



State of New Jersey  
DEPARTMENT OF HEALTH

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Lt. Governor

JUDITH M. PERSICILLI, RN, BSN, MA  
Commissioner

April 21, 2022

**VIA ELECTRONIC & FIRST-CLASS MAIL**

Richard Pineles  
Tuschak-Jacobson, Inc.  
55 South Newman Street  
Hackensack, NJ 07601

Re: Franklin Care Center  
CN# ER 2018-0901-18-02  
Total Project Cost: \$1,000,000  
Expiration Date: April 21, 2027

Dear Mr. Pineles:

The Department of Health (Department) is approving the Expedited Review Certificate of Need (ERCN) application from Tuschak-Jacobson, Inc. (T-J, Inc.) to reopen the 180-bed long-term care facility, Franklin Care Center, at its former location of 3371 State Highway 27 (also known as Lincoln Highway) in Franklin Park, New Jersey within Somerset County. This application is being approved at a total project cost of \$1,000,000.

By way of background, in 2016, the Department received a request from T-J, Inc. to close the facility, temporarily, because of significant damage to the roof. The Department approved the temporary closure, which occurred on June 6, 2016. License renewal fees have been paid each year by T-J, Inc. until October 31, 2021, when the last license expired. Pursuant to N.J.A.C. 8:33-3.2 any health care facility which has closed for any consecutive two-year period shall require a certificate of need to reopen. Accordingly, on September 1, 2018, this ERCN application under consideration was submitted from T-J, Inc. to the Department to reopen the 180-bed facility.

Since this project concerns to the return of previously operational beds to service, it is appropriate for review under the ERCN standards as provided by N.J.A.C. 8:33-5.1(b)2, which directs that the ERCN process shall be used when a project will have only a "...minimal impact on the health care system as a whole." As there was a

statistical analysis of need performed when the license and beds were originally awarded, it does not have to be repeated to reopen the facility.

In its review the Department has taken into consideration the applicable ERCN regulations found at N.J.A.C. 8:33-5.3. The Department finds that Franklin Care Center has provided an appropriate project description, which includes information as to the total project cost, operating costs and revenues, source of funds, utilization statistics, and justification for the proposed project (N.J.A.C. 8:33-5.3(a)1); assurance that all residents of the area, particularly the medically underserved, will have access to services (N.J.A.C. 8:33-5.3(a)2); and documentation that it will meet appropriate licensing and construction standards (N.J.A.C. 8:33-5.3(a)3i). In addition, Franklin Care Center demonstrated a track record of substantial compliance with the Department's licensing standards (N.J.A.C. 8:33-5.3(a)3ii).

Please be advised that this approval is limited to the application as submitted. The application, related correspondence, completeness questions and responses are incorporated and made a part of this approval. Any change in scope of the project, as defined at N.J.A.C. 8:33-3.9, may require additional review by the Department. However, a change in cost of an approved certificate of need is exempt from certificate of need review subject to the following:

1. The applicant shall file a signed certification as to the final total project cost expended for the project with the application for licensure for the facility with the Certificate of Need and Healthcare Facility Licensure Program.
2. In the event the actual total project cost exceeds the certificate of need approved total project cost and is greater than \$1,000,000, the applicant shall remit the additional certificate of need application fee due to the Certificate of Need and Healthcare Facility Licensure Program. The required additional fee shall be 0.25 percent of the total project cost in excess of the certificate of need approved total project cost.
3. A license for the facility shall not be issued unless any additional fee due is remitted in full.

The Department, in approving this application, has relied solely on the facts and information presented in the application. The Department has not undertaken an independent investigation of the veracity of such information. If material facts with respect to this application have been misrepresented or have not been disclosed appropriate administrative regulatory action may be taken to rescind the approval or the matter may be referred to the Office of the New Jersey Attorney General.

This approval is limited solely to certificate of need and/or licensing requirements. This approval does not preempt a municipality's authority to regulate land use within its

borders and shall not be used by you to represent that the Department has made any findings or determinations relative to the use of any specific property.

Please be advised that the facility may not reopen until such time as a license has been issued by the Certificate of Need and Healthcare Facility Licensure Program to operate this facility. A survey by Department staff may be required prior to commencing services; if such a determination is made, you will need to contact a representative from the Survey and Field Operations Program to discuss this matter at (609) 292-8900.

The following conditions apply to this Certificate of Need:

1. The licensee will submit all renewal and inspection fees for any years not satisfied.
2. The licensee will submit a completed LCS-9 application and appropriate fee prior to licensure.
3. Provide a narrative of proposed renovations, if any, to the Certificate of Need and Licensing office, with a schematic.

The Department looks forward to working with you and helping you to provide a high quality of care to your residents. If you have any questions concerning this certificate of need approval or the licensure of the long-term care beds, please do not hesitate to contact Michael Kennedy, Division of Certificate of Need and Licensing at [Michael.kennedy@doh.nj.gov](mailto:Michael.kennedy@doh.nj.gov).

Sincerely,

*Robin C. Ford*

Robin C. Ford, MS  
Deputy Commissioner  
Health Systems

cc: Stefanie Mozgai, DOH (Electronic Mail)  
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