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HEARINGS: No

NEWSPAPER ARTICLES: No

LAW/RWH

P.L.2012, CHAPTER 76, *approved December 3, 2012*
Assembly, No. 2889 (*First Reprint*)

1 AN ACT concerning the licensure of certain nurses and
2 supplementing Title 45 of the Revised Statutes.

3
4 **BE IT ENACTED** by the Senate and General Assembly of the State
5 of New Jersey:

6
7 1. a. As used in this section:

8 “Another jurisdiction” means a state or territory of the United
9 States other than New Jersey, or the District of Columbia.

10 “Board” means the New Jersey Board of Nursing.

11 “Nonresident military spouse” means a nonresident of this State
12 who is the spouse of an active duty member of the Armed Forces of
13 the United States who has been transferred to this State in the
14 course of the member’s service, is legally domiciled in this State, or
15 has moved to this State on a permanent change-of-station basis.

16 b. Notwithstanding the provisions of any other law or
17 regulation to the contrary, the board shall establish criteria for the
18 issuance of a temporary courtesy license to practice nursing to a
19 nonresident military spouse so that the nonresident military spouse
20 may lawfully practice nursing in this State on a temporary basis,
21 subject to the requirements of subsection c. of this section.

22 c. A nonresident military spouse who applies for a temporary
23 courtesy license pursuant to subsection b. of this section shall be
24 entitled to receive such a license if that person:

25 (1) holds a current license to practice nursing in another
26 jurisdiction that the board determines has licensure requirements to
27 practice nursing that are equivalent to those adopted by the board;

28 (2) was engaged in the active practice of nursing in another
29 jurisdiction for at least two of the five years immediately preceding
30 the date of application for the temporary courtesy license, for which
31 purpose relevant full-time experience in the discharge of official
32 duties in the Armed Forces of the United States or an agency of the
33 federal government shall be credited in the counting of years of
34 service;

35 (3) has not committed an act in another jurisdiction that would
36 have constituted grounds for the denial, suspension, or revocation
37 of a license to practice nursing in this State;

38 (4) has not been disciplined, and is not the subject of an
39 investigation of an unresolved complaint, or a review procedure or
40 disciplinary proceeding, which was conducted by, or is pending

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 floor amendments adopted June 21, 2012.

1 before, a professional or occupational licensing or credentialing
2 entity in another jurisdiction;

3 (5) pays for, and authorizes the board to conduct, a criminal
4 history record background check of that person pursuant to
5 P.L.2002, c.104 (C.45:1-28 et seq.);

6 (6) pays such fee as the board reasonably requires for the
7 issuance of the temporary courtesy license; and

8 (7) complies with such other requirements as the board may
9 reasonably determine necessary to effectuate the purposes of this
10 section.

11 d. A temporary courtesy license issued pursuant to this section
12 shall be valid for a period of '~~【six months】~~ one year' and may be
13 extended at the discretion of the board for an additional '~~【six~~
14 ~~months】~~ year' upon application of the holder of the temporary
15 courtesy license.

16 e. The board shall adopt rules and regulations pursuant to the
17 "Administrative Procedure Act," P.L.1968, c.410 (C.52:14B-1 et
18 seq.), to carry out the purposes of this section, except that,
19 notwithstanding any provision of P.L.1968, c.410 (C.52:14B-1 et
20 seq.) to the contrary, the board may adopt, immediately upon filing
21 with the Office of Administrative Law, such regulations as the
22 board deems necessary to implement the provisions of this section,
23 which shall be effective for a period not to exceed six months and
24 may thereafter be amended, adopted, or re-adopted by the board in
25 accordance with the requirements of P.L.1968, c.410 (C.52:14B-1
26 et seq.).

27

28 2. This act shall take effect immediately.

29

30

31

32

33 _____
34 Provides for temporary nurse licensure for qualified nonresident
military spouses.

ASSEMBLY, No. 2889

STATE OF NEW JERSEY 215th LEGISLATURE

INTRODUCED MAY 14, 2012

Sponsored by:

Assemblyman HERB CONAWAY, JR.

District 7 (Burlington)

Assemblywoman CLEOPATRA G. TUCKER

District 28 (Essex)

Assemblyman WAYNE P. DEANGELO

District 14 (Mercer and Middlesex)

Assemblyman JOHN S. WISNIEWSKI

District 19 (Middlesex)

Assemblywoman CELESTE M. RILEY

District 3 (Cumberland, Gloucester and Salem)

Co-Sponsored by:

