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"Legislative roundup," Herald News, 5-5-15

LAW/RWH

Title 26.
Chapter 2.
Article 2.
Part MM. (New)
Physical
Examinations
§§1-3 -
C.26:2-191 to
26:2-193
§4 - Note

P.L.2015, CHAPTER 37, *approved May 4, 2015*
Senate, No. 471 (*First Reprint*)

1 AN ACT concerning physical examinations of children and
2 supplementing Title 26 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 licensed health care professional who performs an annual
8 physical examination of a child 19 years of age or younger shall
9 include as part of that examination questions that evaluate a child's
10 family history related to cardiac conditions contained in the
11 "Preparticipation Physical Evaluation" form developed jointly by
12 the American Academy of Family Physicians, American Academy
13 of Pediatrics, American College of Sports Medicine, American
14 Medical Society for Sports Medicine, American Orthopaedic
15 Society for Sports Medicine, and American Osteopathic Academy
16 of Sports Medicine.

17

18 2. a. ¹**【**The Commissioner of Health, in consultation with the
19 New Jersey Chapter of the American Academy of Pediatrics, the
20 New Jersey Academy of Family Physicians, the American Heart
21 Association, and the New Jersey Chapter of the American College
22 of Cardiology, shall develop a cardiac screening professional
23 development module to increase the assessment skills of those
24 health care practitioners who perform annual physical examinations
25 of children 19 years of age or younger pursuant to section 1 of
26 P.L. , c. (C.) (pending before the Legislature as this bill).

27 b. The module shall include, but need not be limited to, the
28 following:

29 (1) completing and reviewing a detailed medical history with an
30 emphasis on cardiovascular family history and personal reports of
31 symptoms;

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 December 18, 2014.

- 1 (2) identifying symptoms of sudden cardiac arrest that may
2 require follow-up assessment with a cardiologist;
- 3 (3) recognizing normal structural changes of the heart;
- 4 (4) recognizing prodromal symptoms that precede sudden
5 cardiac arrest;
- 6 (5) performing the cardiovascular physical examination; and
- 7 (6) reviewing the major etiologies of sudden unexplained
8 cardiac death with an emphasis on structural abnormalities and
9 acquired conditions.] A physician, advanced practice nurse, or
10 physician assistant who performs annual physical examinations of
11 children 19 years of age or younger shall complete the Student-
12 Athlete Cardiac Screening professional development module
13 developed pursuant to subsection a. of section 3 of P.L.2013, c.71
14 (C.18A:40-41d).
- 15 b. Upon the first renewal of a certification, biennial
16 registration, or renewal of a license by a physician, advanced
17 practice nurse, or physician assistant after completing the Student-
18 Athlete Cardiac Screening professional development module as
19 required pursuant to subsection a. of this section, a physician,
20 advanced practice nurse, or physician assistant who performs
21 annual physical examinations of children 19 years of age or younger
22 shall attest to the completion of the module to the Board of Medical
23 Examiners or the Board of Nursing, as appropriate. An application
24 for renewal of a certification, biennial registration, or renewal of a
25 license shall include a check box for attestation regarding
26 compliance with subsection a. of this section for a physician,
27 advanced practice nurse, or physician assistant who performs
28 annual physical examinations of children 19 years of age or
29 younger.
- 30 c. A physician, advanced practice nurse, or physician assistant
31 who completes the Student-Athlete Cardiac Screening professional
32 development module as required pursuant to subsection a. of this
33 section shall retain on file at that person's professional office a hard
34 copy of the certificate of completion of the module. The hard copy
35 of the certificate of completion of the module shall be made
36 available upon request¹.

