

NEW JERSEY ADMINISTRATIVE CODE
TITLE 8. DEPARTMENT OF HEALTH AND SENIOR SERVICES
CHAPTER 40A. EMERGENCY MEDICAL TECHNICIANS-BASICS: TRAINING AND
CERTIFICATION
SUBCHAPTER 1. AUTHORITY, SCOPE AND DEFINITIONS
37 N.J. Reg. No. 2

8:40A-1.2 Scope and purpose

(a) These rules shall apply to:

1. Any person seeking certification or recertification as an EMT-Basic;
2. Certified EMTs-Basic;
3. Any person seeking certification or recertification as an EMT-Instructor;
4. Certified EMTs-Instructor;
5. Any private agency, organization or entity seeking certification as training agency; and
6. Certified training agencies.

8:40A-1.3 Definitions

The following words and terms, as utilized in this chapter, shall have the following meanings, unless the context in which they are utilized clearly indicates otherwise.

"Advanced life support" or "ALS" means an advanced level of pre-hospital, inter-facility or emergency medical care that includes basic life support functions, cardiac monitoring, cardiac defibrillation, telemetered electrocardiography, administration of anti-arrhythmic agents, intravenous (IV) therapy, administration of specific medications, drugs and solutions, utilization of adjunctive ventilation devices, trauma care and other techniques and procedures authorized in writing by the Commissioner.

"Advanced practice nurse" means a person who is validly licensed by the New Jersey Board of Nursing in accordance with the standards set forth at [N.J.S.A. 45:11-45](#) et seq.

"AHA CPR Guidelines" means these guidelines as published by the American Heart Association, National Center, 7272 Greenville Avenue, Dallas, TX 75231-4596, incorporated herein by reference as amended and supplemented. A copy of the guidelines is on file and available for inspection at the Office of Emergency Medical Services.

"Air medical unit" or "AMU" means a specially equipped helicopter or airplane that is validly licensed by the Department and operated in accordance with the standards set forth at N.J.A.C. 8:41.

"Airplane" means, as defined at [14 C.F.R. 1.1](#), an engine-driven fixed-wing aircraft heavier than air, which is supported in flight by the dynamic reaction of the air against its wings.

"Automated external defibrillator" or "AED" means a device that can be attached to a patient in cardiopulmonary arrest, analyze an electrocardiogram for the presence of potentially lethal dysrhythmias (specifically, ventricular fibrillation and fast ventricular

tachycardia), deliver an electrical defibrillation to the patient in accordance with the requirements of standard treatment protocols, and produce an event summary that documents significant events in the utilization of the device, specifically events prior to and after an electrical defibrillation.

"Available" means ready for immediate utilization (pertaining to equipment, vehicles and personnel) or immediately accessible (pertaining to records).

"Basic life support" or "BLS" means a basic level of pre-hospital care that includes patient stabilization, airway clearance and maintenance, cardiopulmonary resuscitation (CPR) (to the level of the Professional Rescuer or Health Care Provider as issued by either the American Heart Association, the American Red Cross, the National Safety Council or other entity determined by the Department to comply with AHA CPR Guidelines), hemorrhage control, initial wound care, fracture stabilization, victim extrication and other techniques and procedures as defined in the program curriculum.

"Basic life support ambulance" or "BLS ambulance" means an emergency medical services vehicle that is validly licensed by the Department and operated in accordance with the standards set forth at N.J.A.C. 8:40.

"Basic life support ambulance service" or "BLS ambulance service" means an entity that is validly licensed by the Department to provide pre-hospital basic life support care; and/or BLS inter-facility transfers.

"Certified" or "certification" means official documentation that a person or agency has completed all the requirements of an approved training program and has demonstrated competence in the subject matter to the satisfaction of the certifying agency.

"Certificate of need" means the formal written approval of the New Jersey Department of Health and Senior Services to construct or expand a health care facility or to institute a new health care service, in accordance with requirements set forth at N.J.A.C. 8:33.

"Commissioner" means the Commissioner of the New Jersey Department of Health and Senior Services.

"Controlled dangerous substance" means a drug, substance or immediate precursor identified in Schedules I through V of the New Jersey Controlled Dangerous Substances Act ([N.J.S.A. 24:21-5](#) through [24:21-8.1](#)). The term shall not include distilled spirits, wine or malt beverages, as those terms are defined or utilized in [N.J.S.A. 33:1-1](#) et seq., or tobacco and tobacco products.

"Convicted" or "conviction" means a finding of guilt by a judge or jury, a guilty plea, a plea of nolo contendere or non-vult or entry into a pre-trial intervention program or other diversionary program authorized under the statutes of the State of New Jersey or under any other state's statutes.

"Core 13" means a New Jersey Department of Health and Senior Services, Office of Emergency Medical Services approved EMT-B continuing education training program that includes the entire refresher program curriculum, to be taught in a period of no less than 24 classroom hours.

"CPR certification" means valid certification in cardiopulmonary resuscitation to the level of the Professional Rescuer or Health Care Provider as issued by the American Heart Association, the American Red Cross, the National Safety Council or other entity determined by the Department to comply with AHA CPR Guidelines.

"Crewmember" means any person (including, but not limited to, an EMT-Basic) who staffs a basic life support ambulance or a mobility assistance vehicle.

"Crime" means, in accordance with the New Jersey Code of Criminal Justice, specifically [N.J.S.A. 2C:1-4](#), any offense for which a sentence of imprisonment in excess of six months is authorized.

"Department" means the New Jersey Department of Health and Senior Services.

"Disorderly persons offense" or "petty disorderly persons offense" shall have the same meaning as the definition provided by the New Jersey Code of Criminal Justice at [N.J.S.A. 2C:1-4](#), incorporated herein by reference, as amended and supplemented. Generally, such offenses are under the jurisdiction of municipal courts, carry a maximum jail term of six months or less, and are characterized by being minor in nature, not giving rise to the rights of trial by jury or indictment by grand jury. Examples of offenses include harassment, obstructing a public passage, and fighting in a public place.

"Emergency" means a person's perceived need for immediate medical care in order to prevent death or aggravation of physiological or psychological illness or injury.

"Emergency medical services" or "EMS" means a system for the provision of emergency care and transportation of persons who are sick or injured and in need of immediate medical care.

"Emergency Medical Technician-Basic" or "EMT-Basic" means a person trained in basic life support care and validly certified or recognized by the Commissioner in accordance with the standards for Emergency Medical Technician-Basic certification as set forth in this chapter.

"Emergency Medical Technician-Paramedic" or "EMT-Paramedic" means a person trained in advanced life support care and validly certified or recognized by the Commissioner in accordance with the standards for Emergency Medical Technician-Paramedic certification as set forth at N.J.A.C. 8:41A.

"Emergency Medical Technician Training Fund" or "EMT Training Fund" means the fund established by [N.J.S.A. 26:2K-54](#) et seq., to reimburse any private agency, organization or entity that is certified by the Commissioner in accordance with the standards for certification set forth in this chapter, to provide training and testing for volunteer ambulance, first aid and rescue squad members who are seeking EMT-Basic certification or recertification, and for which that entity is not otherwise reimbursed.

"EMT-Instructor" means a person who is validly certified by the Commissioner in accordance with the standards for EMT-Instructor certification as set forth in this chapter.

"EMT-Instructor Aide" means a person, who is validly certified by the Commissioner as an EMT-Basic, is affiliated with a training program and assists the EMT-Instructor with the training curriculum.

"EMT-B Statewide Faculty" means a body of persons appointed by the Office of Emergency Medical Services who are experienced in the education of the adult student, the delivery of emergency medical services and the training of pre-hospital care givers. The Faculty's purpose is to assist the Department in the implementation of the program curriculum.

"Field preceptor" means a person who possesses a higher level of expertise in both the subject matter and field training requirements of EMT-Basic students. A field preceptor shall be responsible for monitoring EMT-Basic students in the demonstration of knowledge and in the performance of skills during the course of a student's required field experience.

"General hospital" shall have the meaning provided at [N.J.A.C. 8:43G-1.3\(b\)](#) 1, as amended and supplemented.

"Helicopter" means a heavier-than-air aircraft that depends principally for its support in flight on the lift generated by one or more rotors.

"Medical record" means any information and/or reports (including, but not limited to, patient care reports) that describe a person's physical condition and/or medical history.

"Minor" means a person who has attained the age of 16 but has not yet attained the age of 18.

"Mobile intensive care hospital" means an acute care hospital authorized by the Commissioner, by way of a certificate of need, to develop and maintain a mobile intensive care program for the purpose of providing advanced life support care to a specific population, geographic region or political subdivision.

"Mobile intensive care program" means a program, operated by a mobile intensive care hospital, which is validly licensed by the Department to provide pre-hospital advanced life support care by way of a specially equipped and staffed mobile intensive care unit.

"Mobile intensive care unit" or "MICU" means a specialized emergency medical services vehicle that is validly licensed by the Department and operated in accordance with the standards set forth at N.J.A.C. 8:41.

"Mobility assistance vehicle" or "MAV" means a specialized transport vehicle that is validly licensed by the Department and operated in accordance with the standards set forth at N.J.A.C. 8:40.

"NREMT" means The National Registry of Emergency Medical Technicians, which is a professional testing agency specializing in the development of evaluation instruments designed for utilization by various states in the certification and registration of emergency medical services professionals. The NREMT is headquartered at the Rocco V. Morando Building, 6610 Busch Boulevard, PO Box 29233, Columbus, OH 43229-0233.

"Office of Emergency Medical Services" or "OEMS" means the Office of Emergency Medical Services in the New Jersey Department of Health and Senior Services, PO Box 360, Trenton, New Jersey, 08625. The telephone number for OEMS is (609) 633-7777.

