

**SUBCHAPTER 1A. STANDARDS FOR NEW JERSEY CLINICAL
TRAINING PROGRAMS SPONSORED BY MEDICAL SCHOOLS
NOT ELIGIBLE FOR EVALUATION AND NOT APPROVED BY THE L.C.M.E.,
THE A.O.A. OR OTHER AGENCY RECOGNIZED BY THE NEW JERSEY
STATE BOARD OF MEDICAL EXAMINERS**

13:35-1A.1 Definitions and principles of responsibility

- (a) For the purpose of this subchapter, the term medical school or parent medical school shall mean a medical school approved by its country of domicile and listed in a current World Health Organization Directory, but which medical school is not currently eligible for evaluation and not approved by the Liaison Committee on Medical Education, the American Osteopathic Association or other group or agency recognized by the New Jersey State Board of Medical Examiners.
 - 1. The term affiliate institution shall mean a licensed hospital in the State of New Jersey approved by the Accreditation Council on Graduate Medical Education, the American Osteopathic Association, or any other equivalent group or agency recognized by the New Jersey State Board of Medical Examiners, for the purpose of conducting therein one or more postgraduate training programs in specific medical specialties.
- (b) A medical school offering or conducting a clinical training program in the State of New Jersey shall secure the prior approval of such program by the New Jersey State Board of Medical Examiners. Following receipt of approval for a specific program, the medical school (referred to hereinafter sometimes as the parent medical school) shall be responsible for the education, clinical training program and faculty performance at the affiliate institution in the State of New Jersey. The affiliate institution must have a current accredited postgraduate training program in the subject matter of the clinical training proposed for the program.
- (c) The clinical programs as well as adequate supervision of the students assigned to such programs shall be planned and evaluated by the parent medical school and administered in close cooperation with representatives of the affiliate institution. Supervision shall include periodic onsite inspection by a member of the parent medical school's central administration.

13:35-1A.2 Administration of the clinical training program

- (a) A director of the clinical medical education program at and acceptable to the affiliate hospital shall be appointed by and be responsible to the administrative head of the parent medical school. The affiliate institution must demonstrate to the Board's satisfaction that the Director possesses the academic credentials and experience sufficient to assure competent performance of the program director's function. The position of program director shall be half-time or more, proportionate to the number of students approved by the Board and sufficient to assure comprehensive planning and supervision of the program.
- (b) The clinical program of the affiliate institution with respect to instruction and faculty assignments shall be coordinated with the overall educational program of the parent medical school.
- (c) The parent medical school shall file with the New Jersey State Board of Medical Examiners a certified copy of the written agreement between the parent and affiliate institution(s) establishing responsibility for the planning, financing, conduct and monitoring of the clinical program at the affiliate(s).
- (d) Financial provision shall be made by the parent medical school to assure completion of each semester program at the affiliate hospital.

13:35-1A.3 Faculty

- (a) The affiliate institution must demonstrate to the Board's satisfaction that all clinical faculty possess academic credentials and experience sufficient to assure competent performance of the instructional assignment.
- (b) The program director shall be responsible for filing with the Board a syllabus for each course of instruction.

13:35-1A.4 Education program

(a) Student eligibility for participation in the program shall be subject to the following:

