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RULE ADOPTIONS
LAW AND PUBLIC SAFETY
DIVISION OF CONSUMER AFFAIRS
ORTHOTICS AND PROSTHETICS BOARD OF EXAMINERS

Readoption with Amendments: N.J.A.C. 13:44H

Adopted Repeal: N.J.A.C. 13:44H-3.3

Adopted New Rule: N.J.A.C. 13:44H-3.8

Rules of the Orthotics and Prosthetics Board of Examiners

Proposed: July 21, 2008 at 40 N.J.R. 4293(a).

Adopted: November 18, 2008 by the Orthotics and Prosthetics Board of Examiners, Louis J. Haberman, President.

Filed: December 3, 2008 as R.2009 d.8, without change.

Authority: N.J.S.A. 45:12B-19 and 45:12B-26.

Effective Dates: December 3, 2008,
Readoption; January 5, 2009,
Amendment, Repeal and New Rule.
Expiration Date: December 3, 2013.

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, a repeal and a new rule. Full text of the readopted rules can be found in the New Jersey Administrative Code at N.J.A.C. 13:44H. Full text of the adopted amendments and new rule follows:

13:44H-3.3 (Reserved)

13:44H-3.7 Licensing

Once the Board has determined that an applicant should be issued a license, it shall send notification to the applicant that he or she should send the Board the licensing fee pursuant to N.J.A.C. 13:44H-10.1(a)3, for orthotists, prosthetists and prosthetist-orthotists, or N.J.A.C. 13:44H-10.1(a)4, for orthotist assistants, prosthetist assistants or prosthetist-orthotist assistants. The Board shall send a license to the applicant upon receipt of this fee. 13:44H-3.8 Biennial renewal of licenses

(a) Licenses shall be renewed biennially on a form provided by the Board. Each applicant shall attest that the continuing education requirements of N.J.A.C. 13:44H-6.3 have been completed during the prior biennial period. (b) The Board shall send a notice of renewal to each licensee, at least 60 days prior to the expiration of the license. If the notice to renew is not sent at least 60 days prior to the expiration date, no monetary penalties or fines shall apply to the holder for any unlicensed practice during the period following the licensure expiration, not to exceed the number of days short of the 60 before the renewals were issued.

(c) The licensee shall submit the renewal application and pay the renewal fee pursuant to N.J.A.C. 13:44H-10.1 prior to the date of expiration of the license. If the licensee does not renew the license prior to its expiration date, the licensee may renew it no later than 30 days after its expiration date by submitting a renewal application and paying a renewal fee and a late fee pursuant to N.J.A.C. 13:44H-10.1. A licensee who fails to renew the license within 30 days after the expiration date of the license shall be suspended without a hearing.

(d) Individuals who continue to practice or hold themselves out as licensed after being suspended shall be deemed to have violated N.J.S.A. 45:12B-17, even if no notice of suspension had been provided to the person.

(e) A person seeking reinstatement within five years following the suspension of a license under (c) above shall submit the following to the Board:

1. A completed reinstatement application;
2. Payment of all past delinquent renewal fees as set forth in N.J.A.C. 13:44H-10.1;
3. Payment of a reinstatement fee as set forth in N.J.A.C. 13:44H-10.1;
4. A certification verifying completion of the continuing education credits required pursuant to N.J.A.C. 13:44H-6.3 for the renewal of a license; and
5. An affidavit of employment listing each job held during the period of suspension, which includes the names, addresses, and telephone numbers of each employer.

(f) A person seeking reinstatement after more than five years following the suspension of a license under (c) above shall satisfy the requirements of (e) above and shall successfully complete the examination required for initial licensure as set forth in N.J.A.C. 13:44H-3.1(a).

(g) Renewal applications for all licenses shall provide the licensee with the option of either active or inactive renewal. Licensees electing to renew as inactive shall not hold themselves out to the public or practice as licensees.

(h) A licensee who elected inactive status and has been on inactive status for five years or less may be reinstated by the Board upon completion of the following:

1. A certification verifying completion of the continuing education hours required pursuant to N.J.A.C. 13:44H-6.3 for the renewal of a license;
2. Submission of an affidavit of employment listing each job held during the period the licensee was on inactive status, which includes the name, address, and telephone number of each employer; and
3. Payment of the reactivation fee and renewal fee as set forth in N.J.A.C. 13:44H-10.1.

(i) A licensee who has been on inactive status for more than five years who wishes to return to the practice of orthotics, prosthetics or prosthetic-orthotics shall satisfy the requirements of (h) above and shall successfully complete the examination required for initial licensure as set forth in N.J.A.C. 13:44H-3.1(a).

13:44H-10.1 Fee schedule

(a) The following fees shall be charged by the Orthotics and Prosthetics Board of Examiners:

1. (No change.)

[page=270] Recodify existing 3. and 4. as 2. and 3. (No change in text.)

4. Initial license fee for pedorthists \$ 150.00

5.-6. (No change.)

7. Biennial license renewal pedorthist \$ 150.00

Recodify existing 7.-13. as 8.-14. (No change in text.)

15. Inactive license fee (to be established by the Board by rule