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RULE ADOPTION

VOLUME 43, ISSUE 02

ISSUE DATE: JANUARY 18, 2011

Law and Public Safety

Division Of Consumer Affairs

State Board of Medical Examiners

ELECTROLOGISTS ADVISORY COMMITTEE

Adopted Amendments: N.J.A.C. 13:35-12.6, 12.8, 12.16 and 12.19

Adopted Repeal: N.J.A.C. 13:35-12.5

License Issuance without Written Examination (Grandfathering); Licensing Requirements for Electrologist; Application for License: Electrologist; Licensure by Credentials (Comity License); Continuing Education, Programs, Standards

Proposed: July 6, 2010 at 42 N.J.R. 1324(a).

Adopted: November 10, 2010 by the State Board of Medical Examiners, Paul Jordan, M.D., President.

Filed: December 22, 2010 as R.2011 d.032, **without change**.

Authority: N.J.S.A. 45:9-37.76 et seq., specifically 37.81, 37.86 and 37.93.

Effective Date: January 18, 2011.

Expiration Date: Pursuant to Executive Order No. 1 (2010), the chapter expiration date is extended from March 17, 2010 until the completion of the review of administrative regulations and rules by the Red Tape Review Group, and until such time as the extended regulation or rule is readopted pursuant to the Administrative Procedure Act, N.J.S.A. 52:14B-1 et seq.

Federal Standards Statement

A Federal standards analysis is not required because the adopted amendments and repeal are governed by N.J.S.A. 45:9-37.77 et seq., and are not subject to any Federal requirements or standards.



Full text of the adoption follows:

13:35-12.5 (Reserved)

13:35-12.6 Licensing requirements for electrologist

(a) To be eligible for licensure as an electrologist, an applicant shall fulfill the following requirements:

1.-4. (No change.)

5. Have passed the Certified Professional Electrology (CPE) Examination or its successor; and

6. (No change.)

13:35-12.8 Application for license: electrologist

(a) (No change.)

(b) If the applicant meets the requirements of (a) above, the Committee shall advise the applicant that he or she is eligible to take the Certified Professional Electrology (CPE) Examination, or its successor, and the New Jersey Electrology Jurisprudence Examination.

13:35-12.16 Licensure by credentials (comity license)

(a) Any person with a valid registration, certification or license to practice electrology or as an electrology instructor issued by another state or possession of the United States or the District of Columbia shall, upon submission of an application provided by the Committee and payment of a fee as set forth in N.J.A.C. 13:35-12.22, be issued a license to provide electrology services or to act as an electrology instructor, whichever is applicable, provided that:

1. (No change.)

2. The applicant has not previously failed the Certified Professional Electrology (CPE) Examination or the Certified Technical Trainer (CTT) Examination or their successors, required by N.J.A.C. 13:35-12.6 and 12.7;

3.-4. (No change.)

(b) (No change.)

13:35-12.19 Continuing education, programs, standards

(a) A licensed electrologist applying for biennial license renewal shall complete, during the preceding biennial period, continuing education in the continuing education credits specified in (c) below. Licensees during their initial period of licensure are exempt from the continuing education requirements of this section.

(b) Each licensee shall confirm on the application for biennial licensure renewal that he or she has completed the required number of continuing education credits as provided for in (c) below. Falsification of any information submitted with the renewal application may result in penalties and/or license suspension pursuant to the Uniform Enforcement Act, N.J.S.A. 45:1-21.

(c) Each applicant for a biennial license renewal shall complete during the preceding biennial period 20 credits of continuing education, consistent with the following requirements:

1. Six credits shall be in courses pertaining to universal precautions. All six credits pertaining to universal precautions shall be in courses that require personal attendance.

2. Fourteen credits shall be in courses and/or other activities directly related to the practice of electrology. At least four of the required 14 credits shall be in courses that require personal attendance. The remaining 10 credits may be obtained in any manner specified in (h) below.

(d) A licensee whose license has been automatically suspended for nonpayment of a biennial renewal fee pursuant to N.J.A.C. 13:35-12.17 and a licensee who seeks to reactivate the license shall submit to the Committee proof of successful completion of 10 continuing education credits per year for up to five years. If the licensee has failed to renew for [page=193] five years, he or she shall retake the Certified Professional Electrology (CPE) Examination or its successor pursuant to N.J.A.C. 13:35-12.8.

(e) Any continuing education credits earned that are in excess of the 20 credits specified in (c) above during a biennial licensure period shall not be carried forward into the following biennial licensure period.

(f) A licensee who is required to complete remedial continuing education pursuant to Board action shall not receive credit for such imposed continuing education toward the mandatory 20 credits of biennial continuing education.

(g) (No change.)

(h) A licensee may obtain continuing education credits from the following:

1. Successful completion of programs, courses or seminars approved by the Continuing Education Review (CER) Committee of the American Electrology Association or the Committee pursuant to (i) below. The Committee shall approve only such continuing education programs as are available to all electrologists in this State on a reasonable nondiscriminatory basis. Programs may be held within or out of the State, but shall be held, so as to allow electrologists in all areas of the State to attend. The Committee shall maintain a list of all approved programs, courses and lectures at the Committee office and shall furnish this information to licensees upon request;

2.-4. (No change.)

5. Correspondence, self study, televised, videotaped, teleconference and internet courses related to the practice of electrology with verification by the course provider that the course was monitored and successfully completed by the licensee.

(i) Credit for continuing education shall be granted for each biennial licensure period as follows:

1. A licensee shall receive one continuing education credit for each hour of attendance at programs, courses or seminars approved by the Continuing Education Review (CER) Committee of the American Electrology Association or the Committee. Credit shall not be granted for courses that are less than one instructional hour long. Completion of an entire course is required in order to receive any continuing education credit;

2.-5. (No change.)

6. Correspondence, self study, televised, videotaped, teleconference and internet courses related to the practice of electrology: a maximum of 10 credits per biennial licensure period.

(j) To report continuing credit hours, a licensee shall:

1.-2. (No change.)

3. Provide to the Committee, upon request, documentation of continuing education requirements as follows:

i.-iv. (No change.)

v. Correspondence, self study, televised, videotaped, teleconference and internet courses: verification from the course provider.

(k)-(m) (No change.)