

## New Jersey Healthcare Providers Face New Observer Training Requirements Starting April 18 – Here’s What You Need to Know

Healthcare Law Alert

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Effective April 18, 2026, certain requirements regarding observer training and qualifications will go into effect. On October 20, 2025, the New Jersey Board of Medical Examiners amended its longstanding [observer regulation](#) to strengthen patients’ rights and clarify licensee responsibilities when an observer is present during breast, pelvic, genital, and rectal examinations. While much of the amended regulation took effect on October 20, 2025, the observer training and qualification requirements go into effect on April 18, 2026.

As of April 18, 2026, a qualified “observer” must have provided the licensee with documentation of successful completion of the “CP-2” training course for as-needed chaperones (or a course of comparable scope and rigor approved by the Board) and a written affirmation that the individual has not been subject to discipline or civil or criminal liability for failure to report misconduct or been convicted of certain disqualifying criminal offenses. An observer may not be a friend or relative of the licensee or the patient, although this does not prevent a patient’s friend or relative from being present at the patient’s request. A licensee must inform the observer in writing that the observer must remain in the exam room and be free from distractions, maintain a clear line of sight to the examination, report any suspected misconduct to the Board, and that the licensee may not retaliate against the observer for reporting suspected misconduct.

The observer regulation applies to all locations where licensees provide services, other than a health care facility licensed by the New Jersey Department of Health. Licensees and practices should take the following steps to ensure compliance:

- confirm that all individuals who serve as observers have completed the required CP-2 training course (or an equivalent course approved by the Board) and have provided the necessary written affirmations;
- update written notice forms and post the required notice conspicuously in all applicable locations;
- develop or update internal policies and procedures governing observer qualifications, documentation, and reporting; and
- maintain records of all observer training, affirmations, and written disclosures for production to the Board upon request.

For more information, contact:

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