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**MONDAY, AUGUST 1, 2005**  
**RULE ADOPTION**  
LAW AND PUBLIC SAFETY  
DIVISION OF CONSUMER AFFAIRS  
STATE BOARD OF NURSING  
RULES OF THE STATE BOARD OF NURSING

Readoption with Amendments: N.J.A.C. 13:37

Proposed: January 18, 2005 at 37 N.J.R. 208(a).

Adopted: May 17, 2005 by the Board of Nursing, Maris Lown, President.

Filed: July 6, 2005 as R.2005 d.251, without change.

Authority: N.J.S.A. 45:11-24 and 52:14B-5.1.

Effective Dates: July 6, 2005, Readoption;

August 1, 2005, Amendments.

Expiration Date: July 6, 2010.

### **Federal Standards Statement**

A Federal standards analysis is not required because there are no Federal laws or standards applicable to the rules readopted with amendments.

Full text of the readoption can be found in the New Jersey Administrative Code at N.J.A.C. 13:37.

Full text of the adopted amendments follows:

<< NJ ADC 13:37-1.1 >>

### **13:37-1.1 Eligibility for accreditation**

(a)-(b) (No change.)

(c) The following educational programs, when offered by an institution that meets the requirements of (b) above, shall be considered eligible for accreditation by the Board as nursing programs:

1. Generic doctoral degree programs: For purposes of this subchapter, a generic doctoral degree program means a program conducted by an educational institution with a program in nursing, which leads to a doctoral degree in nursing and makes a student eligible for licensure as a registered professional nurse. The educational institution shall be licensed by the New Jersey Commission on Higher Education for the purpose of granting doctoral degrees;
2. Generic masters degree programs: For purposes of this subchapter, a generic masters degree program means a program conducted by an educational institution with a program in nursing, which leads to a masters degree in nursing and makes a student eligible for licensure as a registered professional nurse. The educational institution shall be licensed by the New Jersey Commission on Higher Education for the purpose of granting masters degrees;
3. Generic baccalaureate degree programs: For purposes of this subchapter, a generic baccalaureate degree program is a program conducted by an educational institution with a program in nursing, which leads to a baccalaureate degree in nursing and makes a student eligible for licensure as a registered professional nurse. The educational institution shall be licensed by the New Jersey Commission on Higher Education for the purpose of granting baccalaureate degrees.

Registered professional nurse completion programs, which are educational programs that provide licensed registered nurses who do not have a baccalaureate degree the opportunity to complete their baccalaureate degrees, shall be considered baccalaureate degree programs;

4. Associate degree programs: For purposes of this subchapter, an associate degree program means a program conducted by an educational institution with a program which leads to an associate degree in nursing and makes a student eligible for licensure as a registered professional nurse. The educational institution shall be licensed by the New Jersey Commission on Higher Education for the purpose of granting associate degrees;

5.-6. (No change.)

<< NJ ADC 13:37-2.1 >>

### **13:37-2.1 Eligibility requirements**

(a) (No change.)

(b) An applicant who fails to pass three consecutive licensing examinations shall submit to the Board, prior to the fourth licensing examination, proof of successful completion of a remediation course, consisting of 30 hours and conducted by a qualified instructor within the meaning of N.J.A.C. 13:37- 1.7. The remediation course shall be completed within one year prior to taking the fourth examination. An applicant who fails the fourth examination may retake the examination two more times before being required to take the remediation course again.

<< NJ ADC 13:37-5.7 >>

### **13:37-5.7 Notification of change of address**

A licensee or certificant shall notify the Board in writing of any change of address from that registered with the Board and shown on the most recently issued license or certificate. This address shall not be a post office box unless there is another address on file with the Board that includes a street, city, state and zip code. Such notice shall be given no later than 30 days following the change of address. Service to the street address registered with the Board shall constitute effective notice pursuant to N.J.A.C. 13:45-3.2.

## **SUBCHAPTER 9. FORENSIC NURSE-CERTIFIED SEXUAL ASSAULT PROGRAM**

<< NJ ADC 13:37-9.1 >>

### **13:37-9.1 Purpose and scope**

(a) (No change.)

(b) This subchapter sets forth standards for the education and certification of forensic nurses certified in sexual assault.

<< NJ ADC 13:37-9.2 >>

### **13:37-9.2 Definitions**

The following words and terms, when used in this subchapter, shall have the following meanings, unless the context clearly indicates otherwise:

"Certification" means the formal process by which education is received and the clinical competency of the FN-CSA is demonstrated.

"Forensic nurse-certified sexual assault (FN-CSA)" means a registered professional nurse licensed in New Jersey, and specially trained to provide comprehensive care to sexual assault victims, who demonstrates competency in conducting a sexual assault forensic examination and who has successfully completed a course of education as set forth in this

subchapter.

<< NJ ADC 13:37-9.3 >>

### **13:37-9.3 Application for certification**

(a) To be eligible for certification as a FN-CSA, an applicant must:

1.-2. (No change.)

3. Have successfully completed a FN-CSA education course approved by the Board and the Director of the Division of Criminal Justice, pursuant to N.J.A.C. 13:37-9.5; and

4. Have successfully completed the FN-CSA clinical requirement pursuant to N.J.A.C. 13:37-9.6 and passed a clinical examination given by an approved clinical examination facility pursuant to N.J.A.C. 13:37-9.7(d).

