

[First Reprint]

ASSEMBLY, No. 5404

STATE OF NEW JERSEY
222nd LEGISLATURE

INTRODUCED SEPTEMBER 10, 2026

Sponsored by:

Assemblywoman SHANIQUE SPEIGHT

District 29 (Essex and Hudson)

Assemblywoman VERLINA REYNOLDS-JACKSON

District 15 (Hunterdon and Mercer)

SYNOPSIS

Establishes “Midwifery Licensing Act.”

CURRENT VERSION OF TEXT

As reported by the Assembly Appropriations Committee on October 22, 2026, with amendments.



(Sponsorship Updated As Of: 9/10/2026)

1 AN ACT concerning the oversight of midwives and revising various
2 parts of the statutory law and supplementing Title 45 of the
3 Revised Statutes.

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

7
8 1. (New section) P.L. , c. (C.) (pending before the
9 Legislature as this bill) shall be known and may be cited as the
10 “Midwifery Licensing Act.”

11
12 2. (New section) The Legislature finds and declares that:

13 a. The public interest requires the establishment of a modern
14 regulatory framework for the practice of midwifery in this State.

15 b. Midwives play a vital role in improving maternal and infant
16 health.

17 c. Research has shown that access to midwifery services
18 significantly reduces the rate of maternal and infant mortality and
19 morbidity, particularly for vulnerable communities, yet many of the
20 statutory provisions governing the practice of midwifery in the
21 State date back to the late 19th century.

22 d. Midwifery practice continues to be regulated by the State
23 Board of Medical Examiners rather than by an independent
24 midwifery licensing board.

25 e. In light of the expansion of midwifery practice and the
26 urgent need to address New Jersey’s unusually high levels of
27 maternal and infant mortality and morbidity, it is necessary to
28 establish a new regulatory framework for the practice of midwifery
29 in this State.

30
31 3. (New section) As used in sections 4 through 15 of P.L. , c.
32 (C.) (pending before the Legislature as this bill):

33 “Board” means the State Board of Midwifery established
34 pursuant to section 4 of P.L. , c. (C.) (pending before the
35 Legislature as this bill).

36 “Certified midwife” or “CM” means a person who has been
37 certified by the American Midwifery Certification Board, or any of
38 its successors, as a certified midwife.

39 “Certified nurse midwife” or “CNM” means a registered nurse
40 who has been certified by the American Midwifery Certification
41 Board, or any of its successors, as a certified nurse midwife.

42 “Certified professional midwife” or “CPM” means a person who
43 has been certified by the North American Registry of Midwives, or
44 any of its successors.

45 ¹“Clinical guidelines” means the current iteration of written

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:

¹Assembly AAP committee amendments adopted October 22, 2026.

1 standards established by the American College of Nurse Midwives
2 or any other organization recognized by the board.

3 “Collaboration” or “collaborative management” means the
4 process by which a licensee and a physician or other appropriate
5 health care professional jointly manage the care of a patient.

6 “Consultation” means discussing the aspects of an individual
7 patient’s circumstances with a physician or other appropriate health
8 care professionals to assure comprehensive and quality care for the
9 patient and for the purposes of making adjustments to the patient’s
10 treatment plan. “Consultation” may include patient history intake;
11 examination of the patient; rendering an opinion concerning
12 diagnosis and treatment; or offering services, assistance or
13 advice.¹

14 “Licensee” means any person who holds a license from the board
15 to practice as a midwife.

16 “Midwife” means a person licensed by the board as a certified
17 midwife (CM), certified nurse midwife (CNM), or certified
18 professional midwife (CPM).

19 “Midwifery services” means care for childbearing persons during
20 pre-pregnancy, pregnancy, birth, and postpartum, the provision of
21 gynecological care and primary preventive reproductive care, and
22 care for newborn infants in the early weeks of life consistent with
23 the midwife’s education and certification¹, provided in a network of
24 clinical relationships with other health care professionals, including
25 at least one physician specializing in obstetrics and gynecology who
26 has agreed to provide consultation, collaborative management and
27 referral¹. “Midwifery services” shall also include, with respect to a
28 certified midwife or a certified nurse midwife, ¹【primary】 well
29 woman¹ care ¹across the lifespan¹ for individuals with female
30 reproductive systems.

31 ¹“Referral” means the process by which a licensee arranges for
32 an accepting physician or other appropriate health care professional
33 to assume primary management responsibility for a condition
34 requiring referral which process shall not preclude the licensee from
35 continuing the provision of care as mutually agreed upon with the
36 accepting health care professional.

37 “Transfer” means the act of transporting a patient to a licensed
38 health care facility providing a higher level of care.