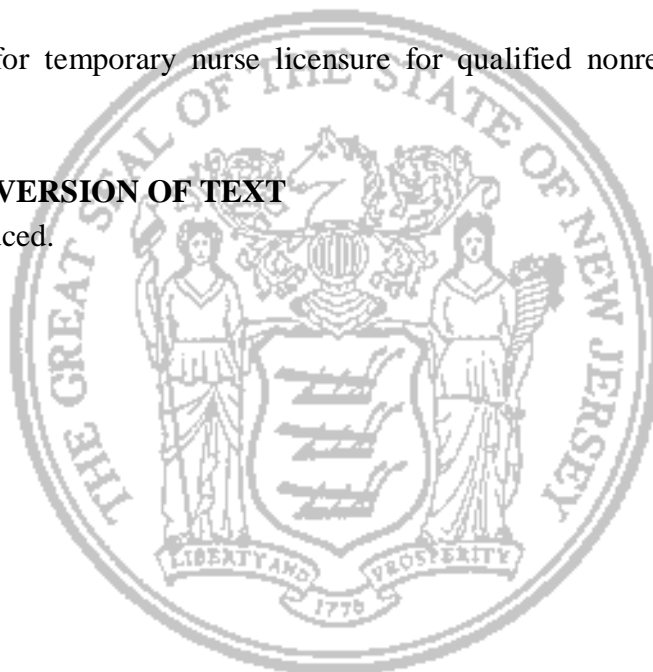
**Assemblywoman Lampitt, Assemblymen Amodeo, C.A.Brown,
Assemblywomen Mosquera and McHose**

SYNOPSIS

Provides for temporary nurse licensure for qualified nonresident military spouses.

CURRENT VERSION OF TEXT

As introduced.



(Sponsorship Updated As Of: 6/22/2012)

1 AN ACT concerning the licensure of certain nurses and
2 supplementing Title 45 of the Revised Statutes.

3

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

6

7 1. a. As used in this section:

8 “Another jurisdiction” means a state or territory of the United
9 States other than New Jersey, or the District of Columbia.

10 “Board” means the New Jersey Board of Nursing.

11 “Nonresident military spouse” means a nonresident of this State
12 who is the spouse of an active duty member of the Armed Forces of
13 the United States who has been transferred to this State in the
14 course of the member’s service, is legally domiciled in this State, or
15 has moved to this State on a permanent change-of-station basis.

16 b. Notwithstanding the provisions of any other law or
17 regulation to the contrary, the board shall establish criteria for the
18 issuance of a temporary courtesy license to practice nursing to a
19 nonresident military spouse so that the nonresident military spouse
20 may lawfully practice nursing in this State on a temporary basis,
21 subject to the requirements of subsection c. of this section.

22 c. A nonresident military spouse who applies for a temporary
23 courtesy license pursuant to subsection b. of this section shall be
24 entitled to receive such a license if that person:

25 (1) holds a current license to practice nursing in another
26 jurisdiction that the board determines has licensure requirements to
27 practice nursing that are equivalent to those adopted by the board;

28 (2) was engaged in the active practice of nursing in another
29 jurisdiction for at least two of the five years immediately preceding
30 the date of application for the temporary courtesy license, for which
31 purpose relevant full-time experience in the discharge of official
32 duties in the Armed Forces of the United States or an agency of the
33 federal government shall be credited in the counting of years of
34 service;

35 (3) has not committed an act in another jurisdiction that would
36 have constituted grounds for the denial, suspension, or revocation
37 of a license to practice nursing in this State;

38 (4) has not been disciplined, and is not the subject of an
39 investigation of an unresolved complaint, or a review procedure or
40 disciplinary proceeding, which was conducted by, or is pending
41 before, a professional or occupational licensing or credentialing
42 entity in another jurisdiction;

43 (5) pays for, and authorizes the board to conduct, a criminal
44 history record background check of that person pursuant to
45 P.L.2002, c.104 (C.45:1-28 et seq.);

46 (6) pays such fee as the board reasonably requires for the
47 issuance of the temporary courtesy license; and

1 (7) complies with such other requirements as the board may
2 reasonably determine necessary to effectuate the purposes of this
3 section.

4 d. A temporary courtesy license issued pursuant to this section
5 shall be valid for a period of six months and may be extended at the
6 discretion of the board for an additional six months upon
7 application of the holder of the temporary courtesy license.

8 e. The board shall adopt rules and regulations pursuant to the
9 "Administrative Procedure Act," P.L.1968, c.410 (C.52:14B-1 et
10 seq.), to carry out the purposes of this section, except that,
11 notwithstanding any provision of P.L.1968, c.410 (C.52:14B-1 et
12 seq.) to the contrary, the board may adopt, immediately upon filing
13 with the Office of Administrative Law, such regulations as the
14 board deems necessary to implement the provisions of this section,
15 which shall be effective for a period not to exceed six months and
16 may thereafter be amended, adopted, or re-adopted by the board in
17 accordance with the requirements of P.L.1968, c.410 (C.52:14B-1
18 et seq.).

19

20 2. This act shall take effect immediately.

