

# SENATE, No. 391

## STATE OF NEW JERSEY 218th LEGISLATURE

PRE-FILED FOR INTRODUCTION IN THE 2018 SESSION

**Sponsored by:**

**Senator FRED H. MADDEN, JR.**

**District 4 (Camden and Gloucester)**

**Senator JAMES BEACH**

**District 6 (Burlington and Camden)**

**SYNOPSIS**

Prohibits use of “Nurse” title by unlicensed person.

**CURRENT VERSION OF TEXT**

Introduced Pending Technical Review by Legislative Counsel.



1 AN ACT concerning the practice of nursing and amending P.L.1947,  
2 c.262 and P.L.1991, c.377.

3

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

6

7 1. Section 15 of P.L.1947, c.262 (C.45:11-37) is amended to  
8 read as follows:

9 15. Violations of the act. It shall be unlawful for any person  
10 (including any corporation, partnership, association or individual):

11 a. After September 1, 1956, to practice or offer to practice  
12 professional nursing as defined by this act, unless such person holds  
13 an effective, unsuspended license as a registered nurse under this  
14 act; or

15 b. After September 1, 1959, to practice or offer to practice  
16 practical nursing or to represent that such person is a practical nurse  
17 unless such person holds an effective, unsuspended license as a  
18 practical nurse under this act; or

19 c. To represent in any way that such person is a registered  
20 nurse or to use the title "Nurse" or to use after his or her name the  
21 abbreviation "R.N." unless such person holds an effective,  
22 unsuspended license as a professional nurse under this act; or

23 d. To represent in any way that such person is licensed as a  
24 practical nurse or to use the title "Nurse" or "Licensed Practical  
25 Nurse" or to use after his or her name the abbreviation "L.P.N."  
26 unless such person holds an effective, unsuspended license as a  
27 practical nurse under this act; or

28 e. To conduct or to represent in any way that such person  
29 conducts a school for professional nursing, unless such person holds  
30 an affective, unsuspended certificate of accreditation under this act;  
31 or

32 f. After January 1, 1950, to conduct or to represent in any way  
33 that such person conducts a school for practical nursing unless such  
34 person holds the subsisting, unsuspended approval of the board; or

35 g. To obtain or attempt to obtain by fraud a license or renewal  
36 thereof or a certificate of accreditation or a renewal thereof under  
37 this act; or

38 h. To represent in any way that such person is authorized to  
39 issue a license for the practice of professional nursing or practical  
40 nursing or a certificate of accreditation for a school of professional  
41 nursing; or

42 i. To transfer, offer to transfer, or permit the use by another of  
43 any license issued under this act; or

**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.**

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1 j. Without the approval of the board, to transfer, offer to  
2 transfer, or permit the use by another of a certificate of  
3 accreditation issued under this act; or

4 k. Otherwise to violate any provision of this act; or

5 l. To aid or abet any person to violate any provision of this act.

6 Every person violating any of the foregoing provisions of this  
7 section shall be subject to a penalty of \$200.00 for each violation,  
8 and if after conviction as hereinafter provided such person shall  
9 again violate any provision of this act, such person shall be subject  
10 to a penalty of \$500.00 for each subsequent offense. A voluntary  
11 payment of a penalty for a violation of any provision of this act  
12 shall be deemed to be a conviction rendering such person liable for  
13 the greater penalty for subsequent violations, and the continuation  
14 of an offense after conviction shall be deemed to be a subsequent  
15 offense.

16 No provision of this section shall be construed to prohibit the use  
17 of any title or abbreviation, or to prohibit services rendered, in  
18 accordance with the practice of the religious tenets of any well-  
19 recognized church or denomination which subscribes to the art of  
20 healing by prayer.

21 (cf: P.L.1957, c.235, s.3)

22

23 2. Section 7 of P.L.1991, c.377 (C.45:11-46) is amended to  
24 read as follows:

25 7. a. (1) No person shall practice as an advanced practice nurse  
26 or present, call or represent himself as an advanced practice nurse  
27 unless certified in accordance with section 8 or 9 of P.L.1991, c.377  
28 (C.45:11-47 or 45:11-48).

29 (2) Nothing in this act shall be construed to limit, preclude, or  
30 otherwise interfere with the practices of other persons licensed by  
31 appropriate agencies of the State of New Jersey, provided that such  
32 duties are consistent with the accepted standards of the person's  
33 profession and the person does not represent himself as an advanced  
34 practice nurse.

35 b. No person shall assume, represent himself as, or use the title  
36 or designation advanced practice nurse, the title "Nurse," or the  
37 abbreviation "A.P.N." or any other title or designation which  
38 indicates or implies that he is an advanced practice nurse unless  
39 certified pursuant to section 8 or 9 of P.L.1991, c.377 (C.45:11-47  
40 or 45:11-48).

41 c. Whenever the titles or designations "nurse practitioner,"  
42 "clinical nurse specialist" or "nurse practitioner/clinical nurse  
43 specialist" occur or any reference is made thereto in any law,  
44 contract or document, the same shall be deemed to mean or refer to  
45 the title or designation "advanced practice nurse."

46 No provision of this section shall be construed to prohibit the use  
47 of any title or abbreviation, or to prohibit services rendered, in  
48 accordance with the practice of the religious tenets of any well-

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1 recognized church or denomination which subscribes to the art of  
2 healing by prayer.

3 (cf: P.L.1999, c.85, s.5)

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5 3. This act shall take effect immediately.

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STATEMENT

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10 This bill includes the title "Nurse" among the titles, designations,  
11 or abbreviations that a person is prohibited by law to use unless the  
12 person is licensed as a professional nurse, practical nurse, or  
13 advanced practice nurse under P.L.1947, c.262 (C.45:11-23 et seq.)  
14 or P.L.1991, c.377 (C.45:11-45 et al.).