

45 More Days: What NJ's Latest Emergency Extension Means for APN and PA Practices

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February 23, 2026

What You Need to Know

- In a recent executive order, Governor Mikie Sherrill extended New Jersey's pandemic-era regulatory framework for healthcare providers from February 16 to April 2, 2026
- The extension provides impacted healthcare professionals with additional time to enter into required joint protocol or delegation agreements with supervising physicians before emergency waivers terminate
- After the deadline, non-compliant providers risk loss of prescribing authority and regulatory exposure

Governor Extends Emergency Order By 45 Days

In the latest development in a series of executive actions affecting healthcare providers, on February 13, 2026, New Jersey Governor Mikie Sherrill issued Executive Order 13, which extends New Jersey's State of Emergency for an additional 45 days, moving the expiration date to 5:00 PM on April 2, 2026.

This action follows former Governor Murphy's January 16, 2026, Executive Order 415 which terminated the COVID-era regulatory framework and reinstated New Jersey's pre-pandemic supervision and prescribing requirements effective February 16, 2026.

Following that legislation, as discussed in our earlier Client Alert, Governor Sherrill's Executive Order 7 then imposed a temporary rulemaking freeze but did not delay the underlying statutory compliance obligations, meaning providers were still required to return to the traditional supervisory model absent further executive action.

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Governor Sherrill's latest executive order explicitly states that the extension is specifically intended to provide healthcare professionals with additional time to enter into required joint protocol or delegation agreements with supervising physicians before the emergency waivers terminate. During this temporary period, certain physician supervisory responsibilities and scope-of-practice restrictions remain suspended.

What the Law Requires Once the Waiver Ends

Currently, New Jersey is a reduced practice state, which means that nurse practitioners do not have full independent practice authority.

Once the emergency extension expires:

- **Advanced Practice Nurses (APNs)** must maintain a joint protocol agreement with a collaborating physician in order to prescribe medications or medical devices. A joint protocol is a written agreement that governs prescribing authority, chart review, and physician availability requirements.
- **Physician Assistants (PAs)** must operate pursuant to a physician delegation agreement and are again subject to statutory supervision requirements currently waived under the emergency order.

Practical Impact on Healthcare Businesses

The extension is not a policy reversal, but rather a transition window, as New Jersey has acknowledged that immediate enforcement could disrupt clinics, medical spas, and small practices, particularly those that have operated for years under relaxed supervision rules.

After **April 2, 2026**, providers without compliant agreements risk:

- Losing the ability to prescribe or perform delegated medical services
- Facing licensing and disciplinary exposure
- Encountering insurance and billing compliance issues
- Triggering corporate practice and supervision violations

What Practices Should Do Now

Healthcare entities should treat this as the final preparation period and take the following action:

- Secure collaborating/supervising physicians
- Draft and execute joint protocols and delegation agreements
- Review supervision ratios and scheduling models
- Update Management Services Organization (MSO) agreements
- Align billing, documentation, and ordering workflows

Published Articles (Cont.)

We are monitoring developments closely and will provide updates as new regulations are introduced. Please contact the author of this Alert with questions about how these overlapping executive actions affect your practice or if you require assistance preparing compliant supervisory agreements or restructuring your practice model before the deadline.

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