21

22

23

STATEMENT

24

25 This bill provides for temporary nurse licensure for qualified
26 nonresident military spouses in New Jersey.

27 The bill defines "nonresident military spouse" to mean a
28 nonresident of this State who is the spouse of an active duty
29 member of the Armed Forces of the United States who has been
30 transferred to this State in the course of the member's service, is
31 legally domiciled in this State, or has moved to this State on a
32 permanent change-of-station basis.

33 The bill directs the New Jersey Board of Nursing (board) to
34 establish criteria for the issuance of a temporary courtesy license to
35 practice nursing to a nonresident military spouse so that the
36 nonresident military spouse may lawfully practice nursing in this
37 State on a temporary basis, subject to the requirements of the bill.

38 A nonresident military spouse who applies for a temporary
39 courtesy license pursuant to the bill is entitled to receive such a
40 license if that person:

41 • holds a current license to practice nursing in another
42 jurisdiction (a state or territory of the United States other than
43 New Jersey, or the District of Columbia) that the board
44 determines has licensure requirements to practice nursing that
45 are equivalent to those adopted by the board;

46 • was engaged in the active practice of nursing in another
47 jurisdiction for at least two of the five years immediately
48 preceding the date of application for the temporary courtesy

- 1 license, for which purpose relevant full-time experience in the
2 discharge of official duties in the Armed Forces of the United
3 States or an agency of the federal government is to be credited
4 in the counting of years of service;
- 5 • has not committed an act in another jurisdiction that would
6 have constituted grounds for the denial, suspension, or
7 revocation of a license to practice nursing in this State;
 - 8 • has not been disciplined, and is not the subject of an
9 investigation of an unresolved complaint, or a review
10 procedure or disciplinary proceeding, which was conducted by,
11 or is pending before, a professional or occupational licensing
12 or credentialing entity in another jurisdiction;
 - 13 • pays for, and authorizes the board to conduct, a criminal
14 history record background check of that person;
 - 15 • pays such fee as the board reasonably requires for the issuance
16 of the temporary courtesy license; and
 - 17 • complies with such other requirements as the board may
18 reasonably determine necessary to effectuate the purposes of
19 the bill.

20 A temporary courtesy license issued pursuant to the bill is to be
21 valid for a period of six months and may be extended at the
22 discretion of the board for an additional six months upon
23 application of the holder of the temporary courtesy license.

24 The bill provides the board with expedited rulemaking authority
25 in order to implement its provisions as soon as practicable.

26 This bill is consistent with the legislative efforts being made in
27 other states across the nation to make it easier for qualified military
28 spouses to maintain their professional nursing licenses and pursue
29 nursing employment options as they move from one jurisdiction to
30 another across the United States. At the same time, the bill
31 provides an opportunity for New Jersey to add qualified personnel
32 to the nursing workforce in this State in order to help meet the
33 anticipated increased demand for nursing services for an aging
34 population.

ASSEMBLY MILITARY AND VETERANS' AFFAIRS
COMMITTEE

STATEMENT TO

ASSEMBLY, No. 2889

STATE OF NEW JERSEY

DATED: JUNE 14, 2012

The Assembly Military and Veterans' Affairs Committee reports favorably Assembly Bill No. 2889.

This bill provides for temporary nurse licensure for qualified nonresident military spouses in New Jersey.

The bill defines "nonresident military spouse" to mean a nonresident of this State who is the spouse of an active duty member of the Armed Forces of the United States who has been transferred to this State in the course of the member's service, is legally domiciled in this State, or has moved to this State on a permanent change-of-station basis.

The bill directs the New Jersey Board of Nursing (board) to establish criteria for the issuance of a temporary courtesy license to practice nursing to a nonresident military spouse so that the nonresident military spouse may lawfully practice nursing in this State on a temporary basis, subject to the requirements of the bill.

A nonresident military spouse who applies for a temporary courtesy license pursuant to the bill is entitled to receive such a license if that person:

- holds a current license to practice nursing in another jurisdiction (a state or territory of the United States other than New Jersey, or the District of Columbia) that the board determines has licensure requirements to practice nursing that are equivalent to those adopted by the board;
- was engaged in the active practice of nursing in another jurisdiction for at least two of the five years immediately preceding the date of application for the temporary courtesy license, for which purpose relevant full-time experience in the discharge of official duties in the Armed Forces of the United States or an agency of the federal government is to be credited in the counting of years of service;
- has not committed an act in another jurisdiction that would have constituted grounds for the denial, suspension, or revocation of a license to practice nursing in this State;
- has not been disciplined, and is not the subject of an investigation of an unresolved complaint, or a review procedure or disciplinary

proceeding, which was conducted by, or is pending before, a professional or occupational licensing or credentialing entity in another jurisdiction;

- pays for, and authorizes the board to conduct, a criminal history record background check of that person;
- pays such fee as the board reasonably requires for the issuance of the temporary courtesy license; and
- complies with such other requirements as the board may reasonably determine necessary to effectuate the purposes of the bill.

