June 24, 2021

To: Ambulatory Care Facilities Licensed Pursuant to N.J.A.C. 8:43A-20 through 23

From: Marcela Maziarz, MPA
Deputy Commissioner
Health Systems

Subject: Alternate Care Locations

Pursuant to the Commissioner of the New Jersey Department of Health’s (NJDOH) waiver authority at N.J.A.C. 8:43A-2.9, facilities licensed pursuant to N.J.A.C. 8:43A-20 through 23 providing pediatric, primary care, family practice, or family planning, prenatal, postpartum, and gynecological services may apply for a waiver of the licensing standards that prohibit a facility from providing services at a location other than the location identified on the facility’s license.

The facility must identify an alternate care location where it provides licensed services on a regular schedule to the patients or clients of another facility or agency. The facility may be permitted to utilize an alternate care location pursuant to the following conditions:

1) The facility must submit a waiver request using form CN-28 to the NJDOH identifying the following:
   a. The address where services will be provided;
   b. The agency or entity whose patients or clients will be served by the licensed facility;
   c. The location within the building where services will be provided;
   d. The hours of operation at the alternate care location; and
   e. The entity responsible for NJDOH enforcement actions with respect to shared space.

2) The facility must develop and implement policies and procedures for the provision of services in the alternate care location including, but not limited to, the following:
a. Coordination of services between the facilities;
b. Development and implementation of emergency and disaster plans that are coordinated between the facilities; and
c. Methods for ensuring visual and auditory privacy of patients pursuant to N.J.A.C. 8:43A-6.3(a)14 including how safeguards will be extended to space shared between the entities.

3) The alternate care location must have a designated examination room to provide licensed services that is not shared with the other facility or entity.

4) The alternate care location must comply with the following standards from the construction guidelines\(^1\) for the examination room:

   a. The room must have a floor area of at least 80 square feet and accommodate a minimum of 2 feet 8 inches at each side of the examination table;
   b. A portable or fixed examination light;
   c. Storage for supplies;
   d. Accommodations for written/electronic documentation;
   e. Space for a visitor’s chair; and
   f. A hand-washing station.

5) The facility must comply with the following subchapters for services provided at the alternate care location:

   a. N.J.A.C. 43A-3. General requirements
   b. N.J.A.C. 43A-6. Patient care policies and services
   d. N.J.A.C. 8:43A-16. Patient rights
   e. N.J.A.C. 8:43A-18. Quality assurance

6) The facility must comply with the following subchapters for services provided at the alternate care location with noted exceptions:

   a. N.J.A.C. 43A-5. Administration
      i. The administrator may be the same person as the administrator for the main facility location.

   b. N.J.A.C. 43A-7. Medical services
      i. The medical director may be the same person as the medical director for the main facility location.

c.  N.J.A.C. 43A-8. Nursing services
   i. The director of nursing services may be the same person as the
      director of nursing services for the main facility location.

d. N.J.A.C. 8:43A-13. Medical records
   i. The facility must utilize an electronic health record for patients seen
      at the alternate care location.

e. N.J.A.C. 8:43A-17 Housekeeping
   i. Standards must be implemented for the space where clinical
      services are provided.

f. N.J.A.C. 8:34A-31. Water supply and laundry
   i. The alternate care location is not required to have laundry service
      unless reusable linens are used for patient care.

A survey of the alternate care location may be conducted by the NJDOH prior to
operation to ensure the facility complies with regulations and this waiver.