

[First Reprint]

ASSEMBLY, No. 4246

STATE OF NEW JERSEY

219th LEGISLATURE

INTRODUCED JUNE 8, 2020

Sponsored by:

Assemblyman ANTHONY S. VERRELLI

District 15 (Hunterdon and Mercer)

Assemblyman DANIEL R. BENSON

District 14 (Mercer and Middlesex)

Assemblywoman VALERIE VAINIERI HUTTLE

District 37 (Bergen)

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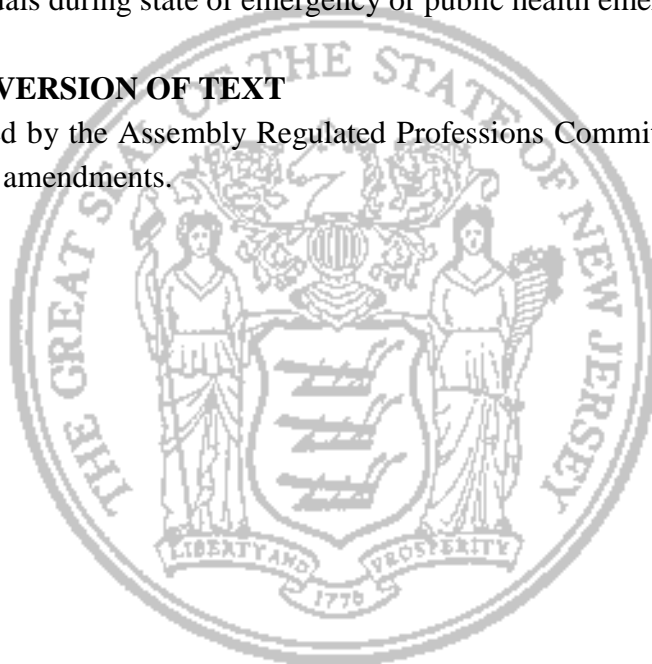
**Assemblyman Giblin, Assemblywomen Murphy, McKnight, Lampitt,
Jasey, Downey, Mosquera, Swain and Assemblyman Tully**

SYNOPSIS

Permits expedited licensure in mental health professions for certain out-of-State individuals during state of emergency or public health emergency.

CURRENT VERSION OF TEXT

As reported by the Assembly Regulated Professions Committee on October 8, 2020, with amendments.



(Sponsorship Updated As Of: 10/29/2020)

1 AN ACT concerning professional and occupational licenses for
2 certain out-of-State individuals, and supplementing P.L.1999,
3 c.403 (C.45:1-7.1 et seq.).
4

5 **BE IT ENACTED** by the Senate and General Assembly of the State
6 of New Jersey:
7

8 1. a. Notwithstanding the provisions of any other law, rule or
9 regulation to the contrary, during a state of emergency declared by
10 the Governor pursuant to P.L.1942, c.251 (C.App.A:9-33 et seq.),
11 or a public health emergency declared by the Governor pursuant to
12 P.L.2005, c.222 (C.26:13-1 et seq.), and with the approval of the
13 Attorney General, a professional licensing board regulating a
14 mental health profession within the Division of Consumer Affairs in
15 the Department of Law and Public Safety or, with regard to mental
16 health professions regulated by the division, the director of the
17 division, as applicable, may grant a temporary license, certificate of
18 registration or certification on an expedited basis to a recent
19 graduate in another state who earned a **‘[bachelors’]** master’s¹
20 degree or higher from a program in another state that is intended to
21 lead to a career in a mental health profession and is not yet licensed,
22 registered or certified to practice the mental health profession in
23 any jurisdiction. Notwithstanding the provisions of any other law,
24 rule or regulation to the contrary, and to effectuate the purposes of
25 this act, the board or director, as applicable, may take additional
26 action necessary to protect the public health, safety and welfare,
27 including but not limited to the following:

28 (1) **‘[Temporarily waive any requirements to undergo]** Grant a
29 temporary license, certificate of registration or certification pending
30 the results of¹ a criminal history record background check **‘[as a**
31 condition of granting a license, certificate of registration or
32 certification by reciprocity pursuant to this section]**’**¹;

33 (2) Temporarily waive any licensing, registration or certification
34 fees; or

35 (3) Temporarily waive any other requirements contained in Title
36 45 or other applicable law.

37 b. An individual issued a temporary license, certificate of
38 registration or certification pursuant to this act shall be:

39 (1) issued a temporary license, certificate of registration or
40 certification, as applicable, to provide services with an expiration
41 date marked clearly and conspicuously; and

42 (2) supervised by an individual holding a New Jersey-issued
43 license, certificate of registration or certification, in good standing,

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.

Matter enclosed in superscript numerals has been adopted as follows:

¹Assembly ARP committee amendments adopted October 8, 2020.

1 in the same profession in which the out-of-State individual is to
2 provide services.

3 c. Upon the Governor's lifting of the state of emergency or
4 public health emergency during which a temporary license,
5 certificate of registration or certification was issued to an individual
6 pursuant to this act to practice a mental health profession, or when
7 the temporary license, certificate of registration or certification
8 expires, whichever is sooner, and if the individual intends to remain
9 in New Jersey and practice the mental health profession for which
10 the individual was issued a temporary license, certificate of
11 registration or certification, the individual may apply for a full
12 license, certificate of registration or certification to the requisite
13 licensing board or director, as applicable.

14 d. An individual issued a temporary license, certificate of
15 registration or certification pursuant to this act shall be allowed to
16 apply the experience gained in providing services during the state of
17 emergency or public health emergency to a requirement for
18 experience when applying for full professional licensure,
19 registration or certification to the requisite professional board or,
20 for certain mental health professions regulated by the Division of
21 Consumer Affairs, the director.

22 e. As used in this act:

23 "Mental health profession" means a profession licensed by the
24 Alcohol and Drug Counselor Committee; the State Board of
25 Creative Arts and Activities Therapies; the State Board of Marriage
26 and Family Therapy Examiners; the State Board of Medical
27 Examiners; the Professional Counselor Examiners Committee; the
28 Certified Psychoanalysts Advisory Committee; the State Board of
29 Psychological Examiners; the State Board of Social Work
30 Examiners¹; the New Jersey Board of Nursing¹ and any other entity
31 created hereafter under Title 45 to license or otherwise regulate a
32 mental health profession.

33

34 2. This act shall take effect immediately.