39 “Well woman care” means gynecological and primary health
40 care screening, assessment, and treatment and contraceptive
41 services for individuals with female reproductive systems.¹

42
43 4. (New section) ¹a.¹ There is created in the Division of
44 Consumer Affairs in the Department of Law and Public Safety the
45 State Board of Midwifery. The board shall consist of 11 members,
46 one of whom shall be a public member appointed by the Governor
47 pursuant to the provisions of subsection b. of section 2 of P.L.1971,
48 c.60 (C.45:1-2.2) and one of whom shall be a member of the

1 Executive Branch appointed by the Governor in fulfillment of the
2 requirement of subsection c. of section 2 of P.L.1971, c.60 (C.45:1-
3 2.2); one of whom shall be a physician who is certified by either the
4 American Board of Obstetrics and Gynecology, the American
5 Osteopathic Board of Obstetrics and Gynecology, or any other
6 certification organization of comparable standards, or one of whom
7 shall be a physician who practices family medicine; and one of
8 whom shall be a physician who practices pediatrics. The seven
9 remaining members shall be midwives, at least one of whom shall
10 be a midwifery educator, at least two shall be certified professional
11 midwives, two shall be certified nurse midwives, and two shall be
12 certified midwives.

13 ¹b.¹ The Governor shall appoint each member, other than the
14 State executive department member, for terms of three years, except
15 that of the members first appointed, four shall serve for a term of
16 three years, four shall serve for terms of two years and three shall
17 serve for terms of one year. Any vacancy in the membership shall
18 be filled for the unexpired term in the manner provided by the
19 original appointment. No member of the board shall serve for more
20 than two successive terms in addition to any unexpired term to
21 which the member has been appointed. The Governor may remove
22 any member of the board for cause, other than the State executive
23 department member who, pursuant to subsection c. of section 2 of
24 P.L.1971, c.60 (C.45:1-2.2), serves at the pleasure of the Governor.

25 ¹c. Upon the appointment of the members of the board, the
26 Midwifery Liaison Committee of the State Board of Medical
27 Examiners shall be abolished and all of its functions and duties
28 shall be continued in the State Board of Midwifery. All
29 appropriations to the State Board of Medical Examiners and other
30 moneys made available for the purposes of regulating licensees are
31 hereby continued in the State Board of Midwifery and shall be
32 available for the objects and proposes for which such moneys are
33 appropriated subject to the terms, restrictions and limitations, or
34 such other requirements imposed by State or federal law.¹

35
36 5. (New section) Notwithstanding any law, rule, or regulation
37 to the contrary, the members of the board shall serve without
38 compensation and shall not be entitled to receive any pension or
39 health benefits based upon their service as a board member but,
40 pursuant to section 2 of P.L.1977, c.285 (C.45:1-2.5), shall be
41 reimbursed for expenses and provided with office and meeting
42 facilities.

43
44 6. (New section) a. The board shall organize within 30 days
45 after the appointment of its members and shall annually elect from
46 among its members a chairperson and vice-chairperson.

47 b. The chairperson shall preside at all board meetings and
48 perform all duties prescribed by law or board regulations. The vice-

1 chairperson shall preside if the chairperson is absent or temporarily
2 unable to discharge the duties of the chairperson, or the position of
3 chairperson becomes vacant. The board shall meet at least once
4 every three months in-person, or through remote technologies, and
5 may hold additional meetings as necessary to discharge its duties.
6 A majority of the board membership shall constitute a quorum. The
7 minutes of meetings, upon approval of the board, shall constitute
8 the official records of board meetings.

9 c. The board shall promulgate rules and regulations pursuant to
10 the “Administrative Procedure Act,” P.L.1968, c.410 (C.52:14B-1
11 et seq.) to effectuate the purposes of P.L. , c. (C.) (pending
12 before the Legislature as this bill). The provisions of P.L. , c.
13 (C.) (pending before the Legislature as this bill)¹, except for
14 sections 4, 5, and 6 and subsection j. of section 7,¹ shall remain
15 inoperative until the first day of the sixth month next following the
16 promulgation by the board of the rules and regulations¹except for
17 the provisions of sections 1 through 6, section 25, and subsection j.
18 of section 7, which shall become operative upon enactment.

19 d. The regulations pertaining to the provision of midwifery
20 services previously promulgated by the State Board of Medical
21 Examiners shall remain in full force and effect until such time as
22 the State Board of Midwifery may adopt or modify such
23 regulations, with the exception of any rule requiring a licensee to
24 maintain a formal written collaborative practice agreement with a
25 physician if the licensee is practicing in a health care system or in a
26 network of clinical relationships with other health care
27 professionals, including at least one physician specializing in
28 obstetrics and gynecology who has agreed to provide consultation,
29 collaborative management and referral¹.