A temporary courtesy license issued pursuant to the bill is to be valid for a period of six months and may be extended at the discretion of the board for an additional six months upon application of the holder of the temporary courtesy license.

The bill provides the board with expedited rulemaking authority in order to implement its provisions as soon as practicable.

This bill is consistent with the legislative efforts being made in other states across the nation to make it easier for qualified military spouses to maintain their professional nursing licenses and pursue nursing employment options as they move from one jurisdiction to another across the United States. At the same time, the bill provides an opportunity for New Jersey to add qualified personnel to the nursing workforce in this State in order to help meet the anticipated increased demand for nursing services for an aging population.

This bill is identical to Senate Bill No. 1906 of the 2012-1013 session.

STATEMENT TO
ASSEMBLY, No. 2889

with Assembly Floor Amendments
(Proposed by Assemblyman CONAWAY)

ADOPTED: JUNE 21, 2012

This amendment stipulates that a temporary courtesy license issued pursuant to the provisions of the bill is valid for one year, and may be extended, at the discretion of the New Jersey Board of Nursing, for an additional year, instead of six months as the bill currently provides.

LEGISLATIVE FISCAL ESTIMATE
ASSEMBLY, No. 2889
STATE OF NEW JERSEY
215th LEGISLATURE

DATED: JUNE 25, 2012

SUMMARY

Synopsis: Provides for temporary nurse licensure for qualified nonresident military spouses.

Type of Impact: Indeterminate. Board of Nursing Account.

Agencies Affected: Department of Law and Public Safety; Board of Nursing.

Office of Legislative Services Estimate

Fiscal Impact	<u>Year 1</u>	<u>Year 2</u>	<u>Year 3</u>
State Cost		Indeterminate	
State Revenue		Indeterminate	

- The Office of Legislative Services (OLS) notes that the cost to this bill is indeterminate. The bill allows the Board of Nursing to charge a reasonable fee for the issuance of the temporary courtesy license and requires the applicant to pay for a criminal history record background check. It is unknown, however, how many new nursing applicants would emerge under the provisions of this bill or how many applicants may have registered differently if these provisions had been available upon their initial arrival in the State.
- Establishes a temporary courtesy license valid for a period of six months, with the potential for renewal upon the application of the holder of the temporary courtesy license.
- Requires the applicant to pay for, and submit to, a criminal history record background check.
- Requires the applicant to pay a reasonable licensure fee, determined by the board, for the issuance of the temporary courtesy license.

BILL DESCRIPTION

Assembly Bill No. 2889 of 2012 provides for temporary nurse licensure for qualified nonresident military spouses in New Jersey.

The bill defines “nonresident military spouse” to mean a nonresident of this State who is the spouse of an active duty member of the Armed Forces of the United States who has been transferred to this State in the course of the member’s service, is legally domiciled in this State, or has moved to this State on a permanent change-of-station basis.

The bill directs the New Jersey Board of Nursing (board) to establish criteria for the issuance of a temporary courtesy license to practice nursing to a nonresident military spouse so that the nonresident military spouse may lawfully practice nursing in this State on a temporary basis, subject to the requirements of the bill.

A nonresident military spouse who applies for a temporary courtesy license pursuant to the bill is entitled to receive such a license if that person:

- holds a current license to practice nursing in another jurisdiction (a state or territory of the United States other than New Jersey, or the District of Columbia) that the board determines has licensure requirements to practice nursing that are equivalent to those adopted by the board;
- was engaged in the active practice of nursing in another jurisdiction for at least two of the five years immediately preceding the date of application for the temporary courtesy license, for which purpose relevant full-time experience in the discharge of official duties in the Armed Forces of the United States or an agency of the federal government is to be credited in the counting of years of service;
- has not committed an act in another jurisdiction that would have constituted grounds for the denial, suspension, or revocation of a license to practice nursing in this State;
- has not been disciplined, and is not the subject of an investigation of an unresolved complaint, or a review procedure or disciplinary proceeding, which was conducted by, or is pending before, a professional or occupational licensing or credentialing entity in another jurisdiction;
- pays for, and authorizes the board to conduct, a criminal history record background check of that person;
- pays such fee as the board reasonably requires for the issuance of the temporary courtesy license; and
- complies with such other requirements as the board may reasonably determine necessary to effectuate the purposes of the bill.

A temporary courtesy license issued pursuant to the bill is to be valid for a period of six months and may be extended at the discretion of the board for an additional six months upon application of the holder of the temporary courtesy license.

