



State of New Jersey

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**STATE OF NEW JERSEY  
DEPARTMENT OF HEALTH  
NOTICE OF RULE WAIVER/MODIFICATION/SUSPENSION  
PURSUANT TO EXECUTIVE ORDER NO. 103 (MURPHY)(MARCH 9, 2020)  
COVID-19 STATE OF EMERGENCY**

Temporary Rule **WAIVER/MODIFICATION OF N.J.A.C. 8:41A-4.4 - Emergency Medical Technician (EMT)-Paramedic Expired Certifications, adopted by DEPARTMENT OF HEALTH**

Date: **April 7, 2020**

Authority: N.J.S.A. App.A:9-45 & App. A:9-47; Executive Order No. 103 (Murphy)("EO 103")

Effective Date: **April 7, 2020**

Expiration Date: Concurrent with end of EO 103

This is an emergency adoption of a temporary rule waiver of N.J.A.C. 8:41A-4.4, which sets forth the requirements for certification of an individual formerly certified as an EMT-Paramedic who has allowed that certification to expire. Section 6 of EO 103, issued in response to the COVID-19 pandemic, authorizes agency heads to waive/suspend/modify any existing rule, where the enforcement of the rule would be detrimental to the public welfare during the emergency, notwithstanding the provisions of the Administrative Procedure Act or any law to the contrary. Pursuant to that authority, and with the approval of the Governor and in consultation with the State Director of Emergency Management and the Commissioner of the Department of Health, Department of Health is waiving its rules as follows:

COVID-19 is a contagious, and at times fatal, respiratory disease that is responsible for the 2019 novel coronavirus outbreak. The Centers for Disease Control and Prevention (CDC) expects that additional cases of COVID-19 will be identified in the coming days, including more cases in the United States, and that person-to-person spread is likely to continue to occur. As of April 6, 2020, there were at least 41,090 positive cases of COVID-19 in New Jersey, with at least 1003 of those cases having resulted in death. If COVID-19 continues to spread in New Jersey at a rate comparable to the rate of spread in other affected areas, it will greatly strain the health care professionals charged with caring for patients ill with COVID-19 and may become too large in scope to be handled by New Jersey's currently certified health care professionals, including paramedics.

Under current N.J.A.C. 8:41A-4.4, an individual formerly certified as an EMT-Paramedic who has allowed his or her certification to expire must complete 200 hours of clinical training and achieve a passing score on the National Registry EMT-Paramedic examination, among other requirements, in order to be recertified as a paramedic. To prepare for an increasing number of individuals suspected of having or diagnosed with COVID-19 in New Jersey who may require advanced life support due to a deterioration of their condition outside of an acute care hospital, it is necessary and appropriate to relax the requirements for formerly certified paramedics to regain certification to ensure that the State has a sufficient number of qualified paramedics to render emergency advanced life support care in the State.

Pursuant to this rule waiver and modification, individuals whose EMT-Paramedic certification expired within the past five years (April 1, 2015 to April 1, 2020) will be eligible for “COVID-19 EMT-Paramedic re-entry” so long as: (1) the applicant is not currently under investigation by any State EMT-Paramedic licensing authority; (2) the applicant does not have a proposed or final enforcement action pending or entered against him or her by any State EMT-Paramedic licensing authority; (3) the applicant is not excluded from acting as an EMT-Paramedic pursuant to a settlement reached with any State EMT-Paramedic licensing authority; (4) the applicant has not been cited for impersonating an EMT and/or EMT-Paramedic; (5) the applicant does not have a criminal history or pending criminal charges referenced in N.J.A.C. 8:41A-5.2; and (6) the applicant successfully completed all continuing education audits conducted by Department’s Office of Emergency Medical Services (OEMS) while certified as an EMT-Paramedic. If an applicant does not fall into one of these disqualification categories, the applicant may proceed with the “COVID-19 EMT-Paramedic re-entry” process, which requires the applicant to:

1. Complete a re-entry application at [www.njems.us](http://www.njems.us);
2. Obtain sponsorship through a mobile intensive care hospital;
3. Possess a valid EMT, CPR, ACLS, PHTLS or ITLS, and a PALS, PEPP-Advanced or Advanced-EPC certification; and
4. Obtain verification of endorsement and competency from the sponsoring agency’s medical director.

Upon successful completion and submission of the above requirements to the Department, the Department will issue the applicant a 6-month provisional EMT-Paramedic certification. To maintain full certification as an EMT-Paramedic at the end of the 6-month provisional period, the applicant must successfully complete all of the requirements that are currently set forth in N.J.A.C. 8:41A-4.4. If the applicant fails to successfully complete these requirements by the end of the provisional period, then the applicant’s provisional certification will expire, and the individual will no longer be permitted to practice as an EMT-Paramedic. For formerly certified EMT-Paramedics

whose certification expired prior to April 1, 2015, the provisions set forth in N.J.A.C. 8:41A-4.4 remain in effect.

