

P.L. 2021, CHAPTER 94, *approved May 12, 2021*
 Assembly, No. 4246 (*Second Reprint*)

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.).
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5 **BE IT ENACTED** by the Senate and General Assembly of the State
 6 of New Jersey:
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8 1. a. Notwithstanding the provisions of any other law, rule or
 9 regulation to the contrary, during a state of emergency declared by the
 10 Governor pursuant to P.L.1942, c.251 (C.App.A:9-33 et seq.), or a
 11 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 mental
 14 health profession within the Division of Consumer Affairs in the
 15 Department of Law and Public Safety or, with regard to mental health
 16 professions regulated by the division, the director of the division, as
 17 applicable, may grant a temporary license, certificate of registration or
 18 certification on an expedited basis to a recent graduate in ²New Jersey
 19 or² another state who earned a ¹['bachelors'] master's¹ degree or
 20 higher from a program in ²New Jersey or² another state that is
 21 intended to lead to a career in a mental health profession and is not yet
 22 licensed, registered or certified to practice the mental health profession
 23 in any jurisdiction. Notwithstanding the provisions of any other law,
 24 rule or regulation to the contrary, and to effectuate the purposes of this
 25 act, the ²['board or']² director ²['as applicable,']² may take additional
 26 action necessary to protect the public health, safety and welfare,
 27 including but not limited to the following:

28 (1) 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 ¹['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; ²['or']²

35 (3) ²Temporarily waive any examination required for licensing,
 36 registration, or certification; or

37 (4)² Temporarily waive any other requirements contained in Title
 38 45 or other applicable law.

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.

²Senate SCM committee amendments adopted January 21, 2021.

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

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

6 (2) supervised by an individual holding a New Jersey-issued
7 license, certificate of registration or certification, in good standing, in
8 the same profession in which the out-of-State individual is to provide
9 services.

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

20 d. ²[An] At the discretion of the board or the director, as
21 applicable, an² individual issued a temporary license, certificate of
22 registration or certification pursuant to this act shall be allowed to
23 apply the experience gained in providing services during the state of
24 emergency or public health emergency to a requirement for experience
25 when applying for full professional licensure, registration or
26 certification to the requisite professional board or, for certain mental
27 health professions regulated by the Division of Consumer Affairs, the
28 director.

29 e. ²The Division of the Consumer Affairs shall be authorized to
30 impose program requirements that are not inconsistent with the
31 provisions of this section.

32 f. The exercise of the authority provided in this section to grant a
33 temporary license, certificate of registration, or certification on an
34 expedited basis or to take any other action necessary to protect the
35 public health, safety, and welfare shall not be required to comply with
36 the requirements of the "Administrative Procedures Act," P.L.1968,
37 c.410 (C.52:14B-1 et seq.).

38 g. ²As used in this act:

39 "Mental health profession" means a profession licensed by the
40 Alcohol and Drug Counselor Committee; the State Board of Creative
41 Arts and Activities Therapies; the State Board of Marriage and Family
42 Therapy Examiners; the State Board of Medical Examiners; the
43 Professional Counselor Examiners Committee; the Certified
44 Psychoanalysts Advisory Committee; the State Board of Psychological
45 Examiners; the State Board of Social Work Examiners¹; the New
46 Jersey Board of Nursing¹ and any other entity created hereafter under
47 Title 45 to license or otherwise regulate a mental health profession.

1 2. This act shall take effect immediately.

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6 Permits expedited licensure in mental health professions for
7 certain individuals during state of emergency or public health
8 emergency.