

[First Reprint]

**SENATE, No. 2311**

**STATE OF NEW JERSEY**  
**221st LEGISLATURE**

INTRODUCED JANUARY 25, 2024

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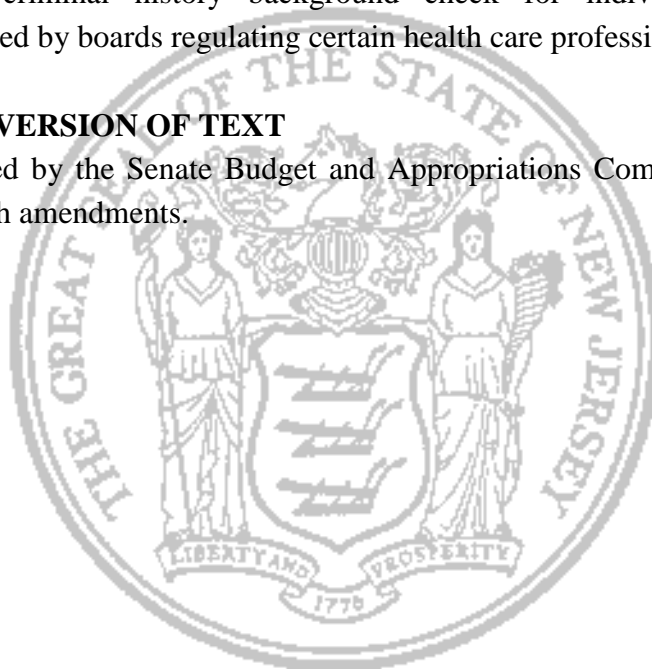
**Senators Henry, Pou, Assemblywomen Dunn and Bagolie**

**SYNOPSIS**

Requires criminal history background check for individuals seeking licensure issued by boards regulating certain health care professions.

**CURRENT VERSION OF TEXT**

As reported by the Senate Budget and Appropriations Committee on June 26, 2024, with amendments.



**(Sponsorship Updated As Of: 6/28/2024)**

1 AN ACT concerning criminal history background checks for certain  
2 health care professionals and amending P.L.2002, c.104.

3

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

6

7 1. Section 1 of P.L.2002, c.104 (C.45:1-28) is amended to read  
8 as follows:

9 1. As used in this act:

10 "Applicant" means an applicant for the licensure or other  
11 authorization to engage in a health care profession.

12 "Board" means a professional and occupational licensing board  
13 within the Division of Consumer Affairs in the Department of Law  
14 and Public Safety.

15 "Director" means the Director of the Division of Consumer  
16 Affairs in the Department of Law and Public Safety.

17 "Division" means the Division of Consumer Affairs in the  
18 Department of Law and Public Safety.

19 "Health care professional" means a health care professional who  
20 is licensed or otherwise authorized, pursuant to Title 45 or Title 52  
21 of the Revised Statutes, to practice a health care profession that is  
22 regulated by one of the following boards or by the Director of the  
23 Division of Consumer Affairs: the State Board of Medical  
24 Examiners, the New Jersey Board of Nursing, the New Jersey State  
25 Board of Dentistry, the New Jersey State Board of Optometrists, the  
26 New Jersey State Board of Pharmacy, the State Board of  
27 Chiropractic Examiners, the Acupuncture Examining Board, the  
28 State Board of Physical Therapy, the State Board of Respiratory  
29 Care, the Orthotics and Prosthetics Board of Examiners, the State  
30 Board of Psychological Examiners, the State Board of Social Work  
31 Examiners, the State Board of Veterinary Medical Examiners, the  
32 State Board of Examiners of Ophthalmic Dispensers and  
33 Ophthalmic Technicians, the Audiology and Speech-Language  
34 Pathology Advisory Committee, the State Board of Marriage and  
35 Family Therapy Examiners, the Occupational Therapy Advisory  
36 Council, the Certified Psychoanalysts Advisory Committee **[or]**,  
37 the State Board of Polysomnography, the State Board of Applied  
38 Behavior Analyst Examiners, the State Board of Creative Arts and  
39 Activities Therapies, or the State Board of Dietetics and Nutrition.

40 Health care professional shall not include a nurse aide or  
41 personal care assistant who is required to undergo a criminal history  
42 record background check pursuant to section 2 of P.L.1997, c.100  
43 (C.26:2H-83) or a homemaker-home health aide who is required to  
44 undergo a criminal history record background check pursuant to  
45 section 7 of P.L.1997, c.100 (C.45:11-24.3).

**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.

Matter enclosed in superscript numerals has been adopted as follows:

<sup>1</sup>Senate SBA committee amendments adopted June 26, 2024.

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1 "Licensee" means an individual who has been issued a license or  
2 other authorization to practice a health care profession.

3 (cf: P.L.2005, c.244, s.17)

4

5 2. This act shall take effect <sup>1</sup>【on the first day of the seventh  
6 month next following the date of enactment】 immediately<sup>1</sup> and shall  
7 be applicable to applications for initial licensure or licensure  
8 renewal received by the State Boards of Applied Behavior Analyst  
9 Examiners, Creative Arts and Activities Therapies, and Dietetics  
10 and Nutrition received on or after <sup>1</sup>【that date】 the date of  
11 enactment<sup>1</sup>.