30
31 7. (New section) The board shall:

32 a. establish and review the qualifications of applicants for
33 licensure;

34 b. recognize accrediting entities for midwifery education
35 programs;

36 c. recognize national certification entities which certify
37 individuals to practice as certified midwives, certified nurse
38 midwives, and certified professional midwives;

39 d. issue and renew, on a biennial basis, licenses for midwives;

40 e. refuse to issue an initial license or suspend, revoke, or fail to
41 renew a license of a midwife in accordance with the provisions set
42 forth in P.L.1978, c.73 (C.45:1-14 et seq.);

43 f. enforce provisions of P.L. , c. (C.) (pending before
44 the Legislature as this bill), and issuance of penalties pursuant to
45 section 9 of P.L.1978, c.73 (C.45:1-22);

46 g. maintain a record of each board licensee to include, but not
47 be limited to, information regarding the place of business, place of
48 residence, the issuance date of the license, the license number, and

1 type of certification obtained by the licensee, and publish a list,
2 which may be online, of the names and business addresses of all
3 licensees annually;

4 h. ¹~~review~~ establish¹ continuing education ¹~~hours~~
5 completed by licensees as the board deems appropriate, pursuant to
6 section 10 of P.L. , c. (C.) (pending before the Legislature
7 as this bill) requirements for board licensees¹;

8 i. prescribe and change the fees for initial licensure, licensure
9 renewals, reactivations, and reinstatements, and other services the
10 board deems necessary to provide, including services performed
11 pursuant to P.L.1974, c.46 (C.45:1-3.1 et seq.);

12 j. adopt and promulgate rules and regulations pursuant to the
13 “Administrative Procedure Act,” P.L.1968, c.410 (C.52:14B-1 et
14 seq.) to effectuate the purposes of P.L. , c. (C.) (pending
15 before the Legislature as this bill)¹, including regulations
16 establishing:

17 (1) scope and practice standards for antepartum, intrapartum,
18 postpartum, and newborn care; and

19 (2) any conditions, history, diagnosis, disorder, or symptoms or
20 circumstances for which consultation, collaborative management, or
21 referral are required or under which midwifery services are
22 prohibited¹; and

23 k. perform other duties as deemed necessary by the board to
24 effectuate the purposes of P.L. , c. (C.) (pending before the
25 Legislature as this bill).

26
27 8. (New section) a. An individual shall not provide midwifery
28 services unless licensed pursuant to P.L. , c. (C.) (pending
29 before the Legislature as this bill), except that nothing in P.L. , c.
30 (C.) (pending before the Legislature as this bill) shall be
31 construed to prohibit:

32 (1) an individual licensed to practice pursuant to Title 45 of the
33 Revised Statutes from engaging in the practice or teaching for
34 which that person is licensed, regulated, or certified; or

35 (2) students enrolled in a midwifery program, or any other health
36 care educational program, from performing midwifery services as
37 part of a course of study.

38 b. ¹~~An individual licensed as a certified~~ A¹ midwife ¹~~or~~
39 ~~certified nurse midwife~~¹ may provide midwifery services and any
40 other related services ¹~~to the full scope of the individual’s license~~
41 ~~and credential, pursuant to the requirements established by~~ for
42 which¹ the board ¹~~for certified midwives and certified nurse~~
43 ~~midwives.~~

44 c. An individual licensed as a certified professional midwife may
45 provide midwifery and other related services to the full scope of the
46 individual’s license and credential, pursuant to the requirements
47 established by the board for certified professional midwives.

1 d.], by regulation, has established education and experiential
2 requirements, in a manner consistent with clinical guidelines,
3 reflecting the applicable standards of professional associations
4 recognized by the board.

5 c. A midwife shall maintain documentation of a plan to provide
6 for consultation, collaborative management, referral, or transport
7 which plan shall meet the standards as required by regulation
8 promulgated by the board whenever that midwife is rendering
9 midwifery services outside of a birthing center licensed pursuant to
10 P.L.1971, c.136 (C.26:2H-1 et seq.) or an acute care hospital.

11 d. A midwife shall provide all patients with a notice of the plan
12 for consultation, collaborative management and referral and the
13 circumstances and conditions which may warrant implementation of
14 such plan or emergency transport to an acute care hospital.

15 e. A midwife shall maintain records of all services rendered and,
16 with respect to births, file all required vital statistics, including the
17 planned place of birth, the actual place of birth, and the identity of
18 health care professionals in attendance.

19 f. Any midwife who is not authorized to prescribe drugs,
20 pursuant to section 2 of P.L.1991, c.97 (C.45:10-18), shall not
21 administer or dispense drugs unless the administration or
22 dispensation is authorized by a standing order issued to the midwife
23 by a physician, advanced practice nurse, or physician assistant, or
24 by a certified midwife who is authorized to prescribe drugs pursuant
25 to section 2 of P.L.1991, c.97 (C.45:10-18). A physician, advanced
26 practice nurse, or physician assistant who issues a standing order to
27 a midwife pursuant to this subsection shall specialize in obstetrics
28 and gynecology.

29 g.¹ A certified midwife, certified nurse midwife, and certified
30 professional midwife may work in any setting for which the
31 midwife is trained and qualified, including, hospitals, clinics,
32 patients' homes, or birthing centers.