"Official NREMT representative" means a person responsible for the administration of the written portion of the NREMT-Basic Certification Examination. Official NREMT representatives are appointed by the Office of Emergency Medical Services and are trained by the National Registry of Emergency Medical Technicians, in accordance with its standards and guidelines, to conduct all NREMT-Basic examination related activities.

"Patient" means any person who is ill or injured, living or deceased and with whom a crewmember has established physical or verbal contact.

"Patient care report" means and includes the written documentation completed each time a crewmember makes physical or verbal contact with a patient.

"Physician" means a person who is validly licensed by the New Jersey State Board of Medical Examiners in accordance with the standards set forth at [N.J.S.A. 45:9-6](#).

"Physician assistant" means a person who is validly licensed by the New Jersey State Board of Medical Examiners in accordance with the standards set forth at [N.J.S.A. 45:9-27.13](#).

"Pre-hospital" means the period of time prior to the delivery of a patient to a physician or registered nurse at an acute care hospital or satellite emergency department.

"Program curriculum" means the EMT-Basic: National Standard Curriculum or the EMT-Basic Refresher: National Standard Curriculum (as applicable to either an EMT-Basic training or continuing education program), promulgated by the National Highway Traffic Safety Administration of the United States Department of Transportation, incorporated herein by reference as amended and supplemented. Copies of the program curricula may be obtained from the:

National Highway Traffic Safety Administration (NHTSA),
400 7th St. SW.
Washington, D.C. 20590

or via the Internet at [http:// www.nhtsa.dot.gov/people/injury/ems/nsc.htm](http://www.nhtsa.dot.gov/people/injury/ems/nsc.htm).

"Program instructor" means a person who possesses a high level of expertise in the subject matter of the didactic initial and continuing education requirements of EMT-Basic students as evidenced by certification from a nationally recognized organization, certification from another state or jurisdiction, possession of degrees and/or advanced degrees from post-secondary institutions of higher learning such as colleges and universities and/or submission to the Department of a curriculum vitae that outlines the individual's education and experience relative to the subject matter.

"Refresher curriculum" means the EMT-Basic Refresher National Standard Curriculum, promulgated by the National Highway Traffic Safety Administration of the United States Department of Transportation, incorporated herein by reference as amended and supplemented. The course is intended for the EMS Community to refresh their current skills. Copies of the Refresher Curriculum may be obtained from the:

National Highway Traffic Safety Administration (NHTSA),
400 7th Street S.W.
Washington, D.C. 20590

or via the Internet at <http://www.nhtsa.dot.gov/people/injury/ems/nsc.htm>.

This course was developed by the National Association of EMS Educators.

"Registered nurse" means a person who is validly licensed by the New Jersey State Board of Nursing in accordance with the standards set forth at [N.J.S.A. 45:11-26](#).

"Remediation" means the formal process by which students who are experiencing difficulties following the lesson plan receive a formal review of any and all cognitive and psychomotor objectives associated with a specific module.

"Respiratory care practitioner" means a person who is validly licensed by the New Jersey State Board of Respiratory Care in accordance with the standards set forth at [N.J.S.A. 45:14E-10](#).

"Revocation" or "revoked" means the permanent voiding, withdrawal and/or cancellation of a license or certification.

"Satellite emergency department" means a facility that is owned and operated by an acute care hospital, which provides emergency care and treatment.

"Specialty care transport unit" or "SCTU" means a specialized transport medical service vehicle that is validly licensed by the Department and operated in accordance with the standards set forth at N.J.A.C. 8:41.

"State Advisory Council" means the advisory body established pursuant to [N.J.S.A. 26:2K-59](#).

"Training agency" means any private agency, organization or entity that has been certified by the Commissioner, in accordance with the standards for certification as set forth in this chapter, to provide training and testing to persons who are seeking EMT-Basic certification or recertification. Certified training agencies shall be eligible for reimbursement from the Emergency Medical Technician Training Fund for the training and testing of volunteer ambulance, first aid and rescue squad members.

"Valid" or "validly" means original (not a photo copy), current, up-to-date, not expired, in effect and/or not past the renewal date required by the issuer.

"Volunteer ambulance, first aid or rescue squad" means, in accordance with [N.J.S.A. 27:5F-20](#), an ambulance, first aid or rescue squad that provides emergency medical services without receiving payment for those services. Whether the individual members of a squad provide their services for free or are compensated by the squad is irrelevant to a squad's volunteer status.

"Volunteer ambulance, first aid or rescue squad member" means a person who is a member of, or is an applicant to become a member of, a volunteer ambulance, first aid or rescue squad, as attested to by the chief supervising officer of that squad.

8:40A-1.4 Waivers

(a) The Commissioner or his or her designee may grant a waiver of any part of this chapter if, in his or her opinion, such a waiver would not:

1. Endanger the life of any person;
2. Endanger the public health, safety or welfare; or
3. Adversely affect the provision of mobility assistance, basic life support or advanced life support care.

(b) Any agency, organization, entity or person seeking a waiver shall apply, in writing, to OEMS.

(c) An application for waiver shall include the following:

1. The nature of the waiver requested;
2. The specific standards for which the waiver is requested;
3. Reasons for requesting the waiver, including a statement of the type and degree of hardship that would result if the waiver is not granted;
4. An alternate proposal that would ensure public safety; and
5. Documentation to support the waiver application.

(d) The Department reserves the right to request additional information before processing an application for waiver.

8:40A-2.1 Eligibility for participation in the Emergency Medical Technician Training Fund

- (a) Reimbursement from the EMT Training Fund shall be limited to those private agencies, organizations or entities that have been certified by the Commissioner to provide training and testing for volunteer ambulance, first aid and rescue squad members who are seeking EMT-Basic certification or recertification for which that agency, organization or entity is not otherwise reimbursed.
- (b) A training agency that is otherwise reimbursed for the training and testing of volunteer ambulance, first aid or rescue squad members shall not be eligible for reimbursement from the EMT Training Fund.
- (c) A training agency that receives monies from the EMT Training Fund shall not charge a fee to a person, who is a member of, or an applicant to be a member of, a volunteer ambulance, first aid or rescue squad, as attested to by the chief supervising officer of that squad on an official "EMT Training Fund Certificate of Eligibility" form.

8:40A-2.2 Disbursement of funds

- (a) Reimbursement from the EMT Training Fund shall be in conformance with N.J.S.A. 26:2K-56 and 57.
- (b) The priority for reimbursement from the EMT Training Fund shall be in the following order, subject to available Fund balances:
 1. EMT-Basic certification;
 2. EMT-Basic recertification.
- (c) Training agencies shall be reimbursed on a continuing basis, in accordance with the priority schedule set forth in (b) above, for each student who successfully completes an approved EMT-Basic or continuing education program.
 1. The per capita reimbursement rate and payment schedule shall be determined by the Commissioner, in accordance with recommendations adopted by the State Advisory Council.

2. The per capita reimbursement rate and the annual payment schedule shall be the same for all training agencies.
- (d) Funds shall not be disbursed until such time as the training agency has provided OEMS with written documentation that identifies the approved EMT-Basic or continuing education program and the names of students for whose training reimbursement is requested.

8:40A-3.1 Application for a training program

- (a) An agency, organization, or entity seeking certification as a training agency shall make application to the Department through OEMS.
- (b) Applications for certification as an EMT-Basic training agency shall include the following:
1. A complete list of personnel required to be associated with the training agency (that is, program director, program coordinator, program medical advisor, Lead EMT-Instructor and EMT-Instructors), as defined in [N.J.A.C. 8:40A-4.1](#) through 4.5. This list shall include the name, address, and telephone number for each person listed above. Should the program director, program coordinator or program medical advisor change after submission of the application or after approval, the applicant shall file an amended list with the Department within 30 calendar days of the change;
 2. An estimate of the total number of EMT students to be trained on an annual basis;
 3. An estimate of the minimum and maximum number of students that can be accommodated in any one basic training program;
 4. Documentation showing that there will be adequate training equipment and aids to ensure that each student is able to have access to the equipment as required by the program curriculum; and
 5. Documentation that the applicant has developed and shall implement a policy of control of access to student records in accordance with the standards of the Family Educational Rights and Privacy Act of 1974, [20 U.S.C. § 1232g](#).
- (c) Applications for certification of continuing education programs shall meet the requirements of [N.J.A.C. 8:40A-9.3](#).
- (d) The Department shall review all applications for completeness. Incomplete applications shall not be processed until such time as the application has been amended and is deemed complete.
- (e) The Department reserves the right to request additional information before processing an application.
- (f) The Department shall make a determination on an EMT-Basic course application within 90 calendar days from the date on which the application is deemed complete by OEMS.
- (g) Consistent with [N.J.A.C. 8:40A-10.3\(c\)](#), an agency, organization or entity denied

certification as a training agency shall be entitled to a hearing at the New Jersey Office of Administrative Law to contest the denial.

8:40A-3.2 Site visits

- (a) Department staff, and a member of the EMT-B Statewide Faculty, shall conduct a site visit of a proposed EMT-Basic training location to evaluate an applicant's ability to provide EMT-Basic training. Department staff, and/or a member of the EMT-B Statewide Faculty, may conduct a site visit of a proposed continuing education training location to evaluate an applicant's ability to provide continuing education training. The visit may include, but is not limited to:
 - 1. Interviews with the proposed program director, program coordinator, program medical advisor, Lead EMT-Instructor, and EMTs-Instructor, as necessary;
 - 2. A tour of the proposed facilities, including classrooms and practice areas;
 - 3. A tour of any proposed satellite training area(s); and
 - 4. A review of the equipment, audio-visual aids, supplies and training aids to be utilized.
- (b) Department staff may request additional information as it deems necessary in order to render its recommendation to the Commissioner.
- (c) At the conclusion of its visit, Department staff shall prepare a report and shall give a copy of the report to the applicant. This report shall identify the deficiencies, if any, found as a result of the site review, and shall advise the applicant that it has 30 calendar days within which to correct the deficiencies.
- (d) Thereafter, Department staff shall make a written recommendation to the Commissioner.
- (e) In addition to site visits for initial certification, the Department or a member of the EMT-B Statewide Faculty may conduct periodic and unannounced EMT-Basic and continuing education site visits for the purpose of monitoring compliance with this chapter. Each EMT-Basic training agency shall be subject to a site visit once every three years.

