

SENATE, No. 2334

STATE OF NEW JERSEY 219th LEGISLATURE

INTRODUCED APRIL 9, 2020

Sponsored by:

Senator NELLIE POU

District 35 (Bergen and Passaic)

Senator JOSEPH F. VITALE

District 19 (Middlesex)

Senator LINDA R. GREENSTEIN

District 14 (Mercer and Middlesex)

Senator CHRIS A. BROWN

District 2 (Atlantic)

Co-Sponsored by:

Senator Addiego

SYNOPSIS

Permits professional and occupational licensing boards to reactivate licensure of certain individuals during state of emergency or public health emergency.

CURRENT VERSION OF TEXT

As introduced.



(Sponsorship Updated As Of: 4/13/2020)

1 AN ACT concerning professional and occupational licenses, and
2 supplementing P.L.1999, c.403 (C.45:1-7.1 et seq.).
3

4 **BE IT ENACTED** by the Senate and General Assembly of the State
5 of New Jersey:
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7 1. Notwithstanding the provisions of any other law, during the
8 Public Health Emergency and State of Emergency declared by the
9 Governor in Executive Order 103 of 2020, and with the approval of
10 the Attorney General, the Director of the Division of Consumer
11 Affairs, with respect to any or all professional or occupational
12 licensing boards within the Division of Consumer Affairs in the
13 Department of Law and Public Safety or any industry regulated by
14 the division, or any professional or occupational licensing boards
15 within the division may temporarily reactivate a license, certificate
16 of registration or certification on an expedited basis, for such period
17 as deemed necessary by the director, to any individual who held a
18 corresponding license, certificate of registration or certification, in
19 good standing at the time that the individual retired from active
20 practice or was placed on the inactive status, or who while otherwise
21 in good standing allowed their license to lapse and was suspended for
22 that reason, within the last five years, or such other timeframe as the
23 director may specify. Notwithstanding the provisions of any other
24 law to the contrary, and to effectuate the purposes of this act, the
25 board or director, as applicable, may take additional action necessary
26 to protect the public health, safety and welfare, including but not
27 limited to:

28 a. Temporarily waive any requirements contained in section 2 of
29 P.L.2013, c.182 (C.45:1-7.4), relating to the renewal, reinstatement
30 or reactivation of a license, certification or registration, including
31 fees, job listings or continuing education requirements;

32 b. Prescribe the duration and terms of any license, certificate of
33 registration or certification granted pursuant to this section;

34 c. Require, in consultation with the Commissioner of Health or
35 such other State department or agency as may be appropriate, any
36 individual granted a license, certificate of registration or certification
37 pursuant to this section to practice the profession or occupation in
38 this State, as deemed necessary to protect the public health, safety
39 and welfare; or

40 d. Waive compliance by any individual granted a license,
41 certificate of registration or certification pursuant to this section with
42 liability insurance required by statute or regulation, for acts or
43 omissions undertaken in the course of providing health care services
44 in support of the State's response to the declared emergency.
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46 2. This act shall take effect immediately and be retroactive to
47 April 1, 2020.

STATEMENT

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This bill allows the director of the Division of Consumer Affairs in the Department of Law and Public Safety, with the approval of the Attorney General, to temporarily reactivate a license, registration or certification on an expedited basis during the Public Health Emergency and State of Emergency declared by the Governor in Executive Order 103 of 2020. The bill provides that the director may temporarily reactivate a license, certificate of registration or certification on an expedited basis to any individual who held a corresponding license, certificate of registration or certification, in good standing at the time that the individual retired from active practice or was placed on the inactive status, or who while otherwise in good standing allowed their license to lapse and was suspended for that reason, within the last five years, or such other timeframe as the director may specify.

The bill gives the director and applicable boards the ability to waive certain requirements normally required in the licensure process, to prescribe the duration and terms of any license, certificate of registration or certification granted pursuant to the bill, and to require, in consultation with the Commissioner of Health or such other State department or agency as may be appropriate, any individual granted a license, certificate of registration or certification to practice the profession or occupation in this State, as deemed necessary to protect the public health, safety and welfare.

The bill also waives compliance by any individual granted a license, certificate of registration, or certification pursuant to this section with liability insurance required by statute or regulation, for acts or omissions undertaken in the course of providing health care services in support of the State’s response to the declared emergency.