



State of New Jersey
DEPARTMENT OF HEALTH
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JUDITH M. PERSICILLI, RN, BSN, MA
Commissioner

April 17, 2020

TO: Administrators
Hospitals Licensed Pursuant to N.J.A.C. 8:43G
Ambulatory Surgery Centers Licensed Pursuant to N.J.A.C. 8:43A

FROM: Judith M. Persichilli, RN, BSN, MA
Commissioner

SUBJECT: Waiver of APN/Anesthesia and Certified Registered Nurse Anesthesists (CRNA) requirements at N.J.A.C. 8:43A that during the Public Health Emergency

The outbreak of Coronavirus disease 2019 (“COVID-19”), a contagious, and at times fatal, respiratory disease caused by the SARS-CoV-2 virus, has caused a great disruption to the delivery of healthcare in the State. The effects of the outbreak caused Governor Philip D. Murphy to declare a Public Health Emergency. One of the ramifications of the outbreak of COVID-19 is its effect on staffing in healthcare facilities. On April 1, 2020, Governor Murphy issued Executive Order No. 112, which temporarily waived several scope of practice restrictions of Advanced Practice Nurses during the Public Health Emergency.

The Board of Nursing rules at N.J.A.C. 13:37-7.1(a) include certified registered nurse anesthetists as Advanced practice nurses (APN). The Department of Health’s (Department) licensing standards for Hospitals and Ambulatory Surgery Centers contain language mirroring the scope of practice restrictions for APNs in N.J.A.C. 8:37. The Department’s rules refer to APN/anesthesiology and Certified Registered Nurse Anesthesists (CRNA), henceforth collectively referenced as CRNAs. In order to ameliorate staffing issues, the Department of Health is issuing the following waivers pursuant to the authority under N.J.A.C. 8:43A-2.9(a) and N.J.A.C. 8:43G-2.8(a) for the term of the Public Health Emergency:

1. The requirements for a joint protocol and the supervision standards for a CRNA in N.J.A.C. 8:43G-6.3(a)3 and (h)3 is hereby waived; and
2. The requirement for supervision by an anesthesiologist for a CRNA at N.J.A.C. 8:43A-12.5(a)2i, 3i and (d)2i in ambulatory surgery centers is hereby waived.

If you have any questions concerning this matter, please contact Ms. Jean DeVitto, Executive Director, Certificate of Need and Healthcare Facility Licensure Program at jean.devitto@doh.nj.gov.


