Sponsored by:
Senator  LORETTA WEINBERG
District 37 (Bergen)
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SYNOPSIS
Permits physicians and veterinarians to earn continuing education credits by providing certain free medical or veterinary services.

CURRENT VERSION OF TEXT
Introduced Pending Technical Review by Legislative Counsel

BE IT ENACTED by the Senate and General Assembly of the State of New Jersey:

1. Section 10 of P.L.2001, c.307 (C.45:9-7.1) is amended to read as follows:

   10. a. [The] Except as provided in paragraph (2) of subsection d. of this section, the State Board of Medical Examiners shall require each person licensed as a physician, as a condition for biennial registration pursuant to section 1 of P.L.1971, c.236 (C.45:9-6.1), or as a podiatrist, as a condition for biennial registration pursuant to R.S.45:5-9, to complete 100 credits of continuing medical education, all of which shall be in Category I or Category II as defined in subsection i. of this section.

   b. The board shall:

      (1) Establish standards for continuing medical education, including the subject matter and content of courses of study;

      (2) Accredit education programs offering credit toward continuing medical education requirements or recognize national or State organizations that may accredit education programs;

      (3) Allow satisfaction of continuing medical education requirements through equivalent educational programs, such as participation in accredited graduate medical education programs, examinations, papers, publications, scientific presentations, teaching and research appointments and scientific exhibits, and establish procedures for the issuance of credit upon satisfactory proof of attainment of these equivalent educational programs;

      (4) Create an advisory committee to be comprised of at least five members, including representatives of the Medical Society of New Jersey, the Academy of Medicine of New Jersey, the New Jersey [Osteopathic] Association of Osteopathic Physicians and Surgeons, the New Jersey Podiatric Medical [Association] Society and such other professional societies and associations as the board may identify, to provide guidance to the board in discharging its responsibilities pursuant to this section; and

      (5) [Delineate] Establish, through the promulgation of regulations, any specific courses or topics which, on the recommendation of the advisory committee created pursuant to paragraph (4) of this subsection and in the discretion of the board, are to be required, and designate which are the core requirements for continuing medical education, including the number of required credits.

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.
c. Each hour of an educational course or program shall be equivalent to one credit of continuing medical education.
d. (1) The board may, in its discretion, waive requirements for continuing medical education on an individual basis for reasons of hardship such as illness or disability, retirement of license, or other good cause. A waiver shall apply only to the current biennial renewal period at the time of board issuance.

(2) The board shall offset up to 10 of the required 100 credits for continuing medical education biennially by the number of hours of volunteer medical services rendered by licensees, at the rate of one half of one credit of continuing medical education for each hour of volunteer medical service rendered, provided that such licensees shall be required to complete at least the core requirements established pursuant to paragraph (5) of subsection b. of this section. The board may reduce, in part, an application by a licensee to offset credits of continuing medical education pursuant to this paragraph if the board finds, in its discretion, that the applicant requires such continuing medical education in order to maintain or restore professional competence, or may deny all such applications if the board finds that continuing medical education above the core requirements is necessary because of developments in science or technology. The board may also, in its discretion, and for good cause, notify a licensee that the licensee is ineligible to offset credits of continuing medical education pursuant to this paragraph for any other reason established by regulation by the board.

e. The board shall not require completion of continuing medical education credits for any registration period commencing within 12 months of the effective date of this section.
f. The board shall require completion of medical education credits on a pro-rated basis for any registration period commencing more than 12 months but less than 24 months from the effective date of this section.
g. The board shall require new licensees to successfully complete, within 24 months of becoming licensed, an orientation course, in those topics identified by the board through regulation, conducted by an organization recognized by the board.
h. The board shall not require a new licensee to complete required continuing medical education credits, other than the orientation course described in subsection g. of this section, for any registration period commencing within 12 months of the licensee's participation in and completion of an accredited graduate medical education program.
i. As used in this section[.]:

"Category I and Category II" means those categories of medical education courses recognized by the American Medical Association, the American Osteopathic Association, the American
Podiatric Medical Association, the Accreditation Council for Continuing Medical Education or other comparable organizations recognized by the board; “Core requirements” means the continuing medical education determined by the board to be necessary to maintain currency in professional knowledge and skills in order to deliver competent care to patients; and “Volunteer medical services” means medical care provided without charge to low-income patients for health care services for which the patient is not covered by any public or private third party payer, in accordance with such standards, procedures, requirements and limitations as are established by the board. (cf: P.L.2001, c.307, s.10)

