ASSEMBLY, No. 5283

STATE OF NEW JERSEY

220th LEGISLATURE

INTRODUCED MARCH 9, 2023

Sponsored by:
Assemblyman P. CHRISTOPHER TULLY
District 38 (Bergen and Passaic)
Assemblyman LOUIS D. GREENWALD
District 6 (Burlington and Camden)
Assemblywoman GABRIELA M. MOSQUERA
District 4 (Camden and Gloucester)
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District 38 (Bergen and Passaic)
Senator VIN GOPAL
District 11 (Monmouth)

Co-Sponsored by:
Assemblyman Moen, Assemblywomen Speight, Swain, Murphy, Assemblymen Wirths, Space, Assemblywomen Lopez, Carter and Senator Pou

SYNOPSIS

Requires calculation of national average time needed to approve applications for initial credential in profession or occupation and use of average time as standard in New Jersey.

CURRENT VERSION OF TEXT

As introduced.

(Sponsorship Updated As Of: 12/21/2023)

AN ACT concerning the approval of applications for initial professional and occupational credentials and supplementing P.L.1999, c.403 (C.45:1-3.3).

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

1. a. A professional board specified in section 2 of P.L.2013, c. 253 (C.45:1-15), and any other entity hereafter created under Title 45 to license or otherwise regulate a profession or occupation, shall collect, from each state in the United States where the professions or occupations regulated by the corresponding New Jersey board are regulated, data on the amount of time, or the average amount of time, the other states need or are required to take to approve an application for an initial credential in the profession or occupation. A board may contact a national or regional association to obtain data regarding average approval times in other states.

b. (1) Based on the information collected pursuant to subsection a. of this section, a national average of the time required or necessary to approve an application for an initial credential shall be calculated by each board for each profession or occupation it regulates.

(2) The calculated national average of the time for each profession and occupation shall be presented to the director of the Division of Consumer Affairs, or a designee, for review and approval. Upon approval by the director or a designee, the calculated national average of the time shall, on the first day of the next month after approval, be applied by the corresponding board as the timeline in which applications for initial credentials are to be approved for applications received after that date.

c. (1) After one year of using the calculated national average of times by the boards, the division shall review if the boards are meeting the requisite calculated average times for approval of applications for initial credentials.

(2) If the review demonstrates a board is not meeting the calculated time, licensing fees collected by the corresponding board shall be used to contract with a third-party, with expertise in the professions or occupations regulated by the specific board, to determine best practices the board is to implement to meet the calculated average time for application approval. Upon completion of the review by the third-party, the board shall implement the best practices immediately. The division shall review the data regarding approval of applications for initial credentials by the board subject to the provisions of this subparagraph after six months to ensure the calculated national average time is met.

2. The collection required pursuant to section 1 of this act shall be completed by the end of six months after the effective date of this act, after which there shall be an annual review by the boards, in collaboration with the director or a designee, to determine the accuracy of the calculations.

3. Each board shall be entitled to retain all funds collected as a result of fees paid for an initial credential and for the renewal, reactivation, and reinstatement of a credential in order to administer the provisions of P.L. , c. (C.) (pending before the Legislature as this bill), until such time that a board is meeting or surpassing its calculated national average time for application approval.

4. The director, pursuant to the "Administrative Procedures Act," P.L.1968, c.410 (C.52:14B-1 et seq.), shall adopt rules and regulations necessary to effectuate the purposes of this act.

5. This act shall take effect on the first day of the tenth month next following enactment.

STATEMENT

The bill requires the boards created under Title 45 in current law to collect, from each state in the country, the amount of time, or the average amount of time, required or necessary to approve an application for an initial credential for each profession or occupation in which the New Jersey board also issues a credential. A board may contact a national or regional association to obtain data regarding average approval times in other states. Based on the data collected, a national average of the time required or necessary for application approval is to be calculated for each profession and occupation and used by the corresponding board in New Jersey as the amount of time it has to approve an application for an initial credential. The Director of the Division of Consumer Affairs, or a designee, is to review and approve the calculated national averages of times prior to their use by the boards.

After one year of using the calculated national average of times by the boards, the division is to review if the boards are meeting the requisite calculated average times for approval of applications for initial credentials. If the review demonstrates a board is not meeting the calculated time, licensing fees collected by the board are to be used to contract with a third-party, with expertise in the professions or occupations regulated by the specific board, to determine best practices that the board is to implement to meet the calculated average time for application approval. Upon completion of the review by the third-party, the board is to implement the best

practices immediately. The division is to review the data on the approval of applications for initial credentials by the board six months after the implementation of best practices to ensure the calculated national average time is met.

The boards have six months after the effective date of the bill to complete the initial collection of data and calculate the national average time. Additionally, an annual review of the calculated national average time is to be performed by each board, in collaboration with the director or a designee, to determine the accuracy of the calculations. The bill stipulates that each board is entitled to retain all funds collected as a result of fees paid for an initial credential and for the renewal, reactivation, and reinstatement of a credential in order to administer the provisions of this bill, until the board is meeting or surpassing its calculated national average time for application approval.