37

38 ¹[3.The New Jersey Board of Nursing shall require that, in
39 addition to any other requirements provided by law, an applicant for
40 renewal of certification as an advanced practice nurse who performs
41 annual physical examinations of children 19 years of age or
42 younger, attest that, in the period since the applicant's certification
43 was last renewed, the applicant has completed the cardiac screening
44 professional development module developed pursuant to section 2
45 of P.L. , c. (C.) (pending before the Legislature as this bill).]¹

1 ¹**[4.** The State Board of Medical Examiners shall require that a
2 person licensed to practice medicine and surgery and who performs
3 annual physical examinations of children 19 years of age or
4 younger, as a condition for biennial registration, attest that, in the
5 period since the person’s last biennial registration, the person has
6 completed the cardiac screening professional development module
7 developed pursuant to section 2 of P.L. , c. (C.) (pending
8 before the Legislature as this bill).**]¹**

9
10 ¹**[5.** The State Board of Medical Examiners shall require that, in
11 addition to any other requirements provided for by law, an applicant
12 for renewal of licensure as a physician assistant who performs
13 annual physical examinations of children 19 years of age or
14 younger, attest that, in the period since the person’s license was last
15 renewed, the person has completed the cardiac screening
16 professional development module developed pursuant to section 2
17 of P.L. , c. (C.) (pending before the Legislature as this bill).**]¹**

18
19 ¹**[6.]** 3.¹ The Director of the Division of Consumer Affairs in
20 the Department of Law and Public Safety, pursuant to the
21 “Administrative Procedure Act,” P.L.1968, c.410 (C.52:14B-1 et
22 seq.), and in consultation with the Commissioner of Health, shall
23 adopt rules and regulations to effectuate the purposes of this act.

24
25 ¹**[7.]** 4.¹ This act shall take effect on the first day of the fourth
26 month next following the date of enactment, but the Director of the
27 Division of Consumer Affairs and the Commissioner of Health may
28 take such anticipatory administrative action in advance thereof as
29 shall be necessary for the implementation of this act.

30
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32
33
34 Requires annual physical examination of child 19 years of age or
35 younger include certain questions related to cardiac health.

SENATE, No. 471

STATE OF NEW JERSEY 216th LEGISLATURE

PRE-FILED FOR INTRODUCTION IN THE 2014 SESSION

Sponsored by:

Senator FRED H. MADDEN, JR.

District 4 (Camden and Gloucester)

Senator DAWN MARIE ADDIEGO

District 8 (Atlantic, Burlington and Camden)

Co-Sponsored by:

Senators Beach and Gordon

SYNOPSIS

Requires annual physical examination of child under 19 years of age include certain questions related to cardiac health.

CURRENT VERSION OF TEXT

Introduced Pending Technical Review by Legislative Counsel



1 AN ACT concerning physical examinations of children and
2 supplementing Title 26 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 licensed health care professional who performs an annual
8 physical examination of a child 19 years of age or younger shall
9 include as part of that examination questions that evaluate a child's
10 family history related to cardiac conditions contained in the
11 "Preparticipation Physical Evaluation" form developed jointly by
12 the American Academy of Family Physicians, American Academy
13 of Pediatrics, American College of Sports Medicine, American
14 Medical Society for Sports Medicine, American Orthopaedic
15 Society for Sports Medicine, and American Osteopathic Academy
16 of Sports Medicine.

17

18 2. a. The Commissioner of Health, in consultation with the New
19 Jersey Chapter of the American Academy of Pediatrics, the New
20 Jersey Academy of Family Physicians, the American Heart
21 Association, and the New Jersey Chapter of the American College
22 of Cardiology, shall develop a cardiac screening professional
23 development module to increase the assessment skills of those
24 health care practitioners who perform annual physical examinations
25 of children 19 years of age or younger pursuant to section 1 of
26 P.L. , c. (C.) (pending before the Legislature as this bill).
27 The module shall include, but need not be limited to, the following:

28 (1) completing and reviewing a detailed medical history with an
29 emphasis on cardiovascular family history and personal reports of
30 symptoms;

31 (2) identifying symptoms of sudden cardiac arrest that may
32 require follow-up assessment with a cardiologist;

33 (3) recognizing normal structural changes of the heart;

34 (4) recognizing prodromal symptoms that precede sudden
35 cardiac arrest;

36 (5) performing the cardiovascular physical examination; and

37 (6) reviewing the major etiologies of sudden unexplained
38 cardiac death with an emphasis on structural abnormalities and
39 acquired conditions.

