

**STATE OF NEW JERSEY**  
**DEPARTMENT OF LAW AND PUBLIC SAFETY**  
**DIVISION OF CONSUMER AFFAIRS**  
**NOTICE OF RULE WAIVER/MODIFICATION/SUSPENSION**  
**PURSUANT TO EXECUTIVE ORDER NO. 103 (MURPHY)(MARCH 9, 2020)**  
**COVID-19 STATE OF EMERGENCY**

Temporary statute and rule waiver adopted by Paul R. Rodríguez, Acting Director, Division of Consumer Affairs

Date: March 20, 2020

Authority: P.L. 2020, c. 3; Executive Order No. 103 (Murphy) ("EO 103")

Effective Date: March 20, 2020

Expiration Date: Concurrent with end of EO 103

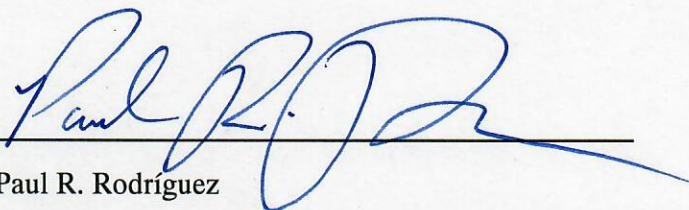
I, Paul R. Rodríguez, pursuant to the authority granted by P.L. 2020, c. 3, hereby waive the requirements as follows:

- N.J.S.A. 45:1-63(a)(3), and any other laws and regulations, to the extent they require a healthcare provider to, prior to initiating contact with a patient in an initial encounter for the purpose of providing services to the patient using telemedicine or telehealth, review the patient's medical history and any available medical records, in order to establish a proper provider/ patient relationship for the purpose of providing telehealth or telemedicine. I find that waiver of this requirement is necessary to the extent it removes a barrier to the establishment of provider/patient relationship during the declared state of emergency. Rather, providers should use clinical judgment to obtain relevant medical history and review medical records available to them in order to meet applicable standards of care.
- N.J.S.A 45:1-62(c), and any other laws and regulations, to the extent they prescribe specific technological parameters for the type of communication device used for delivery of telehealth and telemedicine services. I find the waiver of this requirement is necessary to allow providers the flexibility to use all available and appropriate technological devices to offer care via telemedicine and telehealth.
- N.J.A.C. 10:190-1.1, and any other laws or regulations, to the extent they require a patient to be physically present at the address of the licensed health care provider or any other specified address to initiate or engage in telemedicine or telehealth.

I find that waiver of the requirements above is necessary because these requirements would impede access to timely care via telemedicine and telehealth and would therefore be detrimental to the public health, safety and welfare during this emergency. It is the intent of this waiver to allow flexibility regarding the site of patient and provider (in accordance with applicable standards of care).

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Date: March 23, 2020



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Paul R. Rodriguez

Acting Director, Division of Consumer Affairs