2. Section 4 of P.L.1952, c.198 (C.45:16-9.4) is amended to read as follows:

4. Every person licensed to practice veterinary medicine, surgery and dentistry shall procure a certificate of registration which shall be issued upon the payment of a fee determined by the board for a two-year period. A registrant not practicing in this State may apply for an inactive registration and shall pay a fee determined by the board. An inactive registrant shall not practice veterinary medicine, surgery or dentistry in this State. The secretary shall mail to each person licensed to practice veterinary medicine, surgery and dentistry at least 30 days prior to the deadline for registration a printed blank form to be properly filled in and returned to the secretary by such licensed person on or before the deadline for registration, together with such fee. In addition to information about the registrant, the board shall require each licensee to provide the following information on the application or renewal application form: the name, address and telephone number of each veterinary facility in which the registrant will practice 500 or more hours per year; the type of practice; the legal organization of the practice and that entity's name, address and telephone number, if different from the facility address and telephone number; and the name of the principals for that entity. Upon the receipt of the form properly filled in, and such fee, the certificate of registration shall be issued and transmitted.

[A] Except as otherwise provided in section 3 of P.L. , c. (pending before the Legislature as this bill), a registrant applying for active license renewal shall complete not less than 20 hours of continuing veterinary education, of a type approved by the board, during each two-year license renewal period to be eligible for relicensure. Prior to license renewal each licensee shall submit to the board proof of completion of the required number of hours of continuing education over the prior two-year period. The board may, in its discretion, waive requirements for continuing education
for an individual for reasons of hardship, such as illness or
disability, retirement of the license or other good cause.

The failure on the part of the licensee to renew his certificate as
required shall not deprive such person of the right of renewal. The
fee to be paid if the certificate is renewed after the expiration date
shall be determined by the board. Notice to the licensee by mail on
or before the deadline for registration, addressed to his last post-
office address known to the board, informing him of his failure to
have applied for a renewal of his license certificate, shall constitute
legal notification of such delinquency by the board.

Applications for renewal of certificates shall be in writing to the
board, accompanied by the required fees. The license of any person
who fails to procure a renewal of certificate at the time and in the
manner required by this section shall be suspended by the board
upon notice. Any license so suspended shall be reinstated at any
time upon the payment of all past-due registration fees and an
additional reinstatement fee determined by the board. The board
may require that any applicant for registration who has ceased the
practice of veterinary medicine for a period in excess of three years
be reexamined by the board and be required to complete additional
continuing education requirements as a prerequisite to relicensure
by the board. Any person whose license shall have been suspended
for such cause shall, during the period of such suspension, be
regarded as an unlicensed person and, in case he shall continue or
engage in the practice of veterinary medicine, surgery or dentistry
during such period, shall be liable to penalties pursuant to the
provisions of P.L.1978, c.73 (C.45:1-14 et seq.).

Every duly licensed person, before commencing the practice of
veterinary medicine, surgery and dentistry in this State, shall,
within 30 days of the commencement of such practice, procure the
certificate of registration required in this act.

Every person practicing veterinary medicine, surgery and
dentistry in this State shall conspicuously display at all times his
license and registration certificate for the effective two-year period
in his main office. Every person who practices veterinary medicine,
surgery and dentistry without having such certificate on display, as
herein required, shall be liable to a penalty pursuant to section 12 of

Every practitioner of veterinary medicine, surgery and dentistry,
licensed under the provisions of R.S.45:16-1 et seq., shall report to
the board in writing any change in his place of practice, whether
same be his main office or branch office, within 30 days of such
change.

(cf: P.L.2003, c.227, s.4)

3. (New section) a. The State Board of Veterinary Medical
Examiners shall establish, through the promulgation of regulations,
any specific courses or topics which are to be required for
continuing veterinary education, and designate which are the core
requirements for continuing veterinary education, including the
number of required hours, subject matter and content of courses of
study.

