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RULE ADOPTIONS
LAW AND PUBLIC SAFETY
DIVISION OF CONSUMER AFFAIRS
STATE BOARD OF NURSING
Continuing Education**

Adopted New Rule: N.J.A.C. 13:37-5.3
Adopted Amendment: N.J.A.C. 13:37-5.4

Proposed: June 6, 2005 at 37 N.J.R. 1921(a).

Adopted: October 18, 2005 by the Board of Nursing, Maris Lown, President.

Filed: March 29, 2006 as R.2006 d.156, without change.

Authority: N.J.S.A. 45:11-24.

Effective Date: May 1, 2006.

Expiration Date: July 6, 2010.

Federal Standards Statement

A Federal standards analysis is not required because there are no Federal standards or requirements applicable to the education requirements of the adopted new rule and amendment.

Full text of the adoption follows:

13:37-5.3 Continuing education

(a) Upon biennial active license renewal, a registered professional nurse or licensed practical nurse shall attest that he or she has completed courses of continuing education of the types and number of hours specified in (b), (c) and (d) below. Falsification of any information submitted on the renewal application may result in penalties and/or suspension or revocation of the license pursuant to N.J.S.A. 45:1-21 through 45:1-25.

(b) Each applicant for biennial active license renewal shall complete during the preceding biennial period a minimum of 30 hours of continuing education.

(c) A registered professional nurse or licensed practical nurse who completes more than the minimum continuing education hours set forth in (b) above in any biennial registration period may carry up to 15 of the additional hours into the succeeding biennial period.

(d) A registered professional nurse or licensed practical nurse may obtain continuing education hours from the following:

1. Successful completion of continuing education courses or programs related to nursing and approved by a credentialing agency accredited by the National Commission for Certifying Agencies: one hour for each 50 minutes of attendance;
2. Successful completion of a course, related to nursing, given by a school, college or university accredited by the New Jersey Department of Education or an agency of another state with requirements substantially similar to the requirements of the New Jersey Department of Education: five hours for each credit successfully completed;

3. Successful completion of a course in a doctoral degree program which has a research component: five hours for each credit successfully completed;
4. Teaching or developing the curriculum for a new continuing education program related to nursing that is approved pursuant to (d)1 above. "New" means that the registered professional nurse or licensed practical nurse has never taught or developed curriculum for that course or program in any educational setting: one hour for each 50 minutes taught;
5. Teaching or developing the curriculum for a new course related to nursing in a school, college or university accredited by the New Jersey Department of Education or an agency of another state with requirements substantially similar to the requirements of the New Jersey Department of Education. "New" means that the registered professional nurse or licensed practical nurse has never taught or developed curriculum for that course in any educational setting: five hours for each credit taught;
6. Authorship of a published textbook or a chapter of a published textbook related to nursing: 15 hours for each chapter up to 30 hours;
7. Completion of a doctoral dissertation: 30 hours;
8. Authorship of a published article related to nursing, which has been refereed through peer review, in a medical, nursing or health related journal: 15 hours per article up to 30;
9. Presenting a new seminar or lecture to professional peers related to nursing, provided the seminar or lecture is at least one hour long. "New" means that the registered professional nurse or licensed practical nurse has never taught or developed curriculum for that seminar or lecture in any educational setting: one hour for each 50 minutes of presentation;
10. Completion of a research project where the registered professional nurse or licensed practical nurse is a primary or co-investigator and the research project has been approved by an institutional review board: 30 hours;
11. Development of new instructional materials related to nursing such as a compact disc, ROM or videotape: 15 hours up to 30; and
12. Acting as a preceptor for at least 100 hours as part of an organized preceptorship program: 10 hours for the period during which the registered professional nurse or licensed practical nurse acts as a preceptor.

(e) Continuing education hours that could be allocated to more than one of the options in (d) above shall only be counted once and shall not be allocated for more than one option. For instance, a course which could be awarded hours pursuant to (d)4 and 5 above shall only count as a course for either (d)4 or 5, but not both.

(f) The Board may perform audits on randomly selected registered professional nurses and licensed practical nurses to determine compliance with continuing education requirements. A registered professional nurse or licensed practical nurse shall maintain the following documentation for a period of four years after completion of the hours and shall submit such documentation to the Board upon request:

1. For attendance at programs or courses: a certificate of completion from the provider;
2. For publication of textbook or article: the published item, including the date of publication;
3. For teaching a course or program or developing curriculum: documentation, including a copy of the curriculum, location, date and time of course, duration of course by hour, and letter from provider confirming that the registered professional nurse or licensed practical nurse developed or taught the course or program;
4. For presenting a lecture or seminar: documentation including the location, date and duration of the lecture or seminar;

5. For a research project: a copy of the written materials regarding the project which lists the primary or co-investigators;

6. For instructional material: a copy of the instructional materials; and

7. For a preceptorship: documentation maintained pursuant to the organized preceptorship program and a document designating the registered professional nurse or licensed practical nurse as a preceptor.

(g) The Board may waive the continuing education requirements of this section on an individual basis for reasons of hardship, such as severe illness, disability, or military service.

1. A registered professional nurse or licensed practical nurse seeking a waiver of the continuing education requirements shall apply to the Board in writing at least 90 days prior to license renewal and set forth in specific detail the reasons for requesting the waiver. The registered professional nurse or licensed practical nurse shall provide the Board with such supplemental materials as will support the request for waiver.

2. A waiver of continuing education requirements granted pursuant to this subsection shall only be effective for the biennial period in which such waiver is granted. If the condition(s) which necessitated the waiver continue into the next biennial period, a registered professional nurse or licensed practical nurse shall apply to the Board for the renewal of such waiver for the new biennial period.

(h) The Board may direct or order a registered professional nurse or licensed practical nurse to successfully complete continuing education hours:

1. As part of a disciplinary or remedial measure in addition to the required 30 hours of continuing education; or

2. To correct a deficiency in the registered professional nurse or licensed practical nurse's continuing education requirements.

(i) Any continuing education hours completed by the registered professional nurse or licensed practical nurse in compliance with an order or directive from the Board as set forth in (h) above shall not be used to satisfy the minimum continuing education requirements as set forth in this section.

(j) Registered professional nurses and licensed practical nurses whose licenses expire on May 31, 2006 shall comply with the requirements of (a) through (e) above commencing with the 2008 renewal of licensure. Registered professional nurses and licensed practical nurses whose licenses expire on May 31, 2007 shall comply with the requirements of (a) through (i) above commencing with the 2009 renewal of licensure.

13:37-5.4 Categories of licenses

(a) Licenses shall be divided into two categories known as "active" and "inactive" licenses. All persons engaged in any type of nursing practice shall have an active license. An individual who is eligible for an active license but who is not engaged in any type of nursing practice may request an inactive license.

(b) Before engaging in nursing practice, a holder of an inactive license shall register with the Board as active and pay the active biennial license fee as set forth at N.J.A.C. 13:37-5.5(a). A licensee who changes status from inactive to active shall submit evidence to the Board that he or she has completed 30 credits of continuing education which meets the requirements of N.J.A.C. 13:37-5.3.