33 ¹[e.] h.¹ A licensee shall be authorized to sign paperwork for
34 Temporary Disability Insurance and family temporary disability
35 benefits, pursuant to P.L.1948, c.110 (C.43:21-25 et seq.).
36

37 9. (New section) To be eligible for licensure as a midwife, an
38 applicant shall be at least 18 years of age and submit:

39 a. a completed application, in a form and manner as determined
40 by the board;

41 b. an official transcript demonstrating successful completion of
42 a midwifery program accredited by an entity identified and
43 recognized by the board;

44 c. a copy of certification from a national certifying entity
45 recognized by the board;

46 d. payment of fees, as required by the board; and

47 e. any other information deemed necessary, as determined by
48 the board.

- 1 10. (New section) a. ¹~~["~~In order to maintain licensure as a
2 midwife:
- 3 (1) the CNM/CM licensee shall maintain certification through
4 the American Midwifery Certification Board (AMCB) (or its
5 successor); and
- 6 (2) the CPM licensee shall maintain certification through the
7 North American Registry of Midwives (NARM) (or its successor).
- 8 b. As a condition of licensure renewal, the~~"]~~ The¹ board shall
9 require each individual licensed as a midwife, pursuant to
10 subsection h. of section 7 of P.L. , c. (C.) (pending before
11 the Legislature as this bill), to complete continuing education
12 requirements ¹~~["~~in accordance with~~"]~~ that, at a minimum, align with¹
13 the respective credentialing body for each level of certification,
14 which is to include the training required pursuant to subsection b. of
15 section 7 of P.L.2021, c.79 (C.45:10-23).
- 16 ¹b. The board shall establish standards for continuing midwifery
17 education, including the number of credits; the subject matter and
18 content of courses of study; competency assessments; and the type
19 of continuing education credits required of a midwife as a condition
20 of licensure renewal. At least one credit shall consist of training
21 from an educational program concerning explicit and implicit bias,
22 of which the program shall meet the requirements set forth at
23 subsection b. of section 1 of P.L.2021, c.79 (C.26:2H-12.108).¹
- 24 c. ¹(1)¹ The board may, in its discretion, waive requirements
25 for continuing education for a licensee if the licensee can
26 demonstrate a hardship, including, but not limited to, a disability,
27 military service or deployment, or other good cause.
- 28 ¹(2) If a licensee completes continuing education credit hours in
29 excess of the number required for licensure renewal, the board may
30 allow credits to be carried over to satisfy the continuing education
31 requirement of the licensee for the next biennial renewal period, but
32 any excess credits shall not be applied to a biennial renewal period
33 thereafter.¹
- 34
- 35 ¹11. (New section) In addition to the bases for disciplinary
36 action set forth in P.L.1978, c.73 (C.45:1-18 et seq.), a licensee
37 shall be subject to discipline, upon proof that the midwife has:
- 38 a. failed to adhere to clinical practice guidelines that cover all
39 aspects of care, including but not limited to a plan for emergency
40 consultation, a plan for transfer of care, and if needed, a plan for
41 admission of the patient or newborn to a hospital;
- 42 b. failed to provide to every patient seeking midwifery care with
43 a written disclosure which includes:
- 44 (1) a description of the licensee's qualifications, experience and
45 training;
- 46 (2) a written protocol for emergencies, including hospital
47 transport, particular to each patient;

1 (3) a statement as to whether the midwife has hospital admitting
2 privileges;

3 (4) procedures established by the midwife for consultation,
4 collaboration referral and transfer of care to a physician or other
5 health care professional; and

6 (5) a statement concerning malpractice or liability coverage;

7 c. failed to undertake a comprehensive risk assessment,
8 including review of the patient's medical history and standard
9 testing and screening, upon the initiation of midwifery care,
10 consistent with the standard of care and the regulations of the
11 board; or

12 d. failed to submit data as required by section 13 of
13 P.L. , c. (C.)(pending before the Legislature as this bill).¹
14

15 ¹12. (New section) a. Certified nurse midwife and certified
16 midwife practice shall include the provision of maternity care and
17 well woman care within a health care system which provides for
18 consultation, referral and collaboration, and:

19 (1) for licensees without prescriptive authority, administering or
20 dispensing those medications listed in the clinical guidelines; or

21 (2) for licensees with prescriptive authority pursuant to section 2
22 of P.L.1991, c.97 (C.45:10-18), prescribing, ordering, administering
23 or dispensing medications.

24 b. Certified nurse midwives and certified midwives shall
25 conduct their practice pursuant to standards set forth by the
26 American College of Nurse Midwives in Standards for the Practice
27 of Midwifery 2003, as amended and supplemented.

28 c. Certified professional midwife practice shall include the
29 provision of maternity care within a health care system which
30 provides for consultation, referral and collaboration with a licensed
31 physician and the administration or dispensing of those medications
32 listed in the clinical guidelines.

33 d. Certified professional midwives shall conduct their practice
34 pursuant to standards set forth in the Midwives Alliance of North
35 America Core Competencies (2014), as amended and supplemented.