8:40A-3.3 Suspension or revocation of training agency certification

- (a) Training agency certification may be suspended or revoked for any of the following reasons:
 - 1. Failure to adhere to the rules contained in this chapter;
 - 2. Failure to strictly adhere to the U.S.D.O.T. EMT-Basic National Standards Curriculum;
 - 3. Failure to maintain required personnel, facilities, resources, finances, records, equipment and evaluation tools;
 - 4. Failure to maintain a current list of personnel and faculty and/or to notify the Department of changes thereto;
 - 5. Failure to conduct, on an annual basis, at least one EMT-Basic training program

(EMT-Basic training agencies only);

6. Refusal to allow Department staff to conduct a site review, inspection and/or evaluation or obstructing Department staff during the course of such site review, inspection and/or evaluation;
 7. Failure to successfully pass a site review, inspection or evaluation;
 8. Failure to demonstrate passing student performance scores on the NREMT-Basic Certification Examination, as determined by the Commissioner (EMT-Basic training agencies only); or
 9. Misuse of EMT Training Fund monies, falsifying documents and other false filings of documents required by law, rule and/or regulation.
- (b) In order to monitor compliance with this chapter, Department staff may attend any program session, examine any record of attendance, examine any documents relating directly to activities covered by this chapter, and request the submission of periodic reports on the training agency's activities. Failure to cooperate shall be grounds for suspension or revocation of a training agency's certification.
- (c) Consistent with [N.J.A.C. 8:40A-10.3\(c\)](#), a training agency whose certification the Department proposes to suspend or revoke shall be entitled to a hearing at the New Jersey Office of Administrative Law to contest the proposed suspension or revocation.
- (d) Any training agency whose certification is suspended for one year or more shall, after the period of suspension has expired, be required to meet the criteria set forth at [N.J.A.C. 8:40A-5.5\(b\)](#).

8:40A-4.1 Program Director

- (a) Each training agency shall have a program director, who shall be responsible for the general operation of a training agency. The program director shall have experience in course planning, operation and evaluation. Additionally, experience in pre-hospital emergency medical services is recommended, but not required.
- (b) The responsibilities of the program director shall include, but are not limited to:
1. Providing oversight to assure that the program content and instructional program complies with the standards and guidelines set forth in the program curriculum and this chapter;
 2. Providing oversight to assist with the recruitment, selection and orientation of instructional staff;
 3. Providing technical advice and assistance to the program coordinator and faculty;
 4. Providing oversight to assure the quality of the educational and instructional experience;
 5. Providing oversight to assure that the program is operated in compliance with this chapter;

6. Establishing and supervising a student application process;
 7. Critiquing and evaluating the administration and results of all program examinations;
 8. Serving as the primary contact person with the Department;
 9. Serving as the training agency student/faculty liaison; and
 10. Assuming the primary role in quality assurance.
- (c) The program director need not be directly involved in the actual instruction of students.

8:40A-4.2 Program Coordinator

- (a) Each EMT-Basic training agency shall have a program coordinator designated by the course sponsor and approved by OEMS.
- (b) The qualifications necessary to serve as the program coordinator shall be as follows:
1. EMT-Instructor certification;
 2. At least three consecutive years of experience as an active EMT-Instructor;
 3. A demonstrated ability to coordinate administrative aspects of the EMT-Basic training program including, but not limited to, familiarity with the program curriculum, the operations of the program schedule, and the ability to organize program sessions and student activities; and
 4. A demonstrated ability to plan, implement and coordinate training sessions.
- (c) The responsibilities of the program coordinator shall include, but are not limited to:
1. Providing oversight to assure that the program content and instructional program complies with the standards and guidelines set forth in the program curriculum and this chapter;
 2. Providing oversight to assist with the recruitment, selection and orientation of the program medical advisor and instructional staff;
 3. Providing technical assistance and guidance to the program medical advisor, instructional staff and students;
 4. Providing oversight to assure the quality of the educational experience and of the instructional staff;
 5. Identifying facilities and services where students can fulfill clinical and/or field experience requirements;
 6. Providing oversight to the student application process;
 7. Scheduling programs in accordance with the guidelines established by the

program curriculum;

8. Scheduling instructional staff and ensuring that lecturers possess the appropriate skills and knowledge required for presenting specific sessions as outlined in the program outline;
9. Preparing, maintaining, procuring and inventorying all teaching materials and instructional aids;
10. Critiquing and evaluating the administration and results of all written and practical skills evaluations (in cooperation with the program director);
11. Maintaining all program evaluations, student records, files and program examination results;
12. Serving as student/faculty liaison;
13. Maintaining responsibility for quality assurance; and
14. Attending all EMT program coordinator meetings or training sessions as required by the Department. If the program coordinator is unable to attend, a representative shall be designated to attend.

(d) The program coordinator shall not also serve as the program director.

8:40A-4.3 Program medical advisor

(a) Each training agency shall have a program medical advisor. The qualifications necessary to serve as the program medical advisor shall be as follows:

1. Physician status;
2. Experience in emergency medicine, and compliance with the requirements for emergency department physicians as set forth at [N.J.A.C. 8:43G-12.3](#) as amended and supplemented; and
3. Familiarity with basic life support care and services.

(b) The responsibilities of the program medical advisor shall include, but are not limited to:

1. Serving as a program medical advisor regarding the program content, procedures and protocols;
2. Consulting and/or advising the instructional staff in the preparation and presentation of the program;
3. Assisting in recruiting physicians to present materials in class, settling questions of medical protocol and acting as a liaison between the program and the medical community;
4. Serving as a resource to review the quality of care rendered by the EMT-Basic during the clinical and field experiences of the EMT-Basic training program; and
5. Assisting in the review of all written and/or practical skills examinations

developed by the program staff as needed.

(c) The program medical advisor shall be available for consultation, as needed.

8:40A-4.4 Lead EMT-Instructor

(a) Each training agency shall have a designated Lead EMT-Instructor. The qualifications necessary to serve as the Lead EMT-Instructor shall be as follows:

1. Possession of EMT-Instructor certification;
2. Endorsement of the program coordinator; and
3. Knowledge in all areas of pre-hospital emergency care, techniques and methods of adult education, and managing resources and personnel.

(b) In addition, the person who serves as the Lead EMT-Instructor shall have a minimum of 120 hours of observed instruction as an EMT-Instructor under the direct supervision of a program coordinator, as documented in the accreditation application and its amendments.

(c) The responsibilities of the Lead EMT-Instructor shall include, but are not limited to:

1. Physically monitoring class sessions to assure program continuity and ensuring that each student has the cognitive, affective and psychomotor skills necessary to function as an EMT-Basic in the absence of the program coordinator;
2. Teaching program lessons, as defined by the U.S. Department of Transportation EMT-Basic National Standard Curriculum;
3. Attending all mandatory Department workshops relating to the implementation of the program curriculum; and
4. Assuming the responsibilities of the program coordinator in his or her absence.

8:40A-4.5 EMT-Instructor

(a) Each training agency shall have an adequate number of EMT-Instructors to provide appropriate instruction, as required by [N.J.A.C. 8:40A-5.6\(a\)](#) 5, at all practical skills sessions.

(b) The qualifications necessary to serve as an EMT-Instructor shall be as follows:

1. Possession of EMT-Instructor certification; and
2. Endorsement of the program coordinator.

(c) The responsibilities of an EMT-Instructor shall include, but are not limited to:

1. Assisting the Lead EMT-Instructor in the demonstration and practice designed to develop and evaluate student skill competencies; and
2. Assisting the Lead EMT-Instructor in conducting the program sessions.

8:40A-4.6 EMT-Instructor Aide

Each training agency shall maintain a roster of EMT Instructor Aides to serve an apprenticeship with the respective training agency, provide appropriate instruction under the supervision of a Department of Health and Senior Services, Office of Emergency Medical Services approved EMT-B instructor, attend and participate in all aspects of EMT-Basic training, and assist in maintaining continuity for the training program.

8:40A-5.1 General information and requirements

- (a) Each EMT-Basic training program shall safeguard the health and safety of its students, faculty and any patients associated with the training activities.
- (b) Each EMT-Basic training program shall make academic counseling services available to each of its students. Guidance procedures shall be established that include documentation of regular and timely discussions with qualified faculty and the field preceptors regarding the student's strengths, weaknesses and overall progress in the EMT-Basic training program.
- (c) Accurate information regarding didactic and clinical training requirements, tuition, fees, institutional policies, programmatic policies, procedures and supportive services shall be available to all EMT-Basic training program applicants and students.
- (d) Each EMT-Basic training program shall maintain on file a descriptive synopsis of the current curriculum, both didactic and clinical, as well as current course objectives, course outlines, schedules of didactic and clinical courses, field experience schedules and instructional plans on file. These files shall be made available to applicants and students during normal business hours, and shall be made available to Department staff upon demand.
- (e) The Department shall conduct such audits and inspections as necessary to ensure compliance with the provisions of this chapter. The program coordinator shall submit reports to the Department as required, including, but not limited to, course schedules, students registered and attending on the first night of class and final grade reports of students enrolled.
- (f) Student records shall be retained for a period of at least five years from the end of training or termination of a student from the EMT-Basic training program. The program coordinator shall maintain all student records and shall make those records available to Department staff upon demand.

