

SENATE, No. 845

STATE OF NEW JERSEY 219th LEGISLATURE

PRE-FILED FOR INTRODUCTION IN THE 2020 SESSION

Sponsored by:

Senator NELLIE POU

District 35 (Bergen and Passaic)

SYNOPSIS

Requires health care professional licensing boards to utilize National Practitioner Data Bank.

CURRENT VERSION OF TEXT

Introduced Pending Technical Review by Legislative Counsel.



1 **AN ACT** concerning health care professionals and the National
2 Practitioner Data Bank and supplementing P.L.2002, c.104
3 (C.45:1-28 et seq.).
4

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

8 1. a. A professional and occupational licensing board within
9 the Division of Consumer Affairs in the Department of Law and
10 Public Safety that regulates the practice of a health care
11 professional shall:

12 (1) not issue an initial license or other authorization to practice a
13 health care profession that is regulated by that board to any
14 applicant therefor unless the board first determines that no
15 information exists on file in the National Practitioner Data Bank
16 which may disqualify the applicant from being licensed or
17 otherwise authorized to practice as a health care professional; and

18 (2) utilize the continuous query function of the National
19 Practitioner Data Bank for each person issued a license or
20 authorization to practice as a health care professional.

21 b. A board shall not issue or renew or, if renewed, shall revoke
22 or suspend a license or other authorization to practice a health care
23 profession that is regulated by that board of any applicant therefor
24 or person issued a license or authorization to practice a health care
25 profession if, consistent with section 8 of P.L.1978, c.73 (C.45:1-
26 21), the board determines there is cause to refuse to issue or
27 suspend or revoke any license or authorization of a health care
28 professional as the result of information obtained through use of the
29 National Practitioner Data Bank consistent with the provisions of
30 this act.

31 c. As used in this section, “National Practitioner Data Bank”
32 means the database established pursuant to 45 C.F.R. s.60.1, and
33 maintained by the United States Department of Health and Human
34 Services.
35

36 2. This act shall take effect on the 90th day next following
37 enactment.
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39

40 **STATEMENT**
41

42 This bill requires health care professional licensing boards to
43 utilize the National Practitioner Data Bank.

44 The National Practitioner Data Bank is a web-based repository of
45 reports containing information on medical malpractice payments
46 and certain adverse actions related to health care professionals. The
47 data bank is maintained by the United States Department of Health

1 and Human Services to prevent health care professionals from
2 moving from state to state without discovery of prior bad acts.

3 The bill requires professional and occupational licensing boards
4 within the Division of Consumer Affairs in the Department of Law
5 and Public Safety that regulate the practice of a health care
6 professional to:

7 (1) not issue an initial license or other authorization to practice a
8 health care profession to any applicant unless the board first
9 determines that no information exists on file in the National
10 Practitioner Data Bank which may disqualify the applicant; and

11 (2) utilize the continuous query function of the National
12 Practitioner Data Bank for each person issued a license or
13 authorization to practice a health care profession.

14 The bill provides that boards may not issue or renew or, if
15 renewed, must revoke or suspend a license or other authorization to
16 practice a health care profession that is regulated by that board if
17 the board determines through use of the National Practitioner Data
18 Bank that there is cause to refuse to issue or suspend or revoke any
19 license or authorization of a health care professional.