq.), may adopt rules and regulations necessary to effectuate the
4 purposes of this act.

5
6 5. The State Board of Veterinary Medical Examiners, pursuant
7 to the "Administrative Procedure Act," P.L.1968, c.410 (C.52:14B-
8 1 et seq.), may adopt rules and regulations necessary to effectuate
9 the purposes of this act.

10
11 6. This act shall take effect on the 180th day after the
12 enactment of this act, but the State Board of Medical Examiners and
13 the State Board of Veterinary Medical Examiners may take such
14 anticipatory administrative action in advance as shall be necessary
15 for the implementation of the act.

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STATEMENT

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20 This bill requires the State Board of Medical Examiners to offset
21 up to 10 of the required 100 credits required biennially for
22 continuing medical education by the number of hours of volunteer
23 medical services rendered by the licensee, at the rate of one half of
24 one credit of continuing medical education for each hour of
25 volunteer medical service rendered.

26 The bill defines "volunteer medical services" as medical care
27 provided without charge to low-income patients for health care
28 services for which the patient is not covered by any public or
29 private third party payer, in accordance with such standards,
30 procedures, requirements and limitations as are established by the
31 board.

32 The bill further provides that the State Board of Veterinary
33 Medical Examiners shall offset up to 10 of the 20 or more credits
34 for continuing veterinary education required pursuant to section 4
35 of P.L.1952, c.198 (C.45:16-9.4) by the number of spaying or
36 neutering services provided by the veterinarian at the rate of one
37 hour of continuing veterinary education credits for every two
38 spayed dogs or cats, or a combination thereof, and one hour of
39 continuing veterinary education credits for every four neutered dogs
40 or cats, or a combination thereof, provided that the veterinarian
41 complete at least the core requirements for continuing veterinary
42 education.

43 A veterinarian shall only be eligible to offset up to 10 of the 20
44 or more required credits for continuing veterinary education for
45 rendering spaying or neutering services free of charge, without
46 receiving compensation from any source for the rendering of such
47 services, if those services are provided to:

- 1 (1) a person eligible for, and participating in, at least one of the
2 assistance programs enumerated in section 3 of P.L.1983, c.172
3 (C.4:19A-2); or
4 (2) a municipality or a nonprofit group or organization that is
5 operating a program of trapping, spaying or neutering feral or stray
6 cats, and releasing the spayed or neutered feral or stray cats,
7 provided that the municipality or nonprofit group or organization
8 has attested in writing to the veterinarian that the cat to be spayed or
9 neutered by the veterinarian is feral or stray with no known owner.
- 10 The bill also requires the State Board of Medical Examiners and
11 the State Board of Veterinary Medical Examiners to establish any
12 specific courses or topics which are to be required for continuing
13 medical or veterinary education, as appropriate, and designate
14 which are the core requirements for continuing medical education
15 and veterinary education, as appropriate, including the number of
16 required hours, subject matter and content of courses of study.