8:40A-5.2 Student qualifications

- (a) The requirements for enrollment in, and to receive credit for, an EMT-Basic training program shall be as follows:
 - 1. Attainment of the age of 16 by the first day of the program;
 - i. Minors enrolled in an EMT-Basic training program shall be subject to the limitations listed in (b) below:
 - 2. Possession of CPR certification. The student shall maintain CPR certification throughout the duration of the EMT-Basic training program and until such time as he or she is either certified as an EMT-Basic or terminated from the EMT-Basic training program. The student's CPR certification card shall be made

available to Department staff upon demand; and

3. Physical capability to perform all required skills and tasks of an EMT-Basic student as cited in the program curriculum.

(b) Minors enrolled in an EMT-Basic training program shall be subject to the following conditions:

1. Minors shall produce signed parental consent to participate in the program;
2. Minors shall agree to comply with all applicable labor laws, rules and/or regulations, including, but not limited to, [N.J.S.A. 34:2-21.17](#);
3. Minors shall agree to comply with all applicable rules regarding attendance, performance and program examinations; and
4. Minors shall not be permitted to do the following in classes or after certification until they reach the age of 18
 - i. Operate power-driven machinery including, but not limited to, fire apparatus, MAVs, BLS ambulances, MICUs, SCTUs and/or AMUs;
 - ii. Oil, wipe or clean any machinery in motion, inclusive of rescue tools;
 - iii. Utilize any machine that grinds, buffs, or polishes;
 - iv. Operate any hoisting equipment, inclusive of chain and cable come-a-longs;
 - v. Utilize any torch device utilized to heat, melt or cut metals, including rescue torches; or
 - vi. Operate and/or maintain any high-pressure hydraulic tool or air bag.

(c) No student shall be:

1. Exposed to injurious quantities of any toxic or noxious dust, gases, vapors and/or fumes; or
2. Exposed to, or allowed to participate in, direct firefighting operations.

(d) Minors shall receive practical skills instruction and shall be permitted to safely observe any of the skills listed in (b) 4 above.

(e) The training agency shall ensure that the provisions of (b) 4 and (c) above are strictly enforced.

8:40A-5.3 Attendance

(a) Each student shall attend all required program sessions. Attendance shall be recorded on an official session roster. Official session roster forms are available from OEMS upon request. All session rosters shall be delivered to OEMS at least 10 calendar days prior to the NREMT-Basic Certification Examination. No student shall be credited with attendance at a session who:

1. Fails to attend the entire session;
2. Arrives more than 15 minutes late for the session;
3. Has been expelled from the session for disruptive behavior;
4. Leaves prior to the completion of the session;
5. Attends the session, but is unwilling to participate in the required activities and instruction for that session; or
6. Fails to sign the attendance sheet.

(b) Subject to the provisions of (c) below, any student missing a session shall make the session up within 120 days of the course completion date prior to becoming eligible to sit for the NREMT-Basic Certification Examination. The program coordinator shall be responsible for assisting the student with locating a suitable make-up session. The options available to a student are:

1. Attendance at the same session in another EMT-Basic training program;
2. Attendance at a special session scheduled by the program coordinator which covers the lecture material and practical skills; or
3. Utilization of audio/visual materials in conjunction with the required practical skills session conducted by a Lead EMT-Instructor or EMT-Instructor as approved by the program coordinator.

(c) Any student missing three consecutive sessions may be expelled from the EMT-Basic training program and may be required to apply for, and participate in, an entirely new EMT-Basic training program.

8:40A-5.4 Reporting requirements

- (a) Each training agency shall forward completed attendance verification and/or data to the OEMS BLS Coordinator. All information shall be delivered to OEMS no later than 10 business days after the completion of the program.
- (b) Each training agency shall provide the Department with the number of students that have successfully completed the EMT-Basic training program and have been endorsed to take the NREMT-Basic Certification Examination as soon as possible after the final class session.

8:40A-5.5 Application to conduct an EMT-Basic training program

(a) A certified training agency that seeks to offer an EMT-Basic training program shall submit an official "Application to Conduct an EMT-Basic Program" to OEMS for approval prior to offering or conducting an EMT-Basic training program. Applications shall be delivered to OEMS no later than 90 calendar days prior to the scheduled start of the program.

1. Incomplete and/or late applications shall be returned to the applicant and shall not be processed.
2. Applications for programs that do not demonstrate compliance with the

requirements of this chapter shall be returned to the applicant with a written explanation as to why the program is insufficient.

(b) Each application shall include:

1. The names and credentials of the instructional staff. Qualified instructional staff as utilized in this section means:
 - i. Physicians;
 - ii. Registered nurses;
 - iii. Physician assistants;
 - iv. EMT-Paramedics;
 - v. Respiratory care practitioners;
 - vi. EMT-Instructors; and
 - vii. Persons with specialized training applicable to the topic;
2. The location, date and time of each program session;
3. The program outline, objectives and curriculum; as defined in N.J.A.C. 8:40A-5.9;
4. Copies of any handouts or texts to be utilized during the program;
5. Documentation that practical skills sessions shall have adequate EMT-Instructor coverage, in accordance with [N.J.A.C. 8:40A-5.6\(a\)](#) 5;
6. A copy or description of the proposed final examination and any pre-final examination module examinations, as applicable, if certification is to be based on applicants' scores on modular examinations instead of or in addition to applicants' scores on final examinations. The examination may be written, practical or both, depending on the nature of the program; and
7. Documentation that the program shall follow the objectives of the program curriculum.

(c) Only those EMT-Basic training programs offered by certified training agencies shall qualify for the purpose of reimbursement from the EMT Training Fund.

(d) Consistent with [N.J.A.C. 8:40A-10.3\(c\)](#), a training agency whose application to conduct an EMT-Basic training program has been denied shall be entitled to a hearing at the New Jersey Office of Administrative Law to contest the denial.

8:40A-5.6 Instructional staff

(a) Each program shall be sufficiently staffed so as to provide for the instruction of students in the program materials. Sufficient staffing means:

1. One program director;

2. One program coordinator;
3. One program medical advisor;
4. One Lead EMT-Instructor; and
5. Enough EMT-Instructors to maintain a 1:6 EMT-Instructor to student ratio in practical skills instruction groups.
 - i. A training agency may elect to utilize one certified EMT-Instructor together with an EMT-Instructor Aide in groups with no more than 10 students during practical skills instruction sessions.

(b) A training agency may utilize certified EMT-Basics with at least one year of pre-hospital EMT-Basics experience and EMT-Paramedics as EMT-Instructor Aides.

8:40A-5.7 Training sites

- (a) Each training agency shall maintain a site with areas for the lecture and practical sessions. These may be, but need not be, separate areas. These areas should be such that the agency can conduct sessions that are conducive to the learning process.
- (b) Each agency is responsible for ensuring that it is in compliance with all applicable laws, rules and/or regulations.
- (c) A training agency may have one or more satellite training sites. However, each satellite training site is subject to the provisions of [N.J.A.C. 8:40A-3.2](#) and must be approved, in writing, by the Department prior to utilization.
 1. Each satellite site shall meet the requirements for the primary training site set forth in (a) and (b) above.

8:40A-5.8 Program curriculum

- (a) The Department hereby adopts and incorporates by reference the program curriculum as the curriculum for all EMT-Basic training programs conducted in New Jersey.
 1. A person must successfully complete each of the program curriculum's seven training modules, and shall not be permitted to move on to the next consecutive module until he or she has successfully passed the examination for the previous module. A person who fails a module examination shall be permitted to re-test following remediation. A person who fails two consecutive examinations for the same module shall be automatically expelled from the EMT- Basic training program and shall be required to apply for, and participate in, an entirely new EMT-Basic training program.
- (b) No training agency shall offer an EMT-Basic training program that provides instruction in material that is beyond the permitted scope of practice for an EMT-Basic, as defined in this chapter, the program curriculum, or any applicable law, rules and/or regulation.
- (c) Each lecture portion of an EMT-Basic training program shall comply with the

corresponding lesson plan listed in the program curriculum.

- (d) Each practical skills session shall comply with the standard of care as defined in the program curriculum or any applicable law, rule and/or regulation.
- (e) Each EMT-Basic training program shall include a 10-hour clinical experience in the emergency department of an acute care hospital or another area related to pre-hospital care that has been approved by the Department.
 - 1. The clinical and/or field experiences shall be limited to observation of procedures and patients, and the application of clinical skills that are taught as part of the program curriculum. The clinical experience shall occur under the direct supervision of a Field Preceptor designated by the supervisor of the emergency department staff or other area included as part of the clinical experience.
 - 2. No person shall serve as a field preceptor unless that person is medically qualified to operate at least to the level of an EMT-Basic.
 - 3. Students participating in the clinical experience shall neither be required nor allowed to perform any skill or procedure that is outside the scope of practice for an EMT-Basic, nor shall a student be allowed to replace required emergency department staff.
 - 4. The program coordinator or emergency department staff may permit the student to spend up to five hours of the required clinical experience as an observer on a MICU, subject to the restrictions set forth in (e) 1 and 3 above.
- (f) The EMT-B Statewide Faculty shall assist the Department in the implementation of the EMT-Basic training program curriculum and the oversight of the instructional plan.
- (g) Training in the utilization of AEDs shall be delivered as part of the EMT-Basic and EMT-Basic Refresher Programs and shall be in accordance with the EMT-Basic training program curriculum.