40

41 3. The New Jersey Board of Nursing shall require that, in
42 addition to any other requirements provided by law, an applicant for
43 renewal of certification as an advanced practice nurse who performs
44 annual physical examinations of children 19 years of age or
45 younger, attest that, in the period since the applicant's certification
46 was last renewed, the applicant has completed the cardiac screening

S471 MADDEN, ADDIEGO

1 professional development module developed pursuant to section 2
2 of P.L. , c. (C.) (pending before the Legislature as this bill).

3

4 4. The State Board of Medical Examiners shall require that a
5 person licensed to practice medicine and surgery and who performs
6 annual physical examinations of children 19 years of age or
7 younger, as a condition for biennial registration, attest that, in the
8 period since the person's last biennial registration, the person has
9 completed the cardiac screening professional development module
10 developed pursuant to section 2 of P.L. , c. (C.) (pending
11 before the Legislature as this bill).

12

13 5. The State Board of Medical Examiners shall require that, in
14 addition to any other requirements provided for by law, an applicant
15 for renewal of licensure as a physician assistant who performs
16 annual physical examinations of children 19 years of age or
17 younger, attest that, in the period since the person's license was last
18 renewed, the person has completed the cardiac screening
19 professional development module developed pursuant to section 2
20 of P.L. , c. (C.) (pending before the Legislature as this bill).

21

22 6. The Director of the Division of Consumer Affairs in the
23 Department of Law and Public Safety, pursuant to the
24 "Administrative Procedure Act," P.L.1968, c.410 (C.52:14B-1 et
25 seq.), and in consultation with the Commissioner of Health, shall
26 adopt rules and regulations to effectuate the purposes of this act.

27

28 7. This act shall take effect on the first day of the fourth month
29 next following the date of enactment, but the Director of the
30 Division of Consumer Affairs and the Commissioner of Health may
31 take such anticipatory administrative action in advance thereof as
32 shall be necessary for the implementation of this act.

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STATEMENT

36

37 This bill requires that an annual medical examination of any
38 child under the age of 19 include questions contained in the
39 "Preparticipation Physical Evaluation" form developed to screen
40 students seeking to participate in school-sponsored athletics.

41 The bill further requires that the Commissioner of Health, in
42 consultation with the New Jersey Chapter of the American
43 Academy of Pediatrics, the New Jersey Academy of Family
44 Physicians, the American Heart Association, and the New Jersey
45 Chapter of the American College of Cardiology, develop a cardiac
46 screening professional development module, which advanced
47 practice nurses, physicians, and physician assistants performing

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4

1 medical examinations would be required to periodically complete.
2 These individuals would be required to attest to their completion of
3 the module upon renewal of certification, registration, or licensure,
4 as applicable.

5 The bill also requires the development of the cardiac screening
6 professional development module, and requires the professionals
7 who perform annual medical exams of children under 19 to
8 complete the module and attest to having completed it since the last
9 renewal of their certification, registration, or licensure. The bill
10 also directs that the Director of the Division of Consumer Affairs,
11 in consultation with the Commissioner of Health, adopt rules and
12 regulations (rather than the other way around), and permit
13 anticipatory administrative action prior to the effective date.

SENATE HEALTH, HUMAN SERVICES AND SENIOR
CITIZENS COMMITTEE

STATEMENT TO

SENATE, No. 471

STATE OF NEW JERSEY

DATED: JUNE 5, 2014

The Senate Health, Human Services and Senior Citizens Committee reports favorably Senate Bill No. 471.

