

55 N.J.R. 2372(a)

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PUBLIC NOTICES

Reporter

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AFFAIRS*

Agency

LAW AND PUBLIC SAFETY > DIVISION OF CONSUMER AFFAIRS > BOARD OF
MEDICAL EXAMINERS

Administrative Code Citation

N.J.A.C. 13:35-6.4

Text

Notice of Receipt of Petition for Rulemaking

Delegation of Administration of Subcutaneous and Intramuscular Injections and Performance of Venipuncture to Certified Medical Assistants

Authority: N.J.S.A. 45:9-2.

Petitioner: Joshua M. Bengal, Director of Government Relations &
Staff Counsel, Medical Society of New Jersey.

Take notice that on October 12, 2023, the Board of Medical Examiners (Board) received a petition for rulemaking from Joshua M. Bengal on behalf of the Medical Society of New Jersey (petitioner). The petitioner requested that the Board amend N.J.A.C. 13:35-6.4 to end a prohibition on physicians directing the administration by a certified medical assistant of an injection of any substance related to allergenic testing or treatment.

The petitioner contends that the prohibition at N.J.A.C. 13:35-6.4 means that immunotherapy must be administered by a

nurse, physician assistant, or physician. This imposes difficulties as there is, according to the petitioner, an ongoing shortage of healthcare workers, including nurses and physician assistants. The petitioner contends that amending the rule to remove the prohibition would increase access to immunotherapy, as it would allow physicians to hire more staff and serve more patients who seek immunotherapy. The petitioner also contends that multiple other states allow certified medical assistants to administer allergy shots and that ending the prohibition would be consistent with standards from the American Academy of Allergy, Asthma & Immunology (AAAAI) and the American College of Allergy, Asthma & Immunology (ACAAI).

The petitioner recommends that the phrase "any substance related to allergenic testing or treatment" be deleted from N.J.A.C. 13:35-6.4(d). In the alternative, the petitioner recommends that the Board amend the rule to establish specific education, training, skills demonstration, supervision, and other requirements for certified medical assistants to qualify to administer an injection of any substance related to allergenic testing or treatment under the direction of a physician. The petitioner provided examples of such requirements, including the physical presence of the physician when such substances are administered, training in recognizing the symptoms of anaphylaxis, the immediate availability of emergency medication and treatments, cardio-pulmonary resuscitation certification, patient monitoring post-administration, and the observation of the injection site by a licensed healthcare professional before a patient leaves an office.

A copy of this notice has been mailed to the petitioner pursuant to N.J.A.C. 1:30-4.2.

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