36 e. Prior to beginning practice as a midwife, a licensee shall
37 enter into a consulting agreement with a physician who is licensed
38 in New Jersey and who:

39 (1) holds hospital privileges in operative obstetrics and
40 gynecology;

41 (2) has a binding agreement with a physician who holds
42 operative privileges in operative obstetrics and gynecology; or

43 (3) holds hospital privileges in gynecology, if a licensee limits
44 his or her practice to non-obstetrical.

45 f. The licensee shall establish written clinical guidelines with
46 the consulting physician that outlines the licensee's scope of
47 practice.

48 g. The clinical guidelines shall set forth:

1 (1) an outline of routine care;

2 (2) procedures the licensee will perform or provide;

3 (3) procedures to follow if one of the risk factors, to be
4 established by the board in regulation, is encountered;

5 (4) the circumstances under which consultation, collaborative
6 management, referral, and transfer of care of women between the
7 licensee and the consulting physician are to take place, and the
8 manner by which each is to occur;

9 (5) if the licensee is a certified nurse midwife with prescriptive
10 authority pursuant to section 2 of P.L.1971, c.97 (C.45:10-18), a
11 formulary listing the categories of drugs, which may include
12 controlled dangerous substances, the certified nurse midwife may
13 order, prescribe, administer or dispense;

14 (6) if the licensee does not hold prescriptive authority pursuant
15 to section 2 of P.L.1971, c.97 (C.45:10-18), a list of all medications
16 the licensee may dispense or administer pursuant to the directions
17 of the consulting physician;

18 (7) a mechanism for determining the availability of the
19 consulting physician, or a substitute physician, for consultation and
20 emergency assistance or medical management when needed; and

21 (8) the manner by which emergency care for newborns will be
22 provided.

23 h. A licensee shall provide clinical guidelines and the identity
24 of the consulting physician to the board upon request.

25 i. The clinical guidelines shall include provisions for periodic
26 conferences with the consulting physician for review of patient
27 records and for quality improvements.

28 j. A licensee who practices without establishing clinical
29 guidelines with a consulting physician commits professional
30 misconduct as proscribed by subsection e. of section 8 of P.L.1978,
31 c.73 (C.45:1-21).¹

32
33 ¹13. (New section) Annually, beginning July 1, 2027, a licensee
34 shall submit a report to the board, in a form specified by the board,
35 the following information regarding cases in which the licensee
36 assisted during the previous fiscal year ending June 30, when the
37 intended place of birth was an out-of-hospital setting:

38 a. The total number of patients served as primary caregiver at
39 the onset of care;

40 b. The number, by county, of live births attended as primary
41 caregiver;

42 c. The number, by county, of cases of fetal demise, infant
43 deaths, and maternal deaths attended as primary caregiver at the
44 discovery of the demise or death;

45 d. The number of women whose primary care was transferred to
46 another health care practitioner during the antepartum period and
47 the reason for the transfer;

e. The number, reason for, and outcome of each nonemergency hospital transfer during the intrapartum or postpartum period;

f. The number, reason for, and outcome of each urgent or emergency transport of an expectant mother in the antepartum period;

g. The number, reason for, and outcome of each urgent or emergency transport of an infant or mother during the intrapartum or immediate postpartum period;

h. The number of planned out-of-hospital births at the onset of labor and the number of births completed in an out-of-hospital setting;

i. A brief description of any complications resulting in the morbidity or mortality of a mother or a neonate; and

j. Any other information required by the board.¹

¹**[11.] 14.**¹ (New section) An individual licensed as a midwife shall maintain professional liability insurance coverage¹, at appropriate amounts to be determined by the board] issued by a carrier authorized to write medical malpractice liability insurance policies in this State, in the sum of \$1,000,000 per occurrence and \$3,000,000 per policy year and, unless renewal coverage includes the premium retroactive date, the policy shall provide for extended reporting endorsement coverage for claims made policies, also known as tail coverage¹.

¹**[12.] 15.**¹ (New section) Any person who is licensed as a certified midwife, certified nurse midwife, or certified professional midwife, pursuant to R.S.45:10-6, on the effective date of P.L. , c. (C.) (pending before the Legislature as this bill) shall be licensed at the same level under and subject to the provisions of P.L. , c. (C.) (pending before the Legislature as this bill).