This bill requires that an annual medical examination of any child under the age of 19 include questions contained in the “Preparticipation Physical Evaluation” form developed to screen students seeking to participate in school-sponsored athletics.

The bill further requires that the Commissioner of Health, in consultation with the New Jersey Chapter of the American Academy of Pediatrics, the New Jersey Academy of Family Physicians, the American Heart Association, and the New Jersey Chapter of the American College of Cardiology, develop a cardiac screening professional development module, which advanced practice nurses, physicians, and physician assistants performing medical examinations would be required to periodically complete. These individuals would be required to attest to their completion of the module upon renewal of certification, registration, or licensure, as applicable.

The bill also requires the development of the cardiac screening professional development module, and requires the professionals who perform annual medical exams of children under 19 to complete the module and attest to having completed it since the last renewal of their certification, registration, or licensure. The bill also directs that the Director of the Division of Consumer Affairs, in consultation with the Commissioner of Health, adopt rules and regulations, and permit anticipatory administrative action prior to the effective date.

This bill was pre-filed for introduction in the 2014-2015 session pending technical review. As reported, the bill includes the changes required by technical review, which has been performed.

ASSEMBLY WOMEN AND CHILDREN COMMITTEE

STATEMENT TO

SENATE, No. 471

STATE OF NEW JERSEY

DATED: OCTOBER 9, 2014

The Assembly Women and Children Committee reports favorably Senate Bill No. 471.

This bill requires that an annual medical examination of any child 19 years of age or younger include questions contained in the “Preparticipation Physical Evaluation” form developed to evaluate a child's family history related to cardiac conditions.

The bill further requires that the Commissioner of Health, in consultation with the New Jersey Chapter of the American Academy of Pediatrics, the New Jersey Academy of Family Physicians, the American Heart Association, and the New Jersey Chapter of the American College of Cardiology, develop a cardiac screening professional development module, which advanced practice nurses, physicians, and physician assistants performing medical examinations would be required to periodically complete. These individuals would be required to attest to their completion of the module upon renewal of certification, registration, or licensure, as applicable.

The bill directs the Director of the Division of Consumer Affairs in the Department of Law and Public Safety, in consultation with the Commissioner of Health, to adopt rules and regulations to effectuate its purposes.

The bill takes effect on the first day of the fourth month following its enactment, but authorizes the Director of the Division of Consumer Affairs and the Commissioner of Health to take prior administrative action as necessary for its implementation.

This bill is identical to Assembly Bill No. 1473 (Diegnan), which was released by the committee on this date.

STATEMENT TO
SENATE, No. 471

with Assembly Floor Amendments
(Proposed by Assemblyman DIEGNAN)

ADOPTED: DECEMBER 18, 2014

These floor amendments revise and clarify the requirements for physicians, advanced practice nurses, and physician assistants who examine children 19 years of age or younger to complete a professional development module in cardiac screening. As amended, the bill requires that these health care professionals must complete the Student-Athlete Cardiac Screening professional development module developed pursuant to the “Scholastic Student-Athlete Safety Act,” P.L.2013, c.71 (C.18A:40-41.6 et al.). The amendments additionally provide that the physician, advanced practice nurse, or physician assistant will be required to attest to the completion of the module to the Board of Medical Examiners or the Board of Nursing, as appropriate, upon application for renewal of a certification, biennial registration, or renewal of a license, using a check box to be included on the renewal or registration application. Additionally, these amendments require the physician, advanced practice nurse, or physician assistant to retain a hard copy of the certificate of completion of the module on file in the professional’s office, and that this copy be made available upon request.

ASSEMBLY, No. 1473

STATE OF NEW JERSEY 216th LEGISLATURE

PRE-FILED FOR INTRODUCTION IN THE 2014 SESSION

Sponsored by:

Assemblyman PATRICK J. DIEGNAN, JR.

District 18 (Middlesex)

Assemblywoman GABRIELA M. MOSQUERA

District 4 (Camden and Gloucester)

SYNOPSIS

Requires annual physical examination of child 19 years of age or younger include certain questions related to cardiac health.