The bill provides the board with expedited rulemaking authority in order to implement its provisions as soon as practicable. This bill is consistent with the legislative efforts being made in other states across the nation to make it easier for qualified military spouses to maintain their professional nursing licenses and pursue nursing employment options as they move from one jurisdiction to another across the United States. At the same time, the bill provides an opportunity for New Jersey to add qualified personnel to the nursing workforce in this State in order to help meet the anticipated increased demand for nursing services for an aging population.

FISCAL ANALYSIS

EXECUTIVE BRANCH

None received.

OFFICE OF LEGISLATIVE SERVICES

The OLS notes that the cost to this bill is indeterminate. The bill allows the Board of Nursing to charge a reasonable fee for the issuance of the temporary courtesy license and requires the applicant to pay for a criminal history record background check. It is unknown, however, how many new nursing applicants would emerge under the provisions of this bill or how many of the 190,850 applicants registered in 2012 may have registered differently if these provisions had been available upon their initial arrival in the State.

It appears that the following qualifications are required to currently attain a nursing certification in New Jersey: 1) graduate from an approved school for professional nursing or practical nursing; 2) submit to a criminal history record background check; and 3) pass the appropriate National Council Licensure Examination for Registered Nurses (NCLEX-RN) or National Council Licensure Examination for Practical Nurses (NCLEX-PN) licensing examination. The NCLEX's are uniform tests provided to certify nurses nationwide.

This bill does allow the Board of Nursing to charge a reasonable fee for the issuance of the temporary courtesy license which would offset costs associated with the implementation of the bill. The bill also requires the applicant to pay for the required criminal history record background check.

According to a representative from the Office of the Attorney General, it was informally noted that the bill would have no fiscal impact on the department.

Section: Law and Public Safety
Analyst: Kristin Brunner Santos
Senior Fiscal Analyst
Approved: David J. Rosen
Legislative Budget and Finance Officer

This fiscal estimate has been prepared pursuant to P.L.1980, c.67 (C.52:13B-6 et seq.).

LEGISLATIVE FISCAL ESTIMATE

[First Reprint]

ASSEMBLY, No. 2889

STATE OF NEW JERSEY 215th LEGISLATURE

DATED: AUGUST 3, 2012

SUMMARY

- Synopsis:** Provides for temporary nurse licensure for qualified nonresident military spouses.
- Type of Impact:** Indeterminate. Board of Nursing Account.
- Agencies Affected:** Department of Law and Public Safety; Board of Nursing.

Office of Legislative Services Estimate

Fiscal Impact	<u>Year 1</u>	<u>Year 2</u>	<u>Year 3</u>
State Cost		Indeterminate	
State Revenue		Indeterminate	

- The Office of Legislative Services (OLS) notes that the cost to this bill is indeterminate. The bill allows the Board of Nursing to charge a reasonable fee for the issuance of the temporary courtesy license and requires the applicant to pay for a criminal history record background check. It is unknown, however, how many new nursing applicants would emerge under the provisions of this bill or how many applicants may have registered differently if these provisions had been available upon their initial arrival in the State.
- Establishes a temporary courtesy license valid for a period of one year, with the potential for renewal upon the application of the holder of the temporary courtesy license.
- Requires the applicant to pay for, and submit to, a criminal history record background check.
- Requires the applicant to pay a reasonable licensure fee, determined by the board, for the issuance of the temporary courtesy license.

BILL DESCRIPTION

Assembly Bill No. 2889 (1R) of 2012 provides for temporary nurse licensure for qualified nonresident military spouses in New Jersey.

The bill defines “nonresident military spouse” to mean a nonresident of this State who is the spouse of an active duty member of the Armed Forces of the United States who has been transferred to this State in the course of the member’s service, is legally domiciled in this State, or has moved to this State on a permanent change-of-station basis.

The bill directs the New Jersey Board of Nursing (board) to establish criteria for the issuance of a temporary courtesy license to practice nursing to a nonresident military spouse so that the nonresident military spouse may lawfully practice nursing in this State on a temporary basis, subject to the requirements of the bill.

A nonresident military spouse who applies for a temporary courtesy license pursuant to the bill is entitled to receive such a license if that person:

- holds a current license to practice nursing in another jurisdiction (a state or territory of the United States other than New Jersey, or the District of Columbia) that the board determines has licensure requirements to practice nursing that are equivalent to those adopted by the board;
- was engaged in the active practice of nursing in another jurisdiction for at least two of the five years immediately preceding the date of application for the temporary courtesy license, for which purpose relevant full-time experience in the discharge of official duties in the Armed Forces of the United States or an agency of the federal government is to be credited in the counting of years of service;
- has not committed an act in another jurisdiction that would have constituted grounds for the denial, suspension, or revocation of a license to practice nursing in this State;
- has not been disciplined, and is not the subject of an investigation of an unresolved complaint, or a review procedure or disciplinary proceeding, which was conducted by, or is pending before, a professional or occupational licensing or credentialing entity in another jurisdiction;
- pays for, and authorizes the board to conduct, a criminal history record background check of that person;
- pays such fee as the board reasonably requires for the issuance of the temporary courtesy license; and
- complies with such other requirements as the board may reasonably determine necessary to effectuate the purposes of the bill.