¹**[13.] 16.**¹ Section 1 of P.L.1971, c.60 (C.45:1-2.1) is amended to read as follows:

1. The provisions of this act shall apply to the following boards and commissions: the New Jersey State Board of Accountancy, the New Jersey State Board of Architects, the New Jersey State Board of Cosmetology and Hairstyling, the Board of Examiners of Electrical Contractors, the New Jersey State Board of Dentistry, the State Board of Mortuary Science of New Jersey, the State Board of Professional Engineers and Land Surveyors, the State Board of Marriage and Family Therapy Examiners, the State Board of Medical Examiners, the New Jersey Board of Nursing, the New Jersey State Board of Optometrists, the State Board of Examiners of Ophthalmic Dispensers and Ophthalmic Technicians, the Board of Pharmacy, the State Board of Professional Planners, the State Board of Psychological Examiners, the State Board of Examiners of Master Plumbers, the New Jersey Real Estate Commission, the

1 State Board of Court Reporting, the State Board of Veterinary
2 Medical Examiners, the Radiologic Technology Board of
3 Examiners, the Acupuncture Examining Board, the State Board of
4 Chiropractic Examiners, the State Board of Respiratory Care, the
5 State Real Estate Appraiser Board, the State Board of Social Work
6 Examiners, the State Board of Examiners of Heating, Ventilating,
7 Air Conditioning and Refrigeration Contractors, the Elevator,
8 Escalator, and Moving Walkway Mechanics Licensing Board, the
9 State Board of Physical Therapy Examiners, the Orthotics and
10 Prosthetics Board of Examiners, the New Jersey Cemetery Board,
11 the State Board of Polysomnography, the New Jersey Board of
12 Massage and Bodywork Therapy, the Genetic Counseling Advisory
13 Committee, the State Board of Dietetics and Nutrition, the New
14 Jersey State Board of Home Improvement and Home Elevation
15 Contractors, the State Board of Midwifery, and any other entity
16 hereafter created under Title 45 to license or otherwise regulate a
17 profession or occupation.
18 (cf: P.L.2023, c.237, s.18)

19
20 **‘[14.] 17.’** Section 1 of P.L.1974, c.46 (C.45:1-3.1) is amended
21 to read as follows:

22 1. The provisions of this act shall apply to the following boards
23 and commissions: the New Jersey State Board of Accountancy, the
24 New Jersey State Board of Architects, the New Jersey State Board
25 of Cosmetology and Hairstyling, the Board of Examiners of
26 Electrical Contractors, the New Jersey State Board of Dentistry, the
27 State Board of Mortuary Science of New Jersey, the State Board of
28 Professional Engineers and Land Surveyors, the State Board of
29 Marriage and Family Therapy Examiners, the State Board of
30 Medical Examiners, the New Jersey Board of Nursing, the New
31 Jersey State Board of Optometrists, the State Board of Examiners of
32 Ophthalmic Dispensers and Ophthalmic Technicians, the Board of
33 Pharmacy, the State Board of Professional Planners, the State Board
34 of Psychological Examiners, the State Board of Examiners of
35 Master Plumbers, the State Board of Court Reporting, the State
36 Board of Veterinary Medical Examiners, the Radiologic
37 Technology Board of Examiners, the Acupuncture Examining
38 Board, the State Board of Chiropractic Examiners, the State Board
39 of Respiratory Care, the State Real Estate Appraiser Board, the New
40 Jersey Cemetery Board, the State Board of Social Work Examiners,
41 the State Board of Examiners of Heating, Ventilating, Air
42 Conditioning and Refrigeration Contractors, the Elevator, Escalator,
43 and Moving Walkway Mechanics Licensing Board, the State Board
44 of Physical Therapy Examiners, the State Board of
45 Polysomnography, the Orthotics and Prosthetics Board of
46 Examiners, the New Jersey Board of Massage and Bodywork
47 Therapy, the Genetic Counseling Advisory Committee, the State
48 Board of Dietetics and Nutrition, the State Board of Midwifery, and

1 any other entity hereafter created under Title 45 to license or
2 otherwise regulate a profession or occupation.

3 (cf: P.L.2019, c.331, s.17)

4
5 **15.18.**¹Section 2 of P.L.1978, c.73 (C.45:1-15) is amended
6 to read as follows:

7 2. The provisions of this act shall apply to the following boards
8 and all professions or occupations regulated by, through or with the
9 advice of those boards: the New Jersey State Board of
10 Accountancy, the New Jersey State Board of Architects, the New
11 Jersey State Board of Cosmetology and Hairstyling, the Board of
12 Examiners of Electrical Contractors, the New Jersey State Board of
13 Dentistry, the State Board of Mortuary Science of New Jersey, the
14 State Board of Professional Engineers and Land Surveyors, the
15 State Board of Marriage and Family Therapy Examiners, the State
16 Board of Medical Examiners, the New Jersey Board of Nursing, the
17 New Jersey State Board of Optometrists, the State Board of
18 Examiners of Ophthalmic Dispensers and Ophthalmic Technicians,
19 the Board of Pharmacy, the State Board of Professional Planners,
20 the State Board of Psychological Examiners, the State Board of
21 Examiners of Master Plumbers, the State Board of Court Reporting,
22 the State Board of Veterinary Medical Examiners, the State Board
23 of Chiropractic Examiners, the State Board of Respiratory Care, the
24 State Real Estate Appraiser Board, the State Board of Social Work
25 Examiners, the State Board of Examiners of Heating, Ventilating,
26 Air Conditioning and Refrigeration Contractors, the Elevator,
27 Escalator, and Moving Walkway Mechanics Licensing Board, the
28 State Board of Physical Therapy Examiners, the State Board of
29 Polysomnography, the Professional Counselor Examiners
30 Committee, the New Jersey Cemetery Board, the Orthotics and
31 Prosthetics Board of Examiners, the Occupational Therapy
32 Advisory Council, the Electrologists Advisory Committee, the
33 Acupuncture Advisory Committee, the Alcohol and Drug Counselor
34 Committee, the Athletic Training Advisory Committee, the
35 Certified Psychoanalysts Advisory Committee, the Fire Alarm,
36 Burglar Alarm, and Locksmith Advisory Committee, the Home
37 Inspection Advisory Committee, the Interior Design Examination
38 and Evaluation Committee, the Hearing Aid Dispensers Examining
39 Committee, the Perfusionists Advisory Committee, the Physician
40 Assistant Advisory Committee, the Audiology and Speech-
41 Language Pathology Advisory Committee, the New Jersey Board of
42 Massage and Bodywork Therapy, the Genetic Counseling Advisory
43 Committee, the State Board of Dietetics and Nutrition, the State
44 Board of Midwifery, and any other entity hereafter created under
45 Title 45 to license or otherwise regulate a profession or occupation.
46 (cf: P.L.2019, c.331, s.18)