CURRENT VERSION OF TEXT

Introduced Pending Technical Review by Legislative Counsel



(Sponsorship Updated As Of: 10/10/2014)

1 AN ACT concerning physical examinations of children and
2 supplementing Titles 26 and 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 licensed health care professional who performs an annual
8 physical examination of a child 19 years of age or younger shall
9 include as part of that examination questions that evaluate a child's
10 family history related to cardiac conditions contained in the
11 "Preparticipation Physical Evaluation" form developed jointly by
12 the American Academy of Family Physicians, American Academy
13 of Pediatrics, American College of Sports Medicine, American
14 Medical Society for Sports Medicine, American Orthopaedic
15 Society for Sports Medicine, and American Osteopathic Academy
16 of Sports Medicine.

17

18 2. a. The Commissioner of Health, in consultation with the New
19 Jersey Chapter of the American Academy of Pediatrics, the New
20 Jersey Academy of Family Physicians, the American Heart
21 Association, and the New Jersey Chapter of the American College
22 of Cardiology, shall develop a cardiac screening professional
23 development module to increase the assessment skills of those
24 health care practitioners who perform annual physical examinations
25 of children 19 years of age or younger pursuant to section 1 of
26 P.L. , c. (C.) (pending before the Legislature as this bill).
27 The module shall include, but need not be limited to, the following:

28 (1) completing and reviewing a detailed medical history with an
29 emphasis on cardiovascular family history and personal reports of
30 symptoms;

31 (2) identifying symptoms of sudden cardiac arrest that may
32 require follow-up assessment with a cardiologist;

33 (3) recognizing normal structural changes of the heart;

34 (4) recognizing prodromal symptoms that precede sudden
35 cardiac arrest;

36 (5) performing the cardiovascular physical examination; and

37 (6) reviewing the major etiologies of sudden unexplained
38 cardiac death with an emphasis on structural abnormalities and
39 acquired conditions.

40

41 3. The New Jersey Board of Nursing shall require that, in
42 addition to any other requirements provided by law, an applicant for
43 renewal of certification as an advanced practice nurse who performs
44 annual physical examinations of children 19 years of age or
45 younger, attest that, in the period since the applicant's certification
46 was last renewed, the applicant has completed the cardiac screening

A1473 DIEGNAN, MOSQUERA

1 professional development module developed pursuant to section 2
2 of P.L. , c. (C.) (pending before the Legislature as this bill).

3

4 4. The State Board of Medical Examiners shall require that a
5 person licensed to practice medicine and surgery and who performs
6 annual physical examinations of children 19 years of age or
7 younger, as a condition for biennial registration, attest that, in the
8 period since the person's last biennial registration, the person has
9 completed the cardiac screening professional development module
10 developed pursuant to section 2 of P.L. , c. (C.) (pending
11 before the Legislature as this bill).

12

13 5. The State Board of Medical Examiners shall require that, in
14 addition to any other requirements provided for by law, an applicant
15 for renewal of licensure as a physician assistant who performs
16 annual physical examinations of children 19 years of age or
17 younger, attest that, in the period since the person's license was last
18 renewed, the person has completed the cardiac screening
19 professional development module developed pursuant to section 2
20 of P.L. , c. (C.) (pending before the Legislature as this bill).

21

22 6. The Director of the Division of Consumer Affairs in the
23 Department of Law and Public Safety, pursuant to the
24 "Administrative Procedure Act," P.L.1968, c.410 (C.52:14B-1 et
25 seq.), and in consultation with the Commissioner of Health, shall
26 adopt rules and regulations to effectuate the purposes of this act.

27

28 7. This act shall take effect on the first day of the fourth month
29 next following the date of enactment, but the Director of the
30 Division of Consumer Affairs and the Commissioner of Health may
31 take such anticipatory administrative action in advance thereof as
32 shall be necessary for the implementation of this act.