A temporary courtesy license issued pursuant to the bill is to be valid for a period of one year and may be extended at the discretion of the board for an additional year upon application of the holder of the temporary courtesy license.

The bill provides the board with expedited rulemaking authority in order to implement its provisions as soon as practicable. This bill is consistent with the legislative efforts being made in other states across the nation to make it easier for qualified military spouses to maintain their professional nursing licenses and pursue nursing employment options as they move from one jurisdiction to another across the United States. At the same time, the bill provides an opportunity for New Jersey to add qualified personnel to the nursing workforce in this State in order to help meet the anticipated increased demand for nursing services for an aging population.

FISCAL ANALYSIS

EXECUTIVE BRANCH

None received.

OFFICE OF LEGISLATIVE SERVICES

The OLS notes that the cost to this bill is indeterminate. The bill allows the Board of Nursing to charge a reasonable fee for the issuance of the temporary courtesy license and requires the applicant to pay for a criminal history record background check. It is unknown, however, how many new nursing applicants would emerge under the provisions of this bill or how many of the 190,850 applicants registered in 2012 may have registered differently if these provisions had been available upon their initial arrival in the State.

It appears that the following qualifications are required to currently attain a nursing certification in New Jersey: 1) graduate from an approved school for professional nursing or practical nursing; 2) submit to a criminal history record background check; and 3) pass the appropriate National Council Licensure Examination for Registered Nurses (NCLEX-RN) or National Council Licensure Examination for Practical Nurses (NCLEX-PN) licensing examination. The NCLEX's are uniform tests provided to certify nurses nationwide.

This bill does allow the Board of Nursing to charge a reasonable fee for the issuance of the temporary courtesy license which would offset costs associated with the implementation of the bill. The bill also requires the applicant to pay for the required criminal history record background check.

According to a representative from the Office of the Attorney General, it was informally noted that the bill would have no fiscal impact on the department.

Section: Law and Public Safety

*Analyst: Kristin Brunner Santos
Senior Fiscal Analyst*

*Approved: David J. Rosen
Legislative Budget and Finance Officer*

This fiscal estimate has been prepared pursuant to P.L.1980, c.67 (C.52:13B-6 et seq.).

SENATE HEALTH, HUMAN SERVICES AND SENIOR
CITIZENS COMMITTEE

STATEMENT TO

[First Reprint]

ASSEMBLY, No. 2889

STATE OF NEW JERSEY

DATED: SEPTEMBER 20, 2012

The Senate Health, Human Services and Senior Citizens Committee reports favorably Assembly Bill No. 2889 (1R).

This bill provides for temporary nurse licensure for qualified nonresident military spouses in New Jersey.

The bill defines “nonresident military spouse” to mean a nonresident of this State who is the spouse of an active duty member of the Armed Forces of the United States who has been transferred to this State in the course of the member’s service, is legally domiciled in this State, or has moved to this State on a permanent change-of-station basis.

The bill directs the New Jersey Board of Nursing (board) to establish criteria for the issuance of a temporary courtesy license to practice nursing to a nonresident military spouse so that the nonresident military spouse may lawfully practice nursing in this State on a temporary basis, subject to the requirements of the bill.

A nonresident military spouse who applies for a temporary courtesy license pursuant to the bill would be entitled to receive such a license if that person holds a current license to practice nursing in another jurisdiction (a state, or a territory of the United States other than New Jersey, or the District of Columbia) that the board determines has licensure requirements to practice nursing that are equivalent to those adopted by the board. The applicant also would have to have been engaged in the active practice of nursing in another jurisdiction for at least two of the five years immediately preceding the date of application for the temporary courtesy license. Relevant full-time experience in the discharge of official duties in the Armed Forces of the United States or an agency of the federal government is to be credited in the counting of years of service. In addition, the applicant cannot have committed an act in another jurisdiction that would constitute grounds for the denial, suspension, or revocation of a license to practice nursing in this State, or have been disciplined or been the subject of an investigation of an unresolved complaint, review procedure, or disciplinary proceeding before a professional or occupational licensing or credentialing entity in another jurisdiction.

The applicant also would have to satisfy a criminal history record background check, pay any reasonable fees required by the board, and comply with such other requirements as the board may reasonably determine necessary.

A temporary courtesy license issued pursuant to the bill would be valid for a period of one year and could be extended at the discretion of the board for an additional year upon application of the holder of the temporary courtesy license.

