SENATE COMMERCE COMMITTEE

STATEMENT TO

SENATE, No. 4316

STATE OF NEW JERSEY

DATED: MAY 22, 2025

The Senate Commerce Committee reports favorably Senate Bill No. 4316.

This bill establishes professional licensure and certification for the practice of certain tobacco and nicotine treatment counseling.

The bill establishes two new regulated professions: licensed clinical tobacco treatment specialists and certified clinical tobacco treatment specialists. The bill provides that both professions are to be regulated by the Alcohol and Drug Counselor Committee in the State Board of Marriage and Family Therapy Examiners. The bill prohibits the practice of tobacco treatment counseling as a licensed clinical tobacco treatment specialist or certified clinical tobacco treatment specialist unless a person is licensed or certified pursuant to the bill.

The bill establishes an application process for licensed or certified clinical tobacco treatment counselors. The bill provides that the board is to issue a tobacco treatment specialist license to any health care provider in this State who, within the scope of that provider's practice, diagnoses and treats tobacco or nicotine related disorders and demonstrates to the board that the person has:

(1) received, at a minimum, a master's degree from an accredited institution of higher education with a minimum of 18 graduate semester hours in counseling or counseling related subjects;

(2) successfully completed all the requirements to be a certified tobacco treatment specialist; and

(3) successfully completed a written examination.

For certified tobacco treatment specialists, each applicant is to furnish evidence satisfactory to the committee that the applicant has completed the Rutgers Tobacco Dependence Program of 42 hours. Applicants are to also complete varying amounts of full-time counseling or health care experience, and supervised practice training, depending on their educational background.

The bill also provides that a tobacco treatment specialist may not disclose any confidential information that the specialist, or an employee of a specialist may have acquired while performing tobacco counseling services for a patient unless in accordance with the federal regulations regarding the confidentiality of tobacco treatment patient records.

The bill provides that no person is not to engage in the practice of tobacco treatment counseling as a licensed clinical tobacco treatment

specialist or a certified clinical tobacco treatment specialist unless the person is practicing under the direct supervision of a physician licensed to practice in this State.

The bill provides it does not prevent a person from doing tobacco counseling work, or advertising that service, if acting within the scope of the person's profession or occupation and doing work consistent with the person's training, including physicians, clinical social workers, psychologists, nurses, or any other profession or occupation licensed by the State, or students within accredited programs of these professions, if the person does not hold himself or herself out to the public as possessing a license or certification issued pursuant to the bill.