For purposes of this section, “core requirements” means the
continuing veterinary education determined by the board to be
necessary to maintain currency in professional knowledge and skills
in order to deliver competent veterinary care.

b. The board shall offset up to 10 of the not less than 20 credits
for continuing veterinary education required pursuant to section 4
of P.L.1952, c.198 (C.45:16-9.4) by the number of spaying or
neutering services provided by a veterinarian in accordance with
subsection c. of this section, at the rate of one hour of continuing
veterinary education credits for every two spayed cats or dogs, or a
combination thereof, and one hour of continuing veterinary
education credits for every four neutered cats or dogs, or a
combination thereof, provided that a veterinarian shall be required
to complete at least the core requirements established pursuant to
subsection a. of this section.

The board may reduce, in part, an application by a licensee to
offset credits of continuing veterinary education pursuant to this
subsection if the board finds, in its discretion, that the applicant
requires continuing veterinary education in order to maintain or
restore professional competence, or may deny all applications if the
board finds that continuing veterinary education above the core
requirements is necessary because of developments in science or
technology.

The board may also, in its discretion and for good cause, notify a
veterinarian that the veterinarian is ineligible to offset credits of
continuing veterinary education pursuant to this subsection for any
other reason established by regulation by the board.

c. A veterinarian shall be eligible to offset up to 10 of the
required 20 or more credits for continuing veterinary education for
rendering spaying or neutering services free of charge, without
receiving compensation from any source for the rendering of such
services, to:

(1) a person eligible for, and participating in, at least one of the
programs enumerated in section 3 of P.L.1983, c.172 (C.4:19A-2);
or

(2) a municipality or a nonprofit group or organization that is
operating a program of trapping, spaying or neutering feral or stray
cats, and releasing the spayed or neutered feral or stray cats,
provided that the municipality or nonprofit group or organization
has attested in writing to the veterinarian that the cat to be spayed or
neutered by the veterinarian is feral or stray with no known owner.
4. The State Board of Medical Examiners, pursuant to the "Administrative Procedure Act," P.L.1968, c.410 (C.52:14B-1 et seq.), may adopt rules and regulations necessary to effectuate the purposes of this act.

5. The State Board of Veterinary Medical Examiners, pursuant to the "Administrative Procedure Act," P.L.1968, c.410 (C.52:14B-1 et seq.), may adopt rules and regulations necessary to effectuate the purposes of this act.

6. This act shall take effect on the 180th day after the enactment of this act, but the State Board of Medical Examiners and the State Board of Veterinary Medical Examiners may take such anticipatory administrative action in advance as shall be necessary for the implementation of the act.

STATEMENT

This bill requires the State Board of Medical Examiners to offset up to 10 of the required 100 credits required biennially for continuing medical education by the number of hours of volunteer medical services rendered by the licensee, at the rate of one half of one credit of continuing medical education for each hour of volunteer medical service rendered.

The bill defines “volunteer medical services” as medical care provided without charge to low-income patients for health care services for which the patient is not covered by any public or private third party payer, in accordance with such standards, procedures, requirements and limitations as are established by the board.

The bill further provides that the State Board of Veterinary Medical Examiners shall offset up to 10 of the 20 or more credits for continuing veterinary education required pursuant to section 4 of P.L.1952, c.198 (C.45:16-9.4) by the number of spaying or neutering services provided by the veterinarian at the rate of one hour of continuing veterinary education credits for every two spayed dogs or cats, or a combination thereof, and one hour of continuing veterinary education credits for every four neutered dogs or cats, or a combination thereof, provided that the veterinarian complete at least the core requirements for continuing veterinary education.

A veterinarian shall only be eligible to offset up to 10 of the 20 or more required credits for continuing veterinary education for rendering spaying or neutering services free of charge, without receiving compensation from any source for the rendering of such services, if those services are provided to:
(1) a person eligible for, and participating in, at least one of the assistance programs enumerated in section 3 of P.L.1983, c.172 (C.4:19A-2); or

(2) a municipality or a nonprofit group or organization that is operating a program of trapping, spaying or neutering feral or stray cats, and releasing the spayed or neutered feral or stray cats, provided that the municipality or nonprofit group or organization has attested in writing to the veterinarian that the cat to be spayed or neutered by the veterinarian is feral or stray with no known owner.

The bill also requires the State Board of Medical Examiners and the State Board of Veterinary Medical Examiners to establish any specific courses or topics which are to be required for continuing medical or veterinary education, as appropriate, and designate which are the core requirements for continuing medical education and veterinary education, as appropriate, including the number of required hours, subject matter and content of courses of study.