1 ¹**【16.】 19.**¹ Section 1 of P.L.2002, c.104 (C.45:1-28) is amended
2 to read as follows:

3 1. As used in this act:

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

6 "Board" means a professional and occupational licensing board
7 within the Division of Consumer Affairs in the Department of Law
8 and Public Safety.

9 "Director" means the Director of the Division of Consumer
10 Affairs in the Department of Law and Public Safety.

11 "Division" means the Division of Consumer Affairs in the
12 Department of Law and Public Safety.

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

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

41
42 "Licensee" means an individual who has been issued a license or
43 other authorization to practice a health care profession.
44 (cf: P.L.2024, c.67, s.1)

45
46 ¹**【17.】 20.**¹ Section 9 of P.L.2005, c.83 (C.45:1-34) is amended
47 to read as follows:

1 9. As used in sections 9 through 14 and 16 and 17 of P.L.2005,
2 c.83 (C.45:1-34 through C.45:1-39 and C.26:2H-12.2d and C.45:1-
3 40):

4 “Board” means a professional and occupational licensing board
5 within the Division of Consumer Affairs in the Department of Law
6 and Public Safety which licenses or otherwise authorizes a health
7 care professional to practice a health care profession.

8 “Division” means the Division of Consumer Affairs in the
9 Department of Law and Public Safety;

10 “Health care entity” means a health care facility licensed
11 pursuant to P.L.1971, c.136 (C.26:2H-1 et seq.), a health
12 maintenance organization authorized to operate pursuant to
13 P.L.1973, c.337 (C.26:2J-1 et seq.), a carrier which offers a
14 managed care plan regulated pursuant to P.L.1997, c.192 (C.26:2S-
15 1 et seq.), a State or county psychiatric hospital, a State
16 developmental center, a staffing registry, and a home care services
17 agency as defined in section 1 of P.L.1947, c.262 (C.45:11-23).

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

37 “Licensee” means an individual who has been issued a license or
38 other authorization to practice a health care profession.

39 “Review panel” means the Medical Practitioner Review Panel
40 established pursuant to section 8 of P.L.1989, c.300 (C.45:9-19.8).
41 (cf: P.L.2005, c.83, s.9)

42
43 ¹**【18.】 21.**¹ Section 1 of P.L.1991, c.97 (C.45:10-17) is amended
44 to read as follows:

45 1. As used in this act:

46 “Board” means the State Board of Medical Examiners.

47 “Certified nurse midwife” means a certified nurse midwife
48 **【registered with】** licensed by the **【board】** State Board of Midwifery

1 pursuant to P.L. , c. (C.) (pending before the Legislature as
2 this bill).

3 “Drug” means drugs, medicine and devices, as determined by the
4 board.

5 (cf: P.L.1991, c.97, s.1)

6
7 ‘22. Section 3 of P.L.2020, c.133 (C.45:1-69) is amended to
8 read as follows:

9 As used in this act:

10 “Advertisement” means any communication or statement that is
11 directly controlled or administered by a health care professional or a
12 health care professional’s office personnel, whether printed,
13 electronic or oral, that names the health care professional in relation
14 to his or her practice, profession, or institution in which the
15 individual is employed, volunteers or otherwise provides health care
16 services. This includes business cards, letterhead, patient brochures,
17 e-mail, Internet, audio and video, and any other communication or
18 statement used in the course of business or where the health care
19 professional is utilizing a professional degree or license to influence
20 opinion or infer expertise in a health care topic. “Advertisement”
21 does not include office building placards or exterior building
22 signage.