33

34

35

STATEMENT

36

37 This bill requires that an annual medical examination of any
38 child 19 years of age or younger include questions contained in the
39 "Preparticipation Physical Evaluation" form developed to screen
40 students seeking to participate in school-sponsored athletics.

41 The bill further requires that the Commissioner of Health, in
42 consultation with the New Jersey Chapter of the American
43 Academy of Pediatrics, the New Jersey Academy of Family
44 Physicians, the American Heart Association, and the New Jersey
45 Chapter of the American College of Cardiology, develop a cardiac
46 screening professional development module, which advanced
47 practice nurses, physicians, and physician assistants performing

A1473 DIEGNAN, MOSQUERA

1 medical examinations would be required to periodically complete.
2 These individuals would be required to attest to their completion of
3 the module upon renewal of certification, registration, or licensure,
4 as applicable.

5 The bill directs the Director of the Division of Consumer Affairs
6 in the Department of Law and Public Safety, in consultation with
7 the Commissioner of Health, to adopt rules and regulations to
8 effectuate its purposes.

9 The bill takes effect on the first day of the fourth month
10 following its enactment, but authorizes the Director of the Division
11 of Consumer Affairs and the Commissioner of Health to take prior
12 administrative action as necessary for its implementation.

ASSEMBLY WOMEN AND CHILDREN COMMITTEE

STATEMENT TO

ASSEMBLY, No. 1473

STATE OF NEW JERSEY

DATED: OCTOBER 9, 2014

The Assembly Women and Children Committee reports favorably Assembly Bill No. 1473.

This bill requires that an annual medical examination of any child 19 years of age or younger include questions contained in the “Preparticipation Physical Evaluation” form developed to evaluate a child's family history related to cardiac conditions.

The bill further requires that the Commissioner of Health, in consultation with the New Jersey Chapter of the American Academy of Pediatrics, the New Jersey Academy of Family Physicians, the American Heart Association, and the New Jersey Chapter of the American College of Cardiology, develop a cardiac screening professional development module, which advanced practice nurses, physicians, and physician assistants performing medical examinations would be required to periodically complete. These individuals would be required to attest to their completion of the module upon renewal of certification, registration, or licensure, as applicable.

The bill directs the Director of the Division of Consumer Affairs in the Department of Law and Public Safety, in consultation with the Commissioner of Health, to adopt rules and regulations to effectuate its purposes.

The bill takes effect on the first day of the fourth month following its enactment, but authorizes the Director of the Division of Consumer Affairs and the Commissioner of Health to take prior administrative action as necessary for its implementation.

This bill was pre-filed for introduction in the 2014-2015 session pending technical review. As reported, the bill includes the changes required by technical review, which has been performed.

This bill is identical to Senate Bill No. 471 (Madden/Addiego), which was released by the committee on this date.

STATEMENT TO
ASSEMBLY, No. 1473

with Assembly Floor Amendments
(Proposed by Assemblyman DIEGNAN)

ADOPTED: DECEMBER 18, 2014

These floor amendments revise and clarify the requirements for physicians, advanced practice nurses, and physician assistants who examine children 19 years of age or younger to complete a professional development module in cardiac screening. As amended, the bill requires that these health care professionals must complete the Student-Athlete Cardiac Screening professional development module developed pursuant to the “Scholastic Student-Athlete Safety Act,” P.L.2013, c.71 (C.18A:40-41.6 et al.). The amendments additionally provide that the physician, advanced practice nurse, or physician assistant will be required to attest to the completion of the module to the Board of Medical Examiners or the Board of Nursing, as appropriate, upon application for renewal of a certification, biennial registration, or renewal of a license, using a check box to be included on the renewal or registration application. Additionally, these amendments require the physician, advanced practice nurse, or physician assistant to retain a hard copy of the certificate of completion of the module on file in the professional’s office, and that this copy be made available upon request.