The bill provides the board with expedited rulemaking authority in order to implement its provisions as soon as practicable.

This bill is identical to Senate Bill No. 1906 SCA (Greenstein/Beach), which the committee also reported on this date.

SENATE, No. 1906

STATE OF NEW JERSEY
215th LEGISLATURE

INTRODUCED MAY 14, 2012

Sponsored by:

Senator LINDA R. GREENSTEIN

District 14 (Mercer and Middlesex)

Senator JAMES BEACH

District 6 (Burlington and Camden)

SYNOPSIS

Provides for temporary nurse licensure for qualified nonresident military spouses.

CURRENT VERSION OF TEXT

As introduced.



(Sponsorship Updated As Of: 6/22/2012)

1 AN ACT concerning the licensure of certain nurses and
2 supplementing Title 45 of the Revised Statutes.

3

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

6

7 1. a. As used in this section:

8 “Another jurisdiction” means a state or territory of the United
9 States other than New Jersey, or the District of Columbia.

10 “Board” means the New Jersey Board of Nursing.

11 “Nonresident military spouse” means a nonresident of this State
12 who is the spouse of an active duty member of the Armed Forces of
13 the United States who has been transferred to this State in the
14 course of the member’s service, is legally domiciled in this State, or
15 has moved to this State on a permanent change-of-station basis.

16 b. Notwithstanding the provisions of any other law or
17 regulation to the contrary, the board shall establish criteria for the
18 issuance of a temporary courtesy license to practice nursing to a
19 nonresident military spouse so that the nonresident military spouse
20 may lawfully practice nursing in this State on a temporary basis,
21 subject to the requirements of subsection c. of this section.

22 c. A nonresident military spouse who applies for a temporary
23 courtesy license pursuant to subsection b. of this section shall be
24 entitled to receive such a license if that person:

25 (1) holds a current license to practice nursing in another
26 jurisdiction that the board determines has licensure requirements to
27 practice nursing that are equivalent to those adopted by the board;

28 (2) was engaged in the active practice of nursing in another
29 jurisdiction for at least two of the five years immediately preceding
30 the date of application for the temporary courtesy license, for which
31 purpose relevant full-time experience in the discharge of official
32 duties in the Armed Forces of the United States or an agency of the
33 federal government shall be credited in the counting of years of
34 service;

35 (3) has not committed an act in another jurisdiction that would
36 have constituted grounds for the denial, suspension, or revocation
37 of a license to practice nursing in this State;

38 (4) has not been disciplined, and is not the subject of an
39 investigation of an unresolved complaint, or a review procedure or
40 disciplinary proceeding, which was conducted by, or is pending
41 before, a professional or occupational licensing or credentialing
42 entity in another jurisdiction;

43 (5) pays for, and authorizes the board to conduct, a criminal
44 history record background check of that person pursuant to
45 P.L.2002, c.104 (C.45:1-28 et seq.);

46 (6) pays such fee as the board reasonably requires for the
47 issuance of the temporary courtesy license; and

1 (7) complies with such other requirements as the board may
2 reasonably determine necessary to effectuate the purposes of this
3 section.

4 d. A temporary courtesy license issued pursuant to this section
5 shall be valid for a period of six months and may be extended at the
6 discretion of the board for an additional six months upon
7 application of the holder of the temporary courtesy license.

8 e. The board shall adopt rules and regulations pursuant to the
9 "Administrative Procedure Act," P.L.1968, c.410 (C.52:14B-1 et
10 seq.), to carry out the purposes of this section, except that,
11 notwithstanding any provision of P.L.1968, c.410 (C.52:14B-1 et
12 seq.) to the contrary, the board may adopt, immediately upon filing
13 with the Office of Administrative Law, such regulations as the
14 board deems necessary to implement the provisions of this section,
15 which shall be effective for a period not to exceed six months and
16 may thereafter be amended, adopted, or re-adopted by the board in
17 accordance with the requirements of P.L.1968, c.410 (C.52:14B-1
18 et seq.).

19

20 2. This act shall take effect immediately.

21

22

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STATEMENT

24

25 This bill provides for temporary nurse licensure for qualified
26 nonresident military spouses in New Jersey.

27 The bill defines "nonresident military spouse" to mean a
28 nonresident of this State who is the spouse of an active duty
29 member of the Armed Forces of the United States who has been
30 transferred to this State in the course of the member's service, is
31 legally domiciled in this State, or has moved to this State on a
32 permanent change-of-station basis.

33 The bill directs the New Jersey Board of Nursing (board) to
34 establish criteria for the issuance of a temporary courtesy license to
35 practice nursing to a nonresident military spouse so that the
36 nonresident military spouse may lawfully practice nursing in this
37 State on a temporary basis, subject to the requirements of the bill.

