



State of New Jersey  
DEPARTMENT OF HEALTH  
PO BOX 358  
TRENTON, N.J. 08625-0358

CHRIS CHRISTIE  
Governor

KIM GUADAGNO  
Lt. Governor

www.nj.gov/health

CATHLEEN D. BENNETT  
Commissioner

IN RE: Licensure Violation ) Revised Notice of Assessment  
NJ Facility ID # NJ158222 ) of Penalties

TO: Kelly Appenzeller, Administrator  
Providence Pediatric Medical Day Care, Inc.  
1000 Atlantic Avenue, 2<sup>nd</sup> Floor  
Camden, New Jersey 08104

The Health Care Facilities Planning Act (N.J.S.A. 26:2H-1 et seq.) (the Act) provides a statutory scheme designed to ensure that all health care facilities are of the highest quality. Pursuant to the Act and N.J.A.C. 8:43E-1.1 et seq., General Licensure Procedures and Standards Applicable to All Licensed Facilities, the Commissioner of Health is authorized to inspect all health care facilities and to enforce the Manual of Standards for Licensure of Pediatric Medical Day Care Facilities set forth at N.J.A.C. 8:43J-1.1 et seq.

**LICENSURE VIOLATIONS AND MONETARY PENALTIES:**

Staff of the Department of Health (Department) completed an off-site survey of Providence Pediatric Medical Day Care, Inc. on June 9, 2015. The report of this survey, which is incorporated herein by reference, revealed the following licensure violations:

1. The facility failed to employ a full-time child life specialist, in violation of N.J.A.C. 8:43J-11.1(a).
  - Based on electronic communication with the facility staff including the facility's human resources personnel, it was determined that the facility failed to provide a full-time Child Life Specialist, while that staff member was acting as the interim administrator.
  - On March 20, 2015, the surveyor received an email from the full-time administrator indicating that she resigned from her position, and that it was "effective immediately."

- On March 23, 2015, the surveyor received an email from the administrator of the facility's sister location in West Berlin, New Jersey explaining that two employees who had been previously approved to be designated alternate administrators would fill the role. This is the first day the facility was without a child life specialist.
- That same day, the surveyor responded by informing the West Berlin administrator that there could be alternate coverage by two qualified employees, but one person had to take the responsibility as the administrator for the Camden facility.
- On March 24, 2015, the West Berlin administrator responded via email stating that the facility's Child Life Specialist would be the full time interim administrator for the Camden facility.
- On May 15, 2015, the surveyor sent an email to the facility's human resources personnel explaining that the Child Life Specialist cannot perform in any other position while acting as the administrator.
- On June 5, 2015, the Child Life Specialist/acting administrator confirmed that she was no longer performing the duties of a child life specialist. Consequently, this meant that the facility was without a child life specialist since March 24, 2015, the date she took over as interim administrator, because no alternate child life specialist was hired.
- The Facility submitted a plan of correction on July 22, 2015 that stated the facility hired a new Child Life Specialist with start date of August 3, 2015. However, the new Child Life Specialist only worked one day per staff interview and was never indicated on staffing schedules.
- The Department indicated waiver approval of another individual to be the Child Life Specialist via email to the facility on February 26, 2016. However, according to staffing schedules, this individual did not start work as the Child Life Specialist until April 19, 2016, meaning that the facility was without a Child Life Specialist for 248 days.

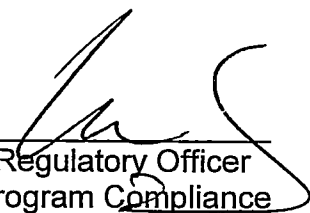
In accordance with the provisions set forth in N.J.A.C. 8:43E-3.4(a)(7) and N.J.A.C. 8:43E-3.4(b), the penalty assessed for this violation \$100 per day, for each day the facility did not have a Child Life Specialist. The facility was without a Child Life Specialist for 248 days, so the total penalty assessed is \$24,800.

These violations pertain to the care of participants using the services at Providence Pediatric Medical Day Care, Inc. **In accordance with N.