23 “Health care professional” means a person licensed, certified,
24 registered or otherwise authorized pursuant to Title 45 or Title 52 of
25 the Revised Statutes, or by any principal department of the
26 Executive Branch of State government or any entity within any
27 department or any other entity hereafter created to license or
28 otherwise regulate a health care profession. “Health care
29 professional” shall include, but shall not be limited to, health care
30 professionals regulated by the following entities: the State Board of
31 Medical Examiners, the New Jersey Board of Nursing, the New
32 Jersey State Board of Dentistry, the New Jersey State Board of
33 Optometrists, the Board of Pharmacy, the State Board of
34 Chiropractic Examiners, the Acupuncture Examining Board, the
35 State Board of Physical Therapy Examiners, the Orthotics and
36 Prosthetics Board of Examiners, the State Board of Psychological
37 Examiners, the State Board of Examiners of Ophthalmic Dispensers
38 and Ophthalmic Technicians, the Audiology and Speech-Language
39 Pathology Advisory Committee, the Occupational Therapy
40 Advisory Council, **【and】** the Certified Psychoanalysts Advisory
41 Committee, and the State Board of Midwifery. “Health care
42 professional” for purposes of this act does not include individuals
43 licensed in veterinarian medicine or health care professionals
44 working in non-patient care settings, and who do not have any
45 direct patient care interactions.

46 “Hospital” means an acute care general hospital licensed
47 pursuant to P.L.1971, c.136 (C.26:2H-1 et seq.).

48 “Licensee” means a health care professional with an active New
49 Jersey license, certification, registration, or other valid
50 authorization.

1 “Long-term care facility” means a nursing home, assisted living
2 residence, comprehensive personal care home, residential health
3 care facility, or dementia care home licensed pursuant to P.L.1971,
4 c.136 (C.26:2H-1 et seq.).

5 “Professional degree” means the academic degree conferred to a
6 health care professional, including, but not limited to, “medical
7 doctor” (M.D.); “doctor of osteopathy” (D.O.); “doctor of dental
8 surgery” (D.D.S.); “doctor of medicine in dentistry” (D.M.D.);
9 “doctor of podiatric medicine” (D.P.M.); “doctor of optometry”
10 (O.D.); “doctor of chiropractic” (D.C.); and “doctor of nursing”
11 (D.N.).

12 “Professional license” means the credential issued by the State to
13 identify the profession practiced by a health care professional,
14 including, but not limited to, “physician,” “chiropractor,”
15 “advanced practice nurse,” “licensed midwife,” “dentist,”
16 “optometrist,” “psychologist,” “physician assistant,”
17 “acupuncturist,” and “podiatrist.”¹
18 (cf: P.L.2020, c.133, s.3)

19
20 ¹23. R.S.45:9-1 is amended to read as follows:

21 45:9-1. The State Board of Medical Examiners, hereinafter in
22 this chapter designated as the “board” shall consist of **[21]**
23 20 members, one of whom shall be the Commissioner of Health, or
24 the commissioner’s designee, three of whom shall be public
25 members and one an executive department designee as required
26 pursuant to section 2 of P.L.1971, c.60 (C.45:1-2.2), and 16 of
27 whom shall be persons of recognized professional ability and honor,
28 and shall possess a license to practice their respective professions in
29 New Jersey, and all of whom shall be appointed by the Governor in
30 accordance with the provisions of section 2 of P.L.1971, c.60
31 (C.45:1-2.2); provided, however, that said board shall consist of 12
32 graduates of schools of medicine or osteopathic medicine who shall
33 possess the degree of M.D. or D.O. The number of osteopathic
34 physicians on the board shall be a minimum of, but not limited to,
35 two members. In addition the membership of said board shall
36 comprise: one podiatric physician who does not possess a license to
37 practice in any other health care profession regulated under Title 45
38 of the Revised Statutes; one physician assistant; **[one certified**
39 **nurse midwife;]** and one licensed bio-analytical laboratory director,
40 who may or may not be the holder of a degree of M.D. The term of
41 office of members of the board hereafter appointed shall be three
42 years or until their successors are appointed. A member is eligible
43 for reappointment for one additional term of office, but no member
44 shall serve more than two consecutive terms of office. Said
45 appointees shall, within 30 days after receipt of their respective
46 commissions, take and subscribe the oath or affirmation prescribed
47 by law and file the same in the office of the Secretary of State.¹
48 (cf: P.L.2013, c.253, s.35)

1 ¹~~【19.】~~ 24.¹ R.S.45:10-1 through R.S.45:10-8 and R.S.45:10-16
2 are repealed.
3
4 ¹~~【20.】~~ 25.¹ This act shall take effect immediately ¹~~【but】~~ and,
5 except for section 1 through 6 and subsection j. of section 7, shall¹
6 remain inoperative until such time as provided in section 6. The
7 Director of Consumer Affairs and the State Board of Midwifery
8 may take such anticipatory administrative action in advance thereof
9 as shall be necessary for implementation of P.L. , c. (C.)
10 (pending before the Legislature as this bill).