1. The parent medical school shall establish academic eligibility criteria for student participation in the clinical training program. The criteria shall include minimum academic performance as demonstrated by maintenance of no less than a passing grade for all academic course work preceding entry into the clinical program, as shown on a certified copy of the transcript submitted directly by the medical school to the director of the clinical program at the affiliate institution.
2. In addition, the academic eligibility requirement for those students participating in clinical training programs equivalent to the final two semesters or fourth year of a United States medical school curriculum shall include proof that each student has successfully completed clinical training equivalent to the fifth and sixth semesters or third year of a United States medical school curriculum through a program approved for this purpose by the parent medical school. If conducted in New Jersey, such prior clinical training is limited to those fifth and sixth semester programs approved by the State Board of Medical Examiners. Such record of prior clinical training shall include a certificate issued by the director of the clinical program to each student, noting the dates and describing the type and length of each service and the date issued. The record of prior clinical training shall also include proof of the program's supervision by the parent medical school and proof that the teaching hospital has been approved by the ACGME, the AOA or another equivalent organization recognized by the New Jersey State Board of Medical Examiners for the conduct of one or more post-graduate training programs in specific medical specialties. If the teaching hospital in which the prior clinical training took place is outside the geographical jurisdiction of the above said accrediting organizations, the record of prior clinical training must include proof that the hospital and training program have been approved by the parent medical school.
3. Preparedness of each student applying for the clinical training program shall in addition be demonstrated by achievement of either of the following:
 - i. A passing grade on Part I of the National Board of Medical Examiners Examination; or
 - ii. A passing grade on USMLE--Step 1.
4. Students who have satisfied (a)1, 2 and 3 above and who are permanent residents of the State of New Jersey shall be given preference in placement in New Jersey affiliate institutions, insofar as is practicable.

(b) Educational criteria for the program follows:

1. The clinical training program shall be limited to students entering a level of education equivalent to the final four semesters or the equivalent of the third and fourth years of clinical experience in a United States medical school curriculum.
2. The parent medical school shall be approved by the State Board of Medical Examiners for the purpose of placing students in New Jersey hospitals for clinical training. The Board shall conduct an academic review of the parent medical school in conjunction with expert authorities of higher education as recognized by the Board. The didactic elements of the medical education shall have been completed in the country of domicile authorized to confer the degree or certificate.
3. The student-faculty ratio of the program at each affiliate institution shall bear a reasonable relationship to the availability of service of the program director, the budget proposed, faculty and facilities available, all subject to final approval of the Board.

4. A certificate shall be issued by the director of the clinical training program to each enrolled student recording the dates, type and length of each service and an evaluation of the student's accomplishment, and the date the certificate was issued.

13:35-1A.5 Facilities

- (a) For the purpose of clinical training, the parent medical school shall propose an affiliate institution which must be a licensed hospital approved by the Accreditation Council on Graduate Medical Education, the American Osteopathic Association or other group acceptable to the Board for postgraduate training in subject area(s) of the proposed clinical training program, or which institution is part of such a program through affiliation(s) approved by the above bodies. The affiliate shall provide to the Board a certified copy of the approval(s).
- (b) No hospital accredited for postgraduate training programs shall be under any obligation by virtue of these regulations to accept medical students in clinical programs, and any medical school or hospital accredited for postgraduate training programs may impose standards for admission to the clinical programs which exceed the standards set forth in this regulation.

13:35-1A.6 Request for approval

- (a) At least six months prior to the anticipated start of the clinical program, two copies of a detailed outline of the entire proposed program shall be submitted to the Board on a form provided by the Board. The application shall include the certified copies of hospital approvals described in N.J.A.C. 13:35-1A.5(a) and shall be signed by the administrative heads of both the parent medical school and the affiliate institution.
- (b) The original application for Board approval as well as any request for renewal thereof shall be accompanied by an agreement signed by a school representative duly authorized to do so, consenting to financial responsibility for all reasonable costs incurred by the Board in performing the administrative review and monitoring of the program.
 1. The application shall include a certified check for \$ 10,000 drawn on a United States bank payable to the New Jersey State Board of Medical Examiners, which sum shall serve as a deposit for costs incurred by the Board and the Department of Higher Education for review of the program and also for subsequent inspections to assure compliance during such period as the Board has authorized the program to function. If the school's application is denied, the Board shall deliver a statement of account and shall arrange to refund to the school in United States dollars any sum received in excess of the amount due. If the application is approved, with or without conditions, and the school elects to proceed with the program as approved, the Board shall deliver a statement of account to the school from time to time, and shall arrange to refund to the school at the conclusion of Board monitoring of the program any sum received in excess of the amount due, in United States dollars. Should the statement of account at any time show a balance due and payable, the school shall promptly remit the payment due in United States dollars.
- (c) An on-site inspection shall be required at the affiliate institution during the review period, and also may be required at the parent medical school, taking into account alternatives available under N.J.A.C. 13:35-1A.1(a). The parent medical school shall agree in advance to be responsible for all reasonable out-of-pocket expenses incurred by the Board and an inspection committee appointed by the Board.
- (d) Following review of the program and on-site inspection visit, if any, the inspection committee shall submit a report to the Board, a copy of which shall be provided to the parent medical school and the proposed affiliate institution. The report shall evaluate program strengths and weaknesses, provide suggestions for improvement and make recommendations respecting approval.
- (e) The parent medical school and/or affiliate shall have 30 days to comment in writing on the report, if desired.
- (f) Following review of the report and written comments, if any, the Board shall attempt to issue notice of its decision no later than three months before the anticipated start of the program.