The full text of the current is below, along with the modified rule in boldface:

SUBCHAPTER 4. EMT-Paramedic Certification  
8:41A-4.4 Expired Certifications

- (a) The requirements for certification of a person formerly certified as an EMT-Paramedic who has allowed that certification to expire (that is, a person who, for whatever reason, has not completed the required number of continuing education credits necessary for recertification) shall be as follows:
1. Sponsorship of a mobile intensive care hospital;
  2. Possession of EMT-Basic and CPR certifications;
  3. Successful completion of the didactic portion of an EMT-Paramedic training program equivalent to the refresher curriculum.
    - i. Prior to the completion of the didactic portion of the program, the person shall complete any other training required to enter the NREMT-Paramedic Certification Examination process, and possess certification in both ACLS and either PALS or PEPP-Advanced, as well as certification in either PHTLS or ITLS;
  4. Successful completion of 200 hours of clinical training;
    - i. These hours shall be completed within one year of entering into the program. No hours may be completed until the Department has notified the person that he or she has been admitted into the program;
    - ii. The areas covered by the program shall be determined by the EMS Educator, based on the needs of the person, and shall be scheduled at the discretion of the EMS Educator;
    - iii. During retraining, the person shall have the same status as an EMT-Paramedic student, and shall not act independently to provide advanced life support care;
  5. Documentation as required by the NREMT, including but not limited to, certification and medical director endorsement; and
  6. Achievement of a passing score on the NREMT-Paramedic Certification Examination.

- (b) Upon successful completion of all the requirements set forth in (a)1 through 6 above, the person shall be issued an EMT-Paramedic certification card, which shall...be valid for a period of not less than 24, nor more than 30, months.
- (c) An EMT-Paramedic whose certification has expired shall retain status as an EMT-Basic for a period of one year from the date of the expirations of his or her EMT-Paramedic certification.

**The above-referenced rules are hereby subject to the following modification:**

- 1. Individuals whose EMT-Paramedic certification expired within the past five years (April 1, 2015 to April 1, 2020) are eligible for “COVID-19 EMT-Paramedic re-entry”.**
- 2. An applicant is DISQUALIFIED from the “COVID-19 EMT-Paramedic re-entry” process if he or she: (1) is currently under investigation by any other State EMT-Paramedic licensing authority; (2) has a proposed or final enforcement action pending or entered against him or her by any State EMT-Paramedic licensing authority; (3) is excluded from acting as an EMT-Paramedic pursuant to a settlement reached with any State EMT-Paramedic licensing authority; (4) was cited for impersonating an EMT and/or EMT-Paramedic; (5) has a criminal history or pending criminal charges referenced in N.J.A.C. 8:41A-5.2; or (6) failed to successfully complete all continuing education audits conducted by OEMS while certified as a paramedic.**
- 3. If an applicant qualifies for the “COVID-19 EMT-Paramedic re-entry,” then the applicant must complete an application found at [www.njems.us](http://www.njems.us).**
- 4. The qualified applicant must also:**
  - a. Obtain sponsorship through a mobile intensive care hospital;**
  - b. Possess a valid EMT, CPR, ACLS, PHTLS or ITLS, and a PALS, PEPP-Advanced or Advanced-EPC certification;**
  - c. Obtain verification of endorsement and competency from the sponsoring agency’s medical director; and**
  - d. Send verification of successful completion of the above requirements to [ems@doh.nj.gov](mailto:ems@doh.nj.gov) with subject line: COVID-19 Re-entry**

5. Upon successful completion of the above requirements, the Department will issue the applicant a 6-month provisional EMT-Paramedic certification.
6. The applicant must successfully complete all the requirements currently set forth in N.J.A.C. 8:41A-4.4 to obtain full certification as an EMT-Paramedic at the end of the 6-month provisional period.
  - a. If the applicant fails to successfully complete these requirements by the end of the provisional period, then the applicant's provisional certification will expire, and the individual will no longer be permitted to practice as an EMT-Paramedic.
7. An applicant issued a provisional EMT-Paramedic certification under this waiver/modification shall not be permitted to serve as a crew member for a 1 paramedic/ 1 EMT crew configuration authorized under the COVID-19 Mobile Intensive Care Unit Crewmember waiver issued by the Department on March 13, 2020.
8. For two paramedic crew configurations for Mobile Intensive Care Units, only one of the crew members shall possess a 6-month provisional certification issued under this waiver/modification.

I find that waiver/modification of the rules above is necessary because enforcement of the existing rules would be detrimental to the public welfare during this emergency.

**JUDITH M. PERSICHILLI, RN, BSN, MA  
COMMISSIONER  
DEPARTMENT OF HEALTH**

4/8/2020  
DATE

Terry Clancy  
BY: Terry Clancy, PhD., NRP  
Acting Director  
Office of Emergency Medical Services

WAIVER CONTROL NUMBER: 20 – N.J.A.C. 8:41A-4.4 – 023