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CATHLEEN D. BENNETT
Acting Commissioner

TO: Health Care Administration Board Members

THROUGH: Joy Lindo, Director
Office of Legal and Regulatory Compliance

FROM: Elizabeth Foster, Legal Specialist
Office of Legal and Regulatory Compliance

SUBJECT: Notice of Proposed New Rules at N.J.A.C. 8:30, Rules Implementing the Health Care Professional Responsibility and Reporting Enhancement Act

At the next available meeting of the Health Care Administration Board (HCAB), the Department of Health (Department) will request the HCAB's approval to file the notice of proposed new rules at N.J.A.C. 8:30, Rules Implementing the Health Care Professional Responsibility and Reporting Enhancement Act.

These rules would effectuate the Department's rulemaking obligations set forth in the "Health Care Professional Responsibility and Reporting Enhancement Act," (Act) P.L. 2005, c. 83 (approved May 3, 2005), commonly referred to as the "Cullen Law." The Act requires healthcare entities to report certain information about health care professionals that have had disciplinary action taken against them and other related issues.

The proposed new rules would require health care entities to adhere to the Division of Consumer Affairs' applicable rules at N.J.A.C. 13:45 et seq. that became effective March 7, 2011. These requirements include using the health care professional reporting form set forth at N.J.A.C. 13:45E, Appendix when reporting to the Division Clearinghouse Coordinator. The proposed new rules would require licensed health care facilities to use the Health Care Facility Inquiry Regarding Health Care Professional Form when making or responding to an inquiry from another facility. The proposed new rules would also establish requirements and corresponding penalties for non-compliance of the following: maintaining records, providing required information to the Clearinghouse Coordinator and other boards, and responding timely, appropriately, and truthfully to inquiring entities.

Program staff will attend the meeting to respond to any questions you may have.

Attachments