

# SENATE, No. 2679

## STATE OF NEW JERSEY 218th LEGISLATURE

INTRODUCED JUNE 11, 2018

**Sponsored by:**

**Senator ROBERT W. SINGER**

**District 30 (Monmouth and Ocean)**

**Senator VIN GOPAL**

**District 11 (Monmouth)**

**SYNOPSIS**

Establishes reciprocity requirements for out-of-State certified nurse aides and personal care assistants to practice in New Jersey.

**CURRENT VERSION OF TEXT**

As introduced.



(Sponsorship Updated As Of: 9/25/2018)

1 AN ACT concerning certified nurse aides and personal care  
2 assistants and supplementing Title 26 of the Revised Statutes.

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

6  
7 1. An individual certified as a nurse aide or personal care  
8 assistant by another state or territory of the United States may apply  
9 to have that certification entered on the registry established and  
10 maintained by the Department of Health pursuant to section 3 of  
11 P.L.1997, c.100 (C.26:2H-84), provided that:

12 a. the Department of Health receives documentation from the  
13 other state or territory that the applicant holds a current, valid  
14 certification as a nurse aide or personal care assistant in the state or  
15 territory;

16 b. the applicant has not been convicted of any crimes and has  
17 no documented findings of abuse, neglect, or misappropriation of  
18 resident property in the other state or territory;

19 c. the applicant complies with the criminal history record  
20 background check requirements set forth under P.L.1997, c.100  
21 (C.26:2H-83 et al.); and

22 d. (1) the applicant has completed a training and competency  
23 evaluation program at least equal to that required in New Jersey; or

24 (2) the applicant has the equivalent of at least five years of full  
25 time employment in the other state or territory as a nurse aide or  
26 personal care assistant, as appropriate, and the most recent date of  
27 such employment is within the 24 month period immediately  
28 preceding the date of the application. The Department of Health  
29 may require an individual applying for a certification to be entered  
30 on the registry on the basis of work experience pursuant to this  
31 paragraph to complete an equivalency examination to verify the  
32 individual meets New Jersey's training and competency  
33 requirements.

34  
35 2. The Commissioner of Health, pursuant to the  
36 "Administrative Procedure Act," P.L.1968, c.410 (C.52:14B-1 et  
37 seq.), shall adopt rules and regulations necessary to implement the  
38 provisions of this act.

39  
40 3. This act shall take effect immediately.

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43 **STATEMENT**

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45 This bill establishes requirements for out-of-State nurse aide and  
46 personal care assistant certifications to be recognized in New  
47 Jersey.

1 Specifically, an individual may apply to have an out-of-State  
2 certification entered on the State registry of certified nurse aides  
3 and personal care assistants if: (1) the Department of Health  
4 receives documentation from the other state or U.S. territory that  
5 the applicant holds a current, valid certification as a nurse aide or  
6 personal care assistant in the state or territory; (2) the applicant has  
7 not been convicted of any crimes and has no documented findings  
8 of abuse, neglect, or misappropriation of resident property in the  
9 other state or territory; (3) the applicant successfully completes a  
10 criminal history record background check; and (4) the applicant has  
11 either completed a training and competency evaluation program at  
12 least equal to that required in New Jersey or meets certain work  
13 experience requirements.

14 An applicant requesting that an out-of-State certification be  
15 entered on the New Jersey registry on the basis of work experience  
16 will be required to have the equivalent of at least five years of full  
17 time professional employment in the other state or territory, with  
18 the last date of such employment falling within the 24 month period  
19 immediately preceding the date of the application. In addition, the  
20 Department of Health may require an individual requesting  
21 certification on the basis of work experience to complete an  
22 equivalency examination to verify the individual meets New  
23 Jersey's training and competency requirements.

24 Although current regulations provide, under N.J.A.C.8:39-43.9,  
25 reciprocity for nurse aides who are certified to practice in other  
26 states, the regulations do not currently allow reciprocity on the basis  
27 of work experience or expressly provide reciprocity for personal  
28 care assistants. In some cases, qualified nurse aides and personal  
29 care assistants coming into New Jersey from out-of-State will have  
30 extensive professional experience and a clean professional record,  
31 but may be unable to provide evidence of completing a training  
32 program because the program only retains student records for a  
33 limited period. In such cases, these individuals are required to  
34 expend additional time and money unnecessarily repeating training  
35 courses and examinations that they have already completed.

36 It is the sponsor's intent to facilitate the process of allowing  
37 qualified nurse aides and personal care assistants from outside the  
38 State to relocate to New Jersey and begin providing services while  
39 ensuring these professionals are compliant with New Jersey's high  
40 standards for professional training and competency, patient safety,  
41 and quality of care.