8:40A-6.1 General information

- (a) The NREMT-Basic Certification Examination is the only examination recognized for EMT-Basic certification in New Jersey.
- (b) The NREMT-Basic Certification Examination shall be administered at least three times per month.
- (c) The NREMT-Basic Certification Examination shall be conducted in accordance with the rules contained in this chapter and all applicable NREMT policies, which can be obtained by writing to:

National Registry of Emergency Medical Technicians
Rocco V. Morando Building
6610 Busch Blvd.
PO Box 29233
Columbus, Ohio 43229-0233

- (d) Only official NREMT representatives shall be permitted to administer the written portion of the NREMT-Basic Certification Examination. EMT-Instructors shall administer the practical "hands-on" portion of the NREMT-Basic Certification

Examination.

- (e) The Department reserves the right to limit the number of examinees at any test site.
- (f) A person who has been found to have compromised the integrity of the NREMT-Basic Certification Examination in any way (including, but not limited to, altering the examination, theft of examination materials, copying or otherwise reproducing the examination materials and/or any other form of cheating) shall be denied entrance to, or removed from, the examination. In addition, the person shall thereafter be barred from any future examinations.

8:40A-6.2 Eligibility to sit for the examination

(a) Once a student has completed the required EMT-Basic training program, inclusive of the required clinical experience, the program coordinator shall verify that the student is eligible to take a practical skills verification examination.

1. The practical skills verification examination shall be administered by the program coordinator, and shall adhere to the Core 13 program standards as listed in the program curriculum. The results of the practical skills verification examination shall be recorded on official "Practical Skills Verification" forms, and shall be retained by the program coordinator.

(b) Upon successful completion of the practical skills verification examination, and provided all EMT-Basic training program work is complete, the program coordinator shall issue an official "EMT-Basic Training Programs: Certificate of Eligibility for the NREMT-Basic Certification Examination" and shall submit a request to OEMS that the student be scheduled to sit for the NREMT-Basic Certification Examination.

1. A request to schedule a person for the NREMT-Basic Certification Examination shall be made in writing, and shall be delivered by the program coordinator to OEMS at least 15 calendar days prior to the scheduled examination date. Requests delivered after the closing date shall be returned to the program coordinator with an explanation as to the person's ineligibility to sit for the examination.

(c) All students who enroll in an EMT-Basic training program shall complete and submit a written application form to the Office of Emergency Medical Services. Those students who answer affirmatively to the criminal background screening question shall be given a "Request for Criminal History Record Information for a Noncriminal Justice Purpose" form (SBI 212B Form) at the first class session. The SBI 212B Form shall be completed and signed by the student and delivered to OEMS at least 30 calendar days prior to the NREMT-Basic Certification Examination. The SBI 212B Form shall be accompanied by payment in the form and amount specified at N.J.A.C. 13:59, Criminal History Record Background Checks, as amended and supplemented.

1. Upon delivery to OEMS, the SBI 212B Form shall be submitted by OEMS to the New Jersey State Police, State Bureau of Identification for processing.
2. Any student found to have been convicted of any crime or offense listed in (d)

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through 3 below shall be ineligible to sit for the NREMT-Basic Certification Examination, and shall be so notified. A student that has been deemed ineligible to sit for the examination may apply to OEMS for a waiver. All waiver requests must be made in accordance with the standards set forth at [N.J.A.C.](#)

[8:40A-1.4](#), and shall be considered in compliance with the Rehabilitated Convicted Offenders Act, [N.J.S.A. 2A:168A-1](#) et seq.

3. A student who fails to deliver the completed SBI 212B Form to OEMS at least 30 calendar days prior to the NREMT-Basic Certification Examination shall be ineligible to sit for that examination.

(d) Absent the granting of a waiver, as provided for in (c)2 above, a person shall not be allowed to sit for the NREMT-Basic Certification Examination if he or she has been accepted into a Pre-trial Intervention, conditional discharge or other diversionary program or has been convicted of:

1. Any crime;
2. Any disorderly persons offense; and/or
3. A petty disorderly persons offense involving the possession, utilization, sale and/or distribution of any controlled dangerous substance; representing a risk of harm to the health, safety or welfare of patients; and/or involving patient abuse or patient neglect.

8:40A-6.3 Admittance to the examination

(a) Requirements for admission to the NREMT-Basic Certification Examination shall be as follows:

1. Presentation of a valid "Certificate of Eligibility to sit for the NREMT-Basic Certification Examination" form, which shall include verification that:
 - i. Not more than 12 months have elapsed since the examinee successfully completed the EMT-Basic training program; and
 - ii. Any out-of-State EMT-Basic or EMT-Paramedic certification(s) is/are not currently suspended or revoked;
2. Presentation of a photo identification card; and
3. Presentation of a CPR certification card.

8:40A-6.4 Accommodations for persons with documented learning disabilities

(a) OEMS shall offer reasonable and appropriate accommodations for the written component of the NREMT-Basic Certification Examination for those persons with documented learning disabilities in reading decoding, reading comprehension and/or written expression.

(b) A person requesting accommodations for the written component of the NREMT-Basic Certification Examination shall deliver documentation of his or her learning disability to OEMS and the NREMT at least 30 calendar days prior to the examination.

1. Documentation of a learning disability shall include one of the following:
 - i. A diagnosis based upon the results of a standardized psycho-educational

assessment, including an individually administered standardized measure of intelligence and an individually administered standardized measure of achievement in reading decoding, reading comprehension and/or written expression; or

- ii. A diagnosis made by a qualified professional, according to the criteria outlined in the Diagnostic and Statistical Manual of Mental Disorders (DSM-IV; American Psychiatric Association, 1994 incorporated herein by reference as amended and supplemented. This manual may be obtained by contacting The American Psychiatric Publishing Inc., 1000 Wilson Boulevard, Arlington, VA 22209 or through their website at www.psych.org).

2. All diagnosis shall have been made within five years of the date of the examination.

- (c) A person who qualifies for accommodations shall be permitted a total of three hours and 45 minutes within which to take the written portion of the NREMT-Basic Certification Examination.

8:40A-6.5 Examination results and reexaminations

- (a) Results of the NREMT-Basic Certification Examination shall be forwarded directly to the examinee by the NREMT. OEMS shall not reveal a person's examination score to any party other than the examinee or the program coordinator.
- (b) A person who achieves a passing score on the NREMT-Basic Certification Examination as determined by the National Registry of Emergency Technicians (NREMT) (www.NREMT.org) and has met all other requirements for EMT-Basic certification as identified at [N.J.A.C. 8:40A-7.2](#) shall be issued an EMT-Basic certification card.
- (c) A person who does not achieve a passing score on the NREMT-Basic Certification Examination as determined by the NREMT shall be permitted two additional opportunities to sit for the examination and to achieve a passing score. A person who achieves a passing score on the second or third attempt, as applicable, and has met all other requirements for EMT-Basic certification as identified at [N.J.A.C. 8:40A-7.2](#) shall be issued an EMT-Basic certification card.
- (d) A person who has completed an EMT-Basic training program and has failed the NREMT-Basic Certification Examination three times may become eligible to sit for the examination by successfully completing an approved Core 13 program and obtaining an official "EMT-Basic Retraining Program: Certificate of Eligibility," as completed by the program coordinator.
 1. Upon compliance with the requirements set forth in (d) above, a person shall be permitted three additional opportunities to sit for the NREMT-Basic Certification Examination.
- (e) A person who does not achieve a passing score on the NREMT-Basic Certification Examination as determined by NREMT on all six examination attempts shall be required to reenroll and complete an EMT-Basic training program before being allowed any additional attempts at the NREMT-Basic Certification Examination.
- (f) All attempts of the NREMT-Basic Certification Examination shall be completed within

12 months of the scheduled end of each EMT-Basic training program.

8:40A-7.1 General information

- (a) No person shall act in the capacity of an EMT-Basic in any form or manner until first certified or recognized by the Department, in accordance with this standards set forth in this chapter.
- (b) Absent the granting of a waiver, as provided for in (c) below, no person shall be certified or recognized as an EMT-Basic if he or she has been accepted into a pre-trial intervention, conditional discharge or other diversionary program in this State or any other state or convicted of:
 - 1. Any crime;
 - 2. Any disorderly persons offense; and/or
 - 3. A petty disorderly persons offense involving the possession, utilization, sale and/or distribution of any controlled dangerous substance; representing a risk of harm to the health, safety or welfare of patients; and/or involving patient abuse or patient neglect.
- (c) A person who has been convicted of any crime or offense listed in (b) 1 through 3 above may, in accordance with [N.J.A.C. 8:40A-1.4](#), request a waiver of this requirement. All requests must be made in writing, and shall be considered in compliance with the Rehabilitated Convicted Offenders Act, [N.J.S.A. 2A:168A-1](#) et seq.
- (d) EMT-Basic certification or recertification shall not be issued until such time as the person has provided the Department with his or her full name, permanent mailing address and other information as may be required by the Department. This information shall be maintained by the Department and shall be utilized to maintain a register of all persons applying for certification.
- (e) Expiration of all certifications shall occur on either June 30 or December 31, depending on the date of initial certification. Certifications shall be valid until 12:00 midnight of the expiration date listed on the card. No grace periods or extensions shall be granted.
- (f) Certification cards are the property of the Department, and shall be immediately surrendered to Department staff upon demand. All certification cards shall become immediately null and void and shall be returned to the Department concurrent with the revocation or voluntary surrender of a person's EMT-Basic certification.
- (g) One original certification card shall be furnished free of charge. All requests for replacement cards must be submitted in writing.
- (h) Once certified, it shall be the responsibility of the EMT-Basic to immediately notify OEMS, in writing, of:
 - 1. Conviction of any crime or offense or acceptance into a pre-trial intervention, conditional discharge or other diversionary program in this or any other state listed in (b)1 through 3, above; and/or
 - 2. Any change of name and/or address, and to provide appropriate documentation

as may be required by the Department.