(g) The Board's decision may provide for any of the following:

1. Approval for a period of two years;
2. Probationary approval for a specified period, with status reporting requirements;
3. Denial of approval, with reason;
4. Revocation of prior approval, with reasons;
5. Reapproval of prior approved program following review of status report updating all the elements of prior application.

(h) Subsequent to notice of program approval and prior to the start of any clinical program in this State, the medical school shall provide the Board a list identifying each student participating in the clinical program, a listing of the facilities and locations at which all didactic education is to be received, the affiliate institution(s) to which such person is assigned, and dates for such program participation. The school shall bring such records up to date as necessary.

13:35-1A.7 Public record

A list of currently approved schools and affiliates together with the final Board determination on the status of their programs shall be maintained at the office of the New Jersey State Board of Medical Examiners and shall be available on request.

13:35-1A.8 Termination of program approval

(a) A program approved by the Board shall be deemed to have continuing approval for the time set forth in the Board decision unless and until:

1. A notice of revocation is sent by the Board to the parent medical school which may then request hearing on the matter;
2. Any substantial change is made by the medical school relative to the site of the didactic education of the students participating in the program, or any substantial change is made by either the parent medical school or affiliate institution in the program respecting general subject matter of the program, length of course components or topics, credentials or number of faculty assigned to the instruction, number of students per program, financial security of the program, program facilities at the affiliate institution or management thereof; or
3. A notice of termination is sent to the Board by either the parent medical school or the affiliate institution.

13:35-1A.9 Violations

Violation of the above requirements for establishing a clinical education program in this State, or maintaining or participating in an unapproved program whether as student or faculty, may be regarded as engaging in the unlicensed practice of medicine or aiding and assisting in the unlicensed practice, pursuant to the residual or other general powers of the Medical Practice Act, N.J.S.A. 45:9-1 et seq. and also, in particular, N.J.S.A. 18A:68-12 et seq., N.J.S.A. 45:9-6, 45:9-8, 45:9-18, 45:9-22, and 45:1-21(c) and 45:1-23. Violators shall be subject to the monetary penalties and/or other disciplinary sanctions authorized by law.

13:35-1A.10 Severability

If any provisions of this rule or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect any other provisions or applications of the rule which can be given effect without the invalid provision or application, and to this end the provisions of this rule are declared to be severable.

13:35-1A.11 Clerkship program approvals: effective date; limited waiver provision; no new applications

This rule shall apply to all clinical training programs, as defined in N.J.A.C. 13:35-1A.1, taking place in New Jersey on or after January 1, 1983. However, the Board recognizes that, prior to the adoption of this rule, it has granted to a number of foreign medical schools permission to sponsor modest clinical programs which were not required to meet the explicit standards now set forth herein, and which permission reserved all rights of the Board respecting the ultimate evaluation of the adequacy of any such program. No new applications for clinical clerkship programs shall be accepted.