38 A nonresident military spouse who applies for a temporary
39 courtesy license pursuant to the bill is entitled to receive such a
40 license if that person:

41 • holds a current license to practice nursing in another
42 jurisdiction (a state or territory of the United States other than
43 New Jersey, or the District of Columbia) that the board
44 determines has licensure requirements to practice nursing that
45 are equivalent to those adopted by the board;

46 • was engaged in the active practice of nursing in another
47 jurisdiction for at least two of the five years immediately
48 preceding the date of application for the temporary courtesy

S1906 GREENSTEIN, BEACH

- 1 license, for which purpose relevant full-time experience in the
2 discharge of official duties in the Armed Forces of the United
3 States or an agency of the federal government is to be credited
4 in the counting of years of service;
- 5 • has not committed an act in another jurisdiction that would
6 have constituted grounds for the denial, suspension, or
7 revocation of a license to practice nursing in this State;
 - 8 • has not been disciplined, and is not the subject of an
9 investigation of an unresolved complaint, or a review
10 procedure or disciplinary proceeding, which was conducted by,
11 or is pending before, a professional or occupational licensing
12 or credentialing entity in another jurisdiction;
 - 13 • pays for, and authorizes the board to conduct, a criminal
14 history record background check of that person;
 - 15 • pays such fee as the board reasonably requires for the issuance
16 of the temporary courtesy license; and
 - 17 • complies with such other requirements as the board may
18 reasonably determine necessary to effectuate the purposes of
19 the bill.

20 A temporary courtesy license issued pursuant to the bill is to be
21 valid for a period of six months and may be extended at the
22 discretion of the board for an additional six months upon
23 application of the holder of the temporary courtesy license.

24 The bill provides the board with expedited rulemaking authority
25 in order to implement its provisions as soon as practicable.

26 This bill is consistent with the legislative efforts being made in
27 other states across the nation to make it easier for qualified military
28 spouses to maintain their professional nursing licenses and pursue
29 nursing employment options as they move from one jurisdiction to
30 another across the United States. At the same time, the bill
31 provides an opportunity for New Jersey to add qualified personnel
32 to the nursing workforce in this State in order to help meet the
33 anticipated increased demand for nursing services for an aging
34 population.

SENATE HEALTH, HUMAN SERVICES AND SENIOR
CITIZENS COMMITTEE

STATEMENT TO

SENATE, No. 1906

with committee amendments

STATE OF NEW JERSEY

DATED: SEPTEMBER 20, 2012

The Senate Health, Human Services and Senior Citizens Committee reports favorably and with committee amendments Senate Bill No. 1906.

As amended by the committee, this bill provides for temporary nurse licensure for qualified nonresident military spouses in New Jersey.

The bill defines “nonresident military spouse” to mean a nonresident of this State who is the spouse of an active duty member of the Armed Forces of the United States who has been transferred to this State in the course of the member’s service, is legally domiciled in this State, or has moved to this State on a permanent change-of-station basis.

The bill directs the New Jersey Board of Nursing (board) to establish criteria for the issuance of a temporary courtesy license to practice nursing to a nonresident military spouse so that the nonresident military spouse may lawfully practice nursing in this State on a temporary basis, subject to the requirements of the bill.

A nonresident military spouse who applies for a temporary courtesy license pursuant to the bill would be entitled to receive such a license if that person holds a current license to practice nursing in another jurisdiction (a state or a territory of the United States other than New Jersey, or the District of Columbia) that the board determines has licensure requirements to practice nursing that are equivalent to those adopted by the board. The applicant also would have to have been engaged in the active practice of nursing in another jurisdiction for at least two of the five years immediately preceding the date of application for the temporary courtesy license. Relevant full-time experience in the discharge of official duties in the Armed Forces of the United States or an agency of the federal government is to be credited in the counting of years of service. In addition, the applicant cannot have committed an act in another jurisdiction that would constitute grounds for the denial, suspension, or revocation of a license to practice nursing in this State, or have been disciplined or been the subject of an investigation of an unresolved complaint, review

procedure, or disciplinary proceeding before a professional or occupational licensing or credentialing entity in another jurisdiction. The applicant also would have to satisfy a criminal history record background check, pay any reasonable fees required by the board, and comply with such other requirements as the board may reasonably determine necessary.

A temporary courtesy license issued pursuant to the bill would be valid for a period of one year and could be extended at the discretion of the board for an additional year upon application of the holder of the temporary courtesy license.

The bill provides the board with expedited rulemaking authority in order to implement its provisions as soon as practicable.

The committee amendments provide that the temporary courtesy license is to be valid for one year, instead of six months, and that the license may be extended for an additional year, instead of six months, as the bill currently provides.

As amended, this bill is identical to Assembly Bill No. 2889 (1R) (Conaway/Tucker/DeAngelo/Wisniewski/Riley), which the committee also reported on this date.