- (i) A person shall not knowingly file any record or document that is falsified, fraudulent or untrue. The filing of such false records or documents shall be sufficient cause for the revocation, or refusal to issue or renew an EMT-Basic certification.

8:40A-7.2 Certification

(a) The requirements for certification as an EMT-Basic shall be as follows:

1. Attainment of the age of 18;
2. Possession of CPR certification; and
3. Successful completion of an EMT-Basic training program (which shall include a 10-hour clinical experience) and achievement of a passing score on the NREMT-Basic Certification Examination, or granting of reciprocity by the Department in accordance with [N.J.A.C. 8:40A-7.3](#).

(b) A physician, physician assistant, registered nurse or advanced practice nurse may obtain EMT-Basic certification by complying with the requirements set forth at [N.J.A.C. 8:40A-7.3\(a\)](#) 1ii, iii and iv.

(c) EMT-Basic certification shall be valid for a period of not less than 36, nor more than 42, months.

(d) Consistent with [N.J.A.C. 8:40A-10.3\(b\)](#), a person denied certification as an EMT-Basic shall be entitled to a hearing at the New Jersey Office of Administrative Law to contest the denial.

8:40A-7.3 Reciprocity

(a) A person validly certified as an EMT-Basic by the NREMT, the State of New York or any member state of the Atlantic EMS Council (currently Delaware, the District of Columbia, Maryland, Pennsylvania, Virginia and West Virginia) shall have status as an EMT-Basic. No further testing shall be required, and the EMT-Basic certification card issued by the out-of-State certifying agency shall be valid for the purpose of proof of EMT-Basic certification. This section shall not be construed to permit a person to practice beyond his or her certifying state's scope of practice.

1. A person validly certified as an EMT-Basic by the State of New York or any member state of the Atlantic EMS Council (currently Delaware, the District of Columbia, Maryland, Pennsylvania, Virginia and West Virginia) who wishes to acquire a New Jersey EMT-Basic certification card shall be required to:
 - i. Complete an application for reciprocity;
 - ii. Successfully complete an approved Core 13 program;
 - iii. Obtain an official "EMT-Basic: Certificate of Eligibility for the NREMT-Basic Certification Examination" form (as completed by the EMT-Instructor); and
 - iv. Sit for, and achieve a passing score on, the NREMT-Assessment

Examination.

2. A person validly certified as an EMT-Basic by the NREMT who wishes to acquire a New Jersey EMT-Basic certification shall be required to complete the requirements delineated under (a)1i and ii above. Once the requirements of this subsection are met, the OEMS shall issue a New Jersey EMT-Basic certification card that is valid for at least 12, but no more than 18, months past its NREMT expiration date.
- (b) A person validly certified as an EMT-Basic in any other state or Federal jurisdiction not identified in (a) above, may apply to participate in an abbreviated certification process by completing an official "EMT-Basic Application" form, which is available from OEMS upon request.
1. Upon receipt of an application to participate in the abbreviated certification process, OEMS shall verify the applicant's certification with the out-of-State jurisdiction. Only those persons who are validly certified in a jurisdiction whose requirements for certification meet the minimum standards of the U.S.D.O.T. EMT-Basic National Standards Curriculum shall be eligible to proceed in the abbreviated certification process.
 2. Once OEMS has reviewed the application and has determined that the applicant is qualified, the applicant shall be issued instructions on the abbreviated certification process. Each applicant shall successfully complete a Core 13 program, obtain an official "EMT-Basic: Certificate of Eligibility for the NREMT-Basic Certification Examination" form (as completed by the EMT-Instructor) and sit for, and achieve a passing score on, the NREMT-Assessment Examination. Upon successful completion of these requirements, the person shall be issued an EMT-Basic certification card. EMT-Basic certification shall be valid for a period of not less than 36, nor more than 42, months.
 3. The Department may refuse to allow a person to participate in the abbreviated certification process if the application is incomplete or contains false or fraudulent information, or if the applicant has been suspended or revoked in any other jurisdiction or would otherwise be ineligible for EMT-Basic certification.

8:40A-7.4 Provisional status of minors

- (a) Minors who achieve a passing score on the NREMT assessment examination shall only be issued provisional EMT-Basic status. EMT-Basic certification shall be issued upon the attainment of the age of 18, provided the person meets all of the requirements for certification set forth at [N.J.A.C. 8:40A-7.2](#).
- (b) Minors shall perform services only in the physical presence and under the direct supervision of an EMT-Basic, and shall not be utilized to meet the minimum personnel requirements on any licensed MAV, BLS ambulance or SCTU.
- (c) Minors shall be subject to all of the limitations set forth at [N.J.A.C. 8:40A-5.2\(b\)](#).

8:40A-7.5 Recertification

- (a) The requirements for recertification as an EMT-Basic shall be as follows:
1. Possession of EMT-Basic and CPR certifications; and
 2. Successful completion of approved continuing education units, consisting of 24 core credit hours and 24 elective credit hours. The 24 core credit hours shall include two credit hours from each of the 12 core sessions identified at [N.J.A.C. 8:40A-9.5\(a\)](#)1i or completion of an approved Core 13 program.
- (b) A person seeking recertification shall document successful completion of continuing education requirements as set forth in (a) above, on a NJ CEU Attendance Verification form to be submitted to OEMS. These 48 continuing education hours shall be accrued over the 36-month period immediately prior to recertification.
- (c) No person shall be recertified until documentation of all of the requirements set forth in (a) above, has been provided.
- (d) One letter detailing the cumulative continuing education credits earned (that is, "CEU status letters") shall be mailed by OEMS approximately six months prior to the expiration of a person's EMT-Basic certification. This letter shall be mailed automatically and shall be furnished free of charge.
1. Continuing education credits shall not be carried forward from one recertification period to the next. At the beginning of the next recertification period, the continuing education balance shall be reset to zero core and zero elective credits.
- (e) EMT-Basic recertifications shall be valid through the expiration date listed on the card, but in no event shall they be valid for more than 36 months from the date of issue.
- (f) Consistent with [N.J.A.C. 8:40A-10.3\(b\)](#), a person denied recertification as an EMT-Basic shall be entitled to a hearing at the New Jersey Office of Administrative Law to contest the denial.

8:40A-7.6 Expired certifications

- (a) The requirements for certification of a person formerly certified as an EMT-Basic 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. Successful completion of an approved Core 13 program; and
 2. Achievement of a passing score on the NREMT-Basic Certification Examination.
- (b) Upon successful completion of all of the requirements set forth in (a) above, the person shall be issued an EMT-Basic certification card, which shall be valid for a period of not less than 36, nor more than 42, months.

8:40A-8.1 Certification

- (a) No person shall act in the capacity of an EMT-Instructor in any form or manner until

certified by the Department to do so.

- (b) A person seeking certification as an EMT-Instructor shall make application to the OEMS through the EMT program coordinator.
- (c) The requirements for certification as an EMT-Instructor shall be as follows:
1. Attainment of the age of 21;
 2. EMT-Basic certification for a period of at least 36 consecutive months;
 3. At least 36 consecutive months of active experience as a practicing EMT- Basic;
 4. Maintenance of satisfactory performance in the instruction of EMT-Basic training programs as attested to, in writing, by the program coordinator of the course site with which the EMT-Instructor is affiliated;
 5. Successful completion of the Department's Instructor Training Institute program, which shall include a passing score on both the written and practical skills examinations. The Instructor Training Institute is a program of instruction that integrates methodologies of teaching the adult learner with the specific educational objectives of the program curriculum; and
 6. Completion of 120 hours of instruction under the direct supervision of a program coordinator and Lead EMT-Instructor. Supervised instruction shall cover all areas of the program curriculum for EMT-Basic training. No more than 60 hours may be credited prior to the completion of the Instructor Training Institute program.
- (d) Absent the granting of a waiver, as provided for in (e) below, no person shall be certified as an EMT-Instructor if he or she has been accepted into a pre-trial intervention, conditional discharge or other diversionary program, and/or convicted of:
1. Any crime;
 2. Any disorderly persons offense; and/or
 3. A petty disorderly persons offense involving the possession, utilization, sale and/or distribution of any controlled dangerous substance; representing a risk of harm to the health, safety or welfare of patients; and/or involving patient abuse or patient neglect.
- (e) A person who has been convicted of any of any crime or offense listed in (d)1 through 3 above may, in accordance with [N.J.A.C. 8:40A-1.4](#), request a waiver of this requirement. All requests must be made in writing, and shall be considered in compliance with the Rehabilitated Convicted Offenders Act, [N.J.S.A. 2A:168A-1](#) et seq.
- (f) EMT-Instructor certification shall be valid for a period of not less than 36, nor more than 42, months. Expiration of all certifications shall occur on either June 30 or December 31, depending on the date of initial certification. Certifications shall be valid through the expiration date listed on the card. No grace periods or extensions shall be allowed.

1. One original certification card shall be furnished free of charge. All requests for replacement cards must be submitted in writing.
 2. Certification cards are the property of the Department, and shall be immediately surrendered to Department staff upon demand. All certification cards shall become immediately null and void and shall be returned to the Department concurrent with the revocation or voluntary surrender of a person's EMT-Instructor certification.
- (g) Certification as an EMT-Instructor shall also serve as certification as an EMT-Basic for the purposes of any applicable law, rule and/or regulation.
- (h) Consistent with [N.J.A.C. 8:40A-10.3\(b\)](#), an applicant denied certification as an EMT-Instructor shall be entitled to a hearing at the New Jersey Office of Administrative Law to contest the denial.

