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RULE PROPOSALS

**LAW AND PUBLIC SAFETY
DIVISION OF CONSUMER AFFAIRS
NEW JERSEY BOARD OF NURSING**

41 N.J.R. 3023(a)

Proposed Amendment: *N.J.A.C. 13:37-1.11*

[Click here to view Interested Persons Statement](#)

Maintaining Accreditation: Criteria for Student Admission, Promotion and Completion of the Program

Authorized By: State Board of Nursing, George Hebert, Executive Director.

Authority: *N.J.S.A. 45:11-24*.

Calendar Reference: See Summary below for explanation of exception to calendar requirement.

Proposal Number: PRN 2009-258.

Submit written comments by October 16, 2009 to:

George Hebert, Executive Director
State Board of Nursing
PO Box 45010
Newark, New Jersey 07101

The agency proposal follows:

Summary

N.J.A.C. 13:37-1.11 dictates that every nursing program require an individual liability insurance policy for each student. The Board has been approached by some nursing programs that contend that an aggregate liability insurance policy that covers each student individually would be less expensive and would provide adequate coverage for students. The Board has reviewed this and has determined that an aggregate liability insurance policy that covers each student

would provide adequate coverage, as long as the aggregate policy covers the full limit for each student. The Board proposes to amend *N.J.A.C. 13:37-1.11*, so that nursing programs may require an aggregate liability insurance policy.

The Board has determined that the comment period for this notice of proposal will be 60 days; therefore, pursuant to *N.J.A.C. 1:30-3.3(a)5*, this notice is exempted from the rulemaking calendar requirement.

Social Impact

The Board believes that the proposed amendment will have a positive impact on society. The proposed amendment will maintain the requirement for student liability insurance protection for the benefit of nursing programs and the public, while allowing programs to determine the most appropriate method of providing insurance.

Economic Impact

The Board believes that an aggregate insurance policy will be more affordable than individual liability insurance acquired by students. Allowing nursing programs to have aggregate policies will reduce costs to students to whom the cost of insurance is passed on by nursing programs.

Federal Standards Statement

A Federal standards analysis is not required because there are no Federal laws or standards applicable to the proposed amendment.

Jobs Impact

This proposed amendment will not increase or decrease the number of jobs in New Jersey.

Agriculture Industry Impact

The Board does not believe that the proposed amendment will have any impact on the agriculture industry of this State.

Regulatory Flexibility Analysis

Since nursing programs are individually accredited by the Board, they may be considered small businesses" under the Regulatory Flexibility Act (the Act), *N.J.S.A. 52:14B-16* et seq.

The proposed amendment will have the same economic impact on small businesses as it does on all businesses as set forth in the Economic Impact above. Nursing programs will not need to employ any professional services to comply with the requirements of the proposed amendment. The proposed amendment does not impose reporting or recordkeeping requirements, but does impose compliance requirements as detailed in the Summary above.

Smart Growth Impact

The Board does not anticipate that the proposed amendment will have any impact on the achievement of smart growth and implementation of the State Development and Redevelopment Plan, otherwise known as the State Plan.

Housing Affordability Impact

The proposed amendment will have an insignificant impact on affordable housing in New Jersey and there is an extreme unlikelihood that the rule would evoke a change in the average costs associated with housing because the proposed amendment concerns liability insurance for nursing students.

Smart Growth Development Impact

The proposed amendment will have an insignificant impact on smart growth and there is an extreme unlikelihood that the rule would evoke a change in housing production in Planning Areas 1 or 2 or within designated centers under the State Development and Redevelopment Plan in New Jersey because the proposed amendment concerns liability insurance for nursing students.

Full text of the proposal follows (additions indicated in boldface **thus**):

SUBCHAPTER 1. PROGRAMS IN NURSING EDUCATION

13:37-1.11 Maintaining accreditation: criteria for student admission, promotion and completion of the program

(a) Every nursing program shall:

1.-5. (No change.)

6. Require **either** individual liability insurance for each student **or an aggregate liability insurance policy, which covers each student individually and which covers the full limit for each student;**

7.-9. (No change.)