



The New Jersey
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New Jersey Eye MDs

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Governor Murphy Signs Legislation

A3860

which provides that, for the duration of the public health emergency declared in response to the coronavirus disease 2019, any health care practitioner will be authorized to provide and bill for services using telemedicine and telehealth, regardless of whether rules and regulations concerning the practice of telemedicine and telehealth have been adopted. The services authorized under the bill will include the full range of services set forth in the definitions of telemedicine and telehealth in existing law. A practitioner who is not licensed or certified to practice in New Jersey may provide health care services under the bill using telemedicine and telehealth, provided that: (1) the practitioner is licensed or certified to practice in another state or territory of the United States or in the District of Columbia, and is in good standing in that jurisdiction; (2) the services provided by that practitioner are consistent with the practitioner's authorized scope of practice in the jurisdiction that issued the practitioner's license or certification; (3) unless the practitioner has a preexisting provider-patient relationship with the patient that is unrelated to COVID-19, the services provided are limited to services related to screening for, diagnosing, or treating COVID-19; and (4) in the event that the practitioner determines that a telemedicine or telehealth encounter with a patient located in New Jersey will not involve screening for, diagnosing, or treating COVID-19, and the practitioner does not have a preexisting provider-patient relationship with the patient that is unrelated to COVID-19, the practitioner advises the patient that the practitioner is not authorized to provide services to the patient, recommends that the patient initiate a new telemedicine or telehealth encounter with a health care practitioner licensed or certified to practice in New Jersey, and terminates the telemedicine or

telehealth encounter. The bill requires that any amount charged for services provided under the bill be reasonable and consistent with the ordinary fees typically charged for that service. If a health care practitioner who is not licensed to practice in New Jersey is required to terminate a telemedicine or telehealth encounter because the encounter does not involve the provision of services related to screening, diagnosing, or treating COVID-19, the practitioner will be prohibited from billing for any services provided during the encounter.

A3862

which 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 expedite the professional and occupational licensing process for out-of-state individuals when the New Jersey Governor has declared a state of emergency. The individual applying for a specific license, certificate of registration, or certification in New Jersey must have a corresponding license, certificate of registration or certification in good standing from another jurisdiction. The bill gives the director and applicable boards the ability to waive certain requirements normally required in the licensure process, such as a criminal history record background check of an individual and payment of certain fees for the license, certificate of registration or certification.



Gurbir S. Grewal, Attorney General

**Division of Consumer Affairs
Paul R. Rodríguez, Acting Director**

For Immediate Release:
March 20, 2020

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AG Grewal: NJ Temporarily Waives Rules for Out-of-State

Healthcare Providers to Offer Services to NJ Residents During COVID-19 Emergency

Newark - Attorney General Gurbir S. Grewal and the Division of Consumer Affairs ("DCA") today announced that New Jersey will waive a host of regulatory requirements for healthcare professionals licensed in other jurisdictions to become licensed in New Jersey and offer services to New Jersey residents, including telemedicine and telehealth services. The waivers will apply during the public health emergency related to COVID-19.

These actions by DCA Acting Director Paul R. Rodríguez and the heads of nearly 20 professional licensure bodies within DCA will complement legislation signed by Governor Phil Murphy yesterday to expedite licensure by reciprocity and to make it easier for healthcare professionals to offer telemedicine and telehealth services during the current state of emergency. Other New Jersey state agencies are simultaneously taking action to further expand access to telemedicine and telehealth services.

The waivers also will facilitate the work of healthcare staff of the National Guard who have been deployed in New Jersey to assist with the response to COVID-19.

Under the regulatory waivers announced today, individuals who hold current healthcare licenses and certifications in good standing in other jurisdictions, and have been practicing within the last five years, will be able to secure New Jersey licenses by completing a simple form.

DCA intends to grant applications within hours of receiving the form.

"New Jersey's healthcare professionals are among the best in the country, and they are doing an incredible job to combat the novel coronavirus while continuing to provide essential healthcare services to New Jersey residents during this public health emergency," said Attorney General Gurbir S. Grewal. "The actions that the Murphy Administration is announcing will bring in necessary reinforcements so that New Jerseyans will continue to have access to world-class treatment to address COVID-19 and other essential healthcare needs."

"Today's actions are part of a coordinated state-wide effort to bolster our emergency preparedness and make sure that we maximize the amount of medical resources available to our residents during this unprecedented healthcare emergency," said Paul R. Rodríguez, Acting Director of the Division of Consumer Affairs. "We are already seeing a need for such services with the sudden closure of college campuses across the country causing an influx of thousands of

students coming home for an indefinite period, many of whom are under treatment by providers in other states. With this temporary process, we are facilitating a continued relationship between those students and their out-of-state providers and reducing the risk of an interruption in their health care during this crisis."

Under the accelerated temporary-licensure-by-reciprocity process, criminal history background checks, licensing fees, and submission of proof of a sufficient amount of medical malpractice insurance (where applicable) are waived. Certain licensure bodies are waiving additional requirements as well.

Eligible practitioners will be deemed licensed upon submission of a completed form. Licenses granted pursuant to this process will be valid for 180 days, with an additional 180-day extension available upon written request.

Healthcare practitioners who complete the accelerated licensure process will be able to provide telemedicine and telehealth services on the same terms as other New Jersey licensees.

Accelerated temporary licensure by reciprocity is available for the following Boards:

Acupuncture Examining Board

Alcohol and Drug Counselor Committee (licensed clinical alcohol and drug counselors)

Athletic Training Advisory Committee

Audiology and Speech-Language Pathology Advisory Committee

New Jersey State Board of Dentistry (licensed dentists)

Genetic Counseling Advisory Committee

Hearing Aid Dispensers Examining Committee

State Board of Marriage and Family Therapy Examiners (licensed marriage and family therapists)

State Board of Medical Examiners

New Jersey Board of Nursing (APNS, RNs, LPNs, and HHAs)

Occupational Therapy Advisory Council (licensed occupational therapists)

State Board of Examiners of Ophthalmic Dispensers and Ophthalmic Technicians

New Jersey State Board of Optometrists

Perfusionists Advisory Committee

Board of Pharmacy

State Board of Physical Therapy Examiners (licensed physical therapists)

Physician Assistant Advisory Committee

State Board of Polysomnography (licensed polysomnographic technologists)

Professional Counselor Examiners Committee (licensed professional

counselors)
Certified Psychoanalysts Advisory Committee
State Board of Psychological Examiners
State Board of Respiratory Care
State Board of Social Work Examiners

All applicants for accelerated temporary licensure by reciprocity should send their completed forms to NJtemplicense@dca.njoag.gov

Forms are available online at <https://www.njconsumeraffairs.gov/Pages/Accelerated-Temporary-Licensure.aspx>.

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