(b) An applicant who attended a FN-CSA education course prior to July 13, 2004 that has not been approved by the Board and the Director of the Division of Criminal Justice shall be eligible for certification if he or she has met the requirements of (a)1, 2 and 4 above and can show that the FN-CSA education course he or she completed would have met the requirements of N.J.A.C. 13:37-9.5.

(c) An applicant for certification as a FN-CSA shall submit, or arrange to have submitted, to the Board:

1. (No change.)

2. Proof that the applicant has successfully completed a FN-CSA education program, as outlined in N.J.A.C. 13:37-9.5, and the clinical requirements of N.J.A.C. 13:37-9.6 and 9.7(d); and

3. (No change.)

(d) (No change.)

<< NJ ADC 13:37-9.4 >>

### **13:37-9.4 Pediatric sexual assault forensic examinations**

No FN-CSA shall perform a sexual assault forensic examination on a child.

<< NJ ADC 13:37-9.5 >>

### **13:37-9.5 FN-CSA education programs**

(a) An individual, agency or institution seeking approval for a course in clinical forensics for the purpose of providing education for forensic nurses-certified sexual assault shall submit to the Board an application which shall include:

1.-3. (No change.)

4. An affidavit which indicates that the curriculum is included in the FN-CSA education course;

5.-7. (No change.)

(b) (No change.)

(c) A course in FN-CSA education shall be completed within a six-month period. A course shall contain a minimum of 40 hours of didactic instruction in the following:

1. Historical perspectives of sexual assault and forensic nurses-certified sexual assault, for a minimum of one-half hour;

2. (No change.)

3. Role and responsibility of the forensic nurse-certified sexual assault, for a minimum of one and one-half hours;

4.-17. (No change.)

18. Review of the Nurse Practice Act, N.J.S.A. 45:11-24 et seq., and its application to FN-CSA practice, for a minimum of one-half hour;

19.-30. (No change.)

(d) The didactic instruction required in (c) above shall be taught by an instructor who either has a masters degree in nursing from a school accredited by the New Jersey Department of Education, or another state's department of education, or who is a FN-CSA. Didactic instruction in topics required by (c)15, 23, 24, 25 and 26 above may be taught by an attorney. Didactic instruction in topics required by (c)16 above may be taught by an attorney or by an investigator or detective who is part of a New Jersey law enforcement agency. Didactic instruction in topics required by (c)1, 5, 6, 7 and 21 above may be taught by an individual who is recognized as a rape care advocate pursuant to N.J.S.A. 52:4B-52.

(e)-(g) (No change.)

<< NJ ADC 13:37-9.6 >>

### **13:37-9.6 Clinical education**

(a) Applicants for certification as a FN-CSA shall complete classroom education, pursuant to N.J.A.C. 13:37-9.5, before beginning their clinical education.

(b)-(c) (No change.)

(d) An individual who attended to five victims of sexual assault as part of a county FN-CSA program prior to July 13, 2004 shall be deemed to have met the requirements of (b)2 above and need not complete the five simulated sexual assault examinations required by (b)2 above in order to obtain certification.

<< NJ ADC 13:37-9.7 >>

### **13:37-9.7 Clinical education facilities**

(a) A Board accredited school of nursing may apply to the Board for approval as a clinical education facility. An applicant for approval shall submit to the Board:

1.-4. (No change.)

5. After July 13, 2005, evidence that the training facility has an instructor who is a FN-CSA.

(b)-(c) (No change.)

(d) An approved clinical education facility shall, upon completion of the clinical education required by N.J.A.C. 13:37-9.6(b)2, provide an examination which tests the ability of a forensic nurse-certified sexual assault applicant to perform sexual assault forensic examinations. The facility shall forward the results of this examination to the Board.

<< NJ ADC 13:37-9.8 >>

### **13:37-9.8 Renewal of certification**

(a) Certification as a FN-CSA shall be valid for two years.

(b) Certified FN-CSAs shall renew certification biennially by submitting to the Board:

1.-2. (No change.)

<< NJ ADC 13:37-9.9 >>

### **13:37-9.9 Revocation or suspension of certification**

(a) The Board and the Director of the Division of Criminal Justice may revoke or suspend a certification, after affording an opportunity to be heard, if they find that a FN-CSA has:

1.-5. (No change.)

<< NJ ADC 13:37-9.10 >>

### **13:37-9.10 Endorsement**

(a) A registered professional nurse, licensed in New Jersey, who is working as a FN-CSA in another state may apply for certification as a FN-CSA in New Jersey if the applicant is certified by another state as a FN-CSA, or its equivalent, and the applicant:

1.-3. (No change.)

(b) An applicant for certification by endorsement shall submit to the Board:

1.-2. (No change.)

3. Evidence that the applicant is certified in another state and has worked in the past year as a FN-CSA, or its equivalent;

4.-8. (No change.)

(c) The Board shall review the endorsement application and forward it to the Director of Criminal Justice for review and approval. Once both the Board and the Director have approved the applicant, the Board shall issue the applicant a certification as a FN-CSA in New Jersey.