8:40A-8.2 Recertification

- (a) The requirements for recertification as an EMT-Instructor shall be as follows:
1. Maintenance of satisfactory performance in the instruction of EMT-Basic training programs as attested to, in writing, by the program coordinator of the course site with which the EMT-Instructor is affiliated;
 2. Provision of active instruction in an EMT-Basic training program of at least 100 hours during a period of 36 consecutive months. The EMT-Instructor may accrue up to 50 hours by serving as the EMT-Instructor of record for an approved core program; and
 3. Accumulation of 15 elective credits over a period of 36 consecutive months, which shall not be earned in a program in which the person is serving as the EMT-Instructor?
 - i. An EMT-Instructor who is also certified as an EMT-Paramedic may satisfy the 15-credit requirement set forth in (a)3 above by maintaining EMT-Paramedic certification.
- (b) Each program coordinator shall forward documentation to OEMS regarding the performance of the EMT-Instructor. Such documentation shall be forwarded to OEMS at least 90 calendar days prior to the expiration of the person's EMT-Instructor certification. When all required documentation has been received and is in order, the EMT-Instructor shall be recertified for a period of 36 months.
- (c) Upon renewal, a new certification card shall be furnished free of charge. All requests for replacement cards must be submitted in writing.
- (d) Consistent with [N.J.A.C. 8:40A-10.3\(b\)](#), an applicant denied recertification as an EMT-Instructor shall be entitled to a hearing at the New Jersey Office of Administrative Law to contest the denial.

8:40A-8.3 Expired certifications

- (a) The requirements for certification of a person formerly certified as an EMT-Instructor

whose certification has been expired for 36 months or less shall be as follows:

1. Possession of EMT-Basic certification;
 2. Service as an EMT-Instructor Aide for at least 50 hours in an EMT-Basic training program under the direct supervision of the program coordinator and Lead EMT-Instructor;
 3. Accumulation of 15 elective continuing education credit hours; and
 4. Endorsement of the program coordinator.
- (b) A person formerly certified as an EMT-Instructor whose certification has been expired for more than 36 months shall, in addition to the requirements set forth in (a) above, be required to successfully complete the Department's Instructor Training Institute program.

8:40A-9.1 Student qualifications

(a) The requirements for enrollment in, and to receive credit for, a continuing education session shall be as follows:

1. Attainment of the age of 16;
2. Possession of EMT-Basic and CPR certifications;
 - i. A person whose EMT-Basic certification is suspended shall not be permitted to enroll in a continuing education session; and
3. Physical capability to perform all required skills and tasks of an EMT-Basic student as cited in the United States Department of Transportation's EMT-Basic National Standard Curriculum.

8:40A-9.2 Student attendance requirements

(a) Each student shall attend all required program sessions. Attendance shall be recorded on an NJ CEU Attendance Verification form, available from OEMS upon request. All completed NJ CEU Attendance Verification forms shall be sent to OEMS within 30 calendar days from the date of program completion. No student shall be credited with attendance at a session who:

1. Fails to attend the entire session;
2. Arrives more than 15 minutes late for the session;
3. Has been expelled from the session for disruptive behavior;
4. Leaves prior to the completion of the session;
5. Attends the session, but is unwilling to participate in the required activities and instruction for that session; or
6. Fails to sign the attendance sheet.

8:40A-9.3 Application to offer a continuing education session

(a) A training agency that seeks to offer a continuing education session shall submit an official "Application for Approval of a Continuing Education Course" to OEMS for approval prior to offering or conducting any continuing education session. Applications shall be delivered to OEMS no later than 30 calendar days prior to the scheduled start of the session.

1. Incomplete and/or late applications shall be returned to the applicant and shall not be processed.
2. Applications for programs that do not demonstrate compliance with the requirements of this chapter shall be returned to the applicant with an explanation as to why the program is insufficient.

(b) Each application shall include:

1. The names and credentials of the instructional staff. Qualified instructional staff as utilized in this section means:
 - i. Physicians;
 - ii. Registered nurses;
 - iii. Physician assistants;
 - iv. EMT-Paramedics;
 - v. Respiratory care practitioners;
 - vi. EMT-Instructors; and
 - vii. Persons with specialized training applicable to the topic;
2. The location, date and time of each program session;
3. The program outline, objectives and curriculum;
4. Copies of any handouts or texts to be utilized during the program;
5. Documentation that Core 13 practical skills sessions shall have an EMT-Instructor to student ratio of 1:6, or a ratio of 1:10 if the EMT-Instructor is assisted by an EMT-Instructor Aide;
6. A copy or description of the proposed final examination. The examination may be written, practical or both, depending on the nature of the program; and
7. Documentation that the program shall fall within the scope of practice for an EMT-Basic, as defined by the program curriculum.

(c) A training agency shall still be required to submit an application for a continuing education session even if the agency has previously offered the class with OEMS approval. The application form shall specify the date, times and location of the session, and shall identify all program instructors. The application shall also include the previous approval number for the program. If the program is proprietary, documentation that the applicant is authorized to conduct the program shall be

submitted. No additional information shall be required.

1. A list of pre-approved programs is available from OEMS upon request. Training agencies seeking to offer pre-approved programs need only file an application with OEMS.
- (d) Only those continuing education sessions issued an approval number by the Department shall qualify as a "training agency" for the purpose of reimbursement from the EMT Training Fund.
- (e) Consistent with [N.J.A.C. 8:40A-10.3\(c\)](#), a training agency whose application to conduct a continuing education session has been denied shall be entitled to a hearing at the New Jersey Office of Administrative Law to contest the denial.

8:40A-9.4 Instructional staff

- (a) Each continuing education session shall be sufficiently staffed so as to provide for the instruction of students in the program materials.
- (b) Program instructors for elective sessions shall demonstrate by experience and education that they possess a superior knowledge of the subject matter to be taught. This may be demonstrated by certification from another state or jurisdiction, certification from a nationally recognized organization, and by submission of a curriculum vitae that outlines the Program Instructor's education and experience relative to the subject matter.

8:40A-9.5 Program curriculum

- (a) There shall be two categories of continuing education, consisting of core curriculum and elective curriculum.
1. Core requirements are as follows:
 - i. The core portion of a continuing education program shall consist of the 12 individual sessions based upon the U.S.D.O.T. EMT-Basic National Standards Refresher Curriculum (that is, Core 1 through Core 12). Satisfactory completion of an approved continuing education program shall require completion of each of those 12 core sessions.
 - ii. Core lecture sessions may be conducted by an EMT-Paramedic, physician, nurse, etc., under the direction of an EMT-Instructor. However, the EMT-Instructor shall be responsible for endorsing and submitting all appropriate documentation as required by OEMS, as well as supervising the content and curriculum of each Core 1 through Core 12 session.
 - iii. The Core 12 session shall be conducted with an EMT-Instructor at each station, with an EMT-Instructor to student ratio of 1:6.
 - iv. Core 1 through Core 12 sessions shall not be duplicated or substituted.
 - v. An alternative to completion of each of the individual Core 1 to Core 12 sessions shall be completion of an approved Core 13 program, which covers the entire U.S.D.O.T. EMT-Basic National Standards Refresher

Curriculum as part of a single, comprehensive program.

2. Elective requirements are as follows:

- i. The elective portion of a continuing education program shall consist of training and instruction that serve to expand upon the areas that have been identified as part of the responsibilities of the EMT-Basic. These programs may include, but are not limited to, programs that expand upon the program curriculum within the scope of practice of an EMT-Basic, provide information on topics which are reflected in the roles, responsibilities and duties of the EMT-Basic, and other programs that reflect areas that have been identified by the Department as appropriate for EMT-Basics.
- ii. No elective session shall be substituted for any required core session, nor shall core credit be granted for programs that are approved as elective sessions.

(b) Programs that meet the requirements of this chapter shall be issued an approval number and awarded a specific number of credits. The award of credits shall be as follows:

1. Each individual core session--2.0 credits;
2. Complete Core 13 program--24.0 credits; and
3. Elective sessions--1.0 credit per hour of relevant lecture, and 0.5 credit per hour of relevant practical skills sessions.

(c) Under no circumstances shall a session last longer than eight consecutive hours during any 24-hour period.

8:40A-9.6 Reporting requirements

- (a) Each training agency shall provide the Department with the number of enrolled students no later than 30 calendar days after the completion of the program.
- (b) Each training agency shall forward completed NJ CEU Verification forms and/or data to the OEMS Continuing Education Coordinator. All information shall be delivered to OEMS within 30 calendar days after the completion of the program.

8:40A-10.1 Scope of practice

- (a) EMT-Basics shall operate within their approved scope of practice.
- (b) The following skills and procedures are within the approved scope of practice for an EMT-Basic:
 1. Patient assessment, including vital signs and ongoing evaluation;
 2. Pulmonary or cardiopulmonary resuscitation and foreign body airway obstruction management;
 3. Oxygen administration;

4. Oropharyngeal and nasopharyngeal airway insertion;
5. Oropharyngeal, nasopharyngeal and tracheal suctioning;
6. Assessment and management of cardiac, respiratory, diabetic shock, behavioral and heat/cold emergencies, as prescribed within the National Standard Curriculum for EMT-Basics;
7. Emergency treatment for bleeding, burns, poisoning, seizures, soft tissue injuries, chest-abdominal-pelvic injuries, muscle and bone injuries, eye injuries and childbirth (including care of the newborn), as prescribed within the National Standard Curriculum for EMTs-Basic;
8. Application of spinal immobilization devices and splinting materials, including traction splints;
9. Basic triage and basic maneuvers to gain access to the patient;
10. Patient lifting and moving techniques;
11. AED utilization;
12. Assisting an EMT-Paramedic, registered nurse or physician; and
13. Assisting a patient to administer drugs previously prescribed for that patient, limited to:
 - i. Prescribed metered dose inhaler;
 - ii. Sublingual nitroglycerin;
 - iii. Epinephrine auto injector.

8:40A-10.2 Enforcement actions

- (a) The Commissioner, or his or her designee, may summarily suspend a person's EMT-Basic and/or EMT-Instructor certification when, in his or her opinion, the continued certification of that person poses an immediate or serious threat to the public health, safety or welfare.
 1. A person whose EMT-Basic and/or EMT-Instructor certification has been summarily suspended shall have the right to apply for emergency relief, as provided for at [N.J.A.C. 8:40A-10.3\(a\)](#).
- (b) The Commissioner, or his or her designee, may issue a formal written warning, impose a monetary penalty, place on probation, suspend, revoke and/or refuse to issue or renew the certification of any EMT-Basic or EMT-Instructor for violation of any of the rules set forth in this chapter. This includes, but is not limited to:
 1. Demonstrated incompetence or inability to provide adequate services;
 2. Deceptive or fraudulent procurement of certification or recertification credentials and/or documentation;

3. Negligent practice;
4. Acting beyond the approved scope of practice of an EMT-Basic;
5. Abuse or abandonment of a patient;
6. Rendering of services while under the influence of any substance that substantially compromises a person's decision-making abilities (including, but not limited to, alcohol or narcotics);
7. Operation of any emergency medical services vehicle (including, but not limited to, an MAV, BLS ambulance or SCTU) in a reckless or grossly negligent manner or while under the influence of any substance that substantially compromises a person's decision-making abilities (including, but not limited to, alcohol or narcotics);
8. Unauthorized disclosure of medical or other confidential patient information;
9. Willful preparation or filing of false medical reports, or the inducement of others to do so;
10. Destruction of medical records, including but not limited to, patient care reports or other records or reports required by the Department;
11. Refusal to respond to a call or to render medical services while on duty because of a patient's race, sex, creed, national origin, sexual preference, age, disability, medical condition or ability to pay;
12. Conviction of any crime;
13. Conviction of any disorderly persons offense;
14. Conviction of a petty disorderly persons offense involving the possession, utilization, sale and/or distribution of any controlled dangerous substance; representing a risk of harm to the health, safety or welfare of patients; and/or involving patient abuse or patient neglect;
15. Entry into a pre-trial intervention, conditional discharge, or other diversionary program;
16. Misuse, misappropriation or theft of any drug, medication or equipment;
17. Willful obstruction of any investigation and/or representative of the Department or other agency empowered to enforce the provisions of this chapter or any applicable law, rule and/or regulation;
18. Failure to comply with any of the patient reporting requirements of this chapter;
19. Suspension or revocation of EMT-Basic or EMT-Paramedic certification, or any similar or advanced medical certification or license issued by the State of New Jersey or any other state, agency, authority or governmental entity;
20. Making verbal and/or physical threats against any person while acting in the

capacity of an EMT-Basic;

21. Making material misrepresentations or providing false information on the NREMT-Basic Certification Examination and/or an application for EMT-Basic, EMT-Instructor or EMT-Paramedic certification or recertification;
 22. Failure to complete continuing education and performance standards as required by this chapter;
 23. Failure to comply with any part of this chapter, any applicable part of N.J.A.C. 8:40 or N.J.A.C. 8:41, or any applicable law, rule and/or regulation; and/or
 24. Any other action deemed by the Department to pose a threat to the public health, safety or welfare.
- (c) No person shall serve in the capacity of an EMT-Basic on any MAV, BLS ambulance or SCTU once his or her EMT-Basic certification has been revoked. No person shall be enrolled in an EMT-Basic training program once his or her EMT-Basic certification has been revoked.
- (d) No person shall serve in the capacity of an EMT-Basic on any MAV, BLS ambulance, MICU, SCTU or AMU while his or her certification is suspended. The suspension shall last for a specified period, and may be followed by a probationary period.
- (e) An EMT-Basic who has been placed on probation may be monitored for performance by the Department.
1. A person who has been placed on probation shall operate only when under the direct supervision of an EMT-Basic or EMT-Paramedic. Under no circumstances may a person who has been placed on probation act independently or in conjunction with, or on the same MAV, BLS ambulance or SCTU as, another probationary EMT-Basic.
 2. The Department shall have the right to restrict or otherwise limit the scope of practice of the probationer. Failure to meet such conditions or any terms of probation shall be cause for revocation of certification and/or other such action the Department deems appropriate.
- (f) Monetary penalties may be imposed in the amount of \$200.00 per calendar day, per infraction.
1. Violations shall be considered as a single, different occurrence for each calendar day the violation occurs or remains uncorrected.
 2. Subsequent violations of the same type may be subject to a penalty of \$500.00 per calendar day, per infraction.
 3. In the event that a person is in arrears of any monetary penalty greater than 60 calendar days, the Department may:
 - i. Refuse to issue any certification or renewal;
 - ii. Refer the delinquent account to the Office of the Attorney General for collection; and/or

- iii. Take such other action as authorized by law, rule and/or regulation.
- (g) The Department shall notify all mobility assistance vehicle services, basic life support ambulance services and specialty care transport services that employ, or are thought to employ, any EMT-Basic against whom an enforcement action is being taken.
- (h) No person shall have any action taken against his or her EMT-Basic or EMT-Instructor certification, excluding an emergent situation as described in (a) above, unless that person has first been afforded an opportunity for a hearing in accordance with [N.J.A.C. 8:40A-10.3\(a\)](#).
- (i) Any actions taken under this section shall be separate from any civil, criminal or other judicial proceeding, including actions against licenses of health care professionals issued by other departments or boards. All matters of professional misconduct shall be referred to the appropriate licensing boards, and all matters of a criminal nature shall be forwarded to the appropriate authorities for disposition. Action taken against an EMT-Basic does not preclude any action that may be taken against a mobility assistance vehicle service, basic life support ambulance service or specialty care transport service for the same infraction.

8:40A-10.3 Hearings

- (a) A person whose EMT-Basic and/or EMT-Instructor certification has been summarily suspended shall, consistent with [N.J.A.C. 1:1-12.6](#), have the right to apply to the Commissioner for emergency relief.
 - 1. A request for emergency relief shall be submitted in writing and shall be accompanied by a response to the charges contained in the "Notice of Summary Suspension." Failure to submit such written notice shall result in the person forfeiting all rights to emergency relief.
 - 2. All applications for emergency relief will be handled in accordance with [N.J.A.C. 1:1-12.6\(c\)](#).
 - 3. Unless emergency relief is granted, the summary suspension shall remain in effect until such time as Department staff has conducted a full investigation into the circumstances that formed the basis for the summary suspension. Nothing herein shall be construed to prevent the Commissioner from simultaneously or thereafter moving to suspend or revoke the person's certification, issuing a formal written warning, imposing a probationary period and/or imposing a monetary penalty.
- (b) If the Department proposes to issue a formal written warning, assess a monetary penalty, impose a probationary period and/or to suspend, revoke or refuse to issue or renew an EMT-Basic or EMT-Instructor certification, the person affected shall be afforded an opportunity for hearing to contest the proposed action.
 - 1. All warnings, monetary assessments, probationary periods, suspensions (excluding summary suspensions) and revocations shall become effective 30 calendar days after mailing of a notice of the proposed action unless the person affected, within such 30-day period, gives written notice to the Department of his or her desire for a hearing. Failure to submit such written notice shall result in the person forfeiting all rights to such a hearing.

posted;

- ii. Suspensions (summary and non-summary): One year from the date on which the notice is posted or for the duration of the suspension, whichever is greater; and
- iii. Revocations: Permanently.

8:40A-10.4 Penalty for impersonating an EMT-Basic or EMT-Instructor

(a) Consistent with [N.J.A.C. 8:40A-7.1\(a\)](#) and 8.1(a), no person shall impersonate, refer to himself or herself as, act in the capacity of or perform the duties of, an EMT-Basic or EMT-Instructor unless he or she is certified or recognized by the Department in accordance with the standards set forth in this chapter.

1. Upon notice or discovery that a person is impersonating, referring to himself or herself as, or acting in the capacity of an EMT-Basic without having first obtained the required EMT-Basic or EMT-Instructor certification or recognition or after revocation of an EMT-Basic or EMT-Instructor certification previously issued by the Department, the Commissioner or his or her designee may issue an order directing that person to immediately cease and desist.
 - i. Failure to comply with an order to cease and desist may result in an action by the Department for injunctive relief in the Superior Court of New Jersey.
 - ii. The order to cease and desist shall constitute a final agency decision. As such, pursuant to [New Jersey Court Rule 2:2-3](#), any appeal from the Commissioner's order to cease and desist shall be filed with the Superior Court of New Jersey, Appellate Division.
 - iii. Orders to cease and desist shall be considered public information and shall be posted on the OEMS website (www.state.nj.us/health/ems) as a public notice. Orders to cease and desist shall remain posted on the OEMS website permanently or until such time as EMT-Basic or EMT-Instructor certification is issued or recognized by the Department.
2. In addition to the issuance of an order to cease and desist, the Commissioner or his or her designee may:
 - i. Impose a monetary penalty in the amount of \$200.00 per calendar day for each day that a person is found to have impersonated, referred to him or herself as, or acted in the capacity of, an EMT-Basic or EMT-Instructor;
 - ii. Refuse to issue or renew any subsequent EMT-Basic and/or EMT-Instructor certifications; and/or
 - iii. Impose additional training requirements and/or place additional conditions or restrictions on any subsequent EMT-Basic or EMT-Instructor certification.