



11/23/16

State of New Jersey  
DEPARTMENT OF HEALTH

PO BOX 358  
TRENTON, N.J. 08625-0358

[www.nj.gov/health](http://www.nj.gov/health)

CHRIS CHRISTIE  
Governor

KIM GUADAGNO  
Lt. Governor

CATHLEEN D. BENNETT  
Commissioner

November 23, 2016

Benjamin Kurland, Administrator  
Allaire Rehab and Nursing  
115 Dutch Lane Road  
Freehold, NJ 07728

VIA Fax & Regular Mail  
RE: Curtailment Order  
Facility ID # NJ61314

Dear Mr. Kurland:

This will confirm the Order transmitted to you by staff of the Office of Program Compliance, Barbara Goldman and Lisa King, via telephone call on November 23, 2016 at 11:30 a.m., ordering the curtailment of new admissions to Allaire Rehab and Nursing, effective immediately. This curtailment does not apply to current residents readmitted from a hospital. In addition, all renovations and cosmetic improvements for which the facility has failed to obtain approval, must immediately cease.

This action is being taken as a result of a recommendation from Health Facility Survey and Field Operations to address serious deficiencies identified during the complaint investigation on November 23, 2016. The deficiencies included the failure to implement the facility's Plan of Correction for the survey date of November 3, 2016, which included the facility failed to obtain approvals from the Department, Long Term Care Survey and Field Operations and the Department of Community affairs prior to conducting renovations and re-occupying resident care units. During the on-site complaint investigation of November 23, 2016, it was determined that the facility continued with renovations without obtaining the proper approvals and permits. A detailed list of the deficiencies cited during the complaint investigation will be forthcoming at the earliest possible date. The facility census is 122. This action is being taken in accordance with N.J.A.C. 8:43E-3.1(a)(2), N.J.S.A. 26:2H-13 and N.J.S.A. 26:2H-14.

This curtailment order will remain in effect until a recommendation to lift the curtailment is made by Health Facility Survey and Field Operations.

**FORMAL HEARING:**

Allaire Rehab and Nursing is entitled to a prompt formal hearing at the Office of Administrative Law (OAL) to challenge this assessment of penalties pursuant to N.J.S.A. 26:2H-13. Allaire Rehab and Nursing may request a hearing to challenge either the factual survey findings or the assessment of penalties, or both. Please note that facility rights to IDR and administrative law hearings are not mutually exclusive and both may be invoked simultaneously.

Allaire Rehab and Nursing must advise this Department within 30 days of receipt of this letter to request an OAL hearing regarding this matter.

Please forward your OAL hearing request to:

Attention: OAL Hearing Requests  
Office of Legal and Regulatory Compliance, Room 805  
New Jersey State Department of Health  
P.O. Box 360  
Trenton, New Jersey 08625-0360

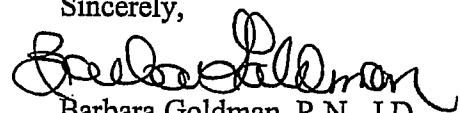
Corporations are not permitted to represent themselves in OAL proceedings. Therefore, if Allaire Rehab and Nursing is owned by a corporation, representation by counsel is required.

In the event of an OAL hearing regarding this matter, Allaire Rehab and Nursing is further required to submit a written response to each and every charge as specified in this order, which shall accompany your written request for a hearing.

Be advised that N.J.S.A. 26:2H-14 and N.J.A.C. 8:43E-3.4(a) provides for a penalty of up to \$2,500 for each day that violations pertaining to the care of residents are not corrected. In addition, N.J.A.C. 8:43E-3.4(a)(2) provides for a penalty of \$250 per day for each resident admitted in violation of this curtailment order.

Please call me at 609-633-9034 if you have any questions regarding this curtailment.

Sincerely,



Barbara Goldman, R.N., J.D.  
Assistant Director  
Certificate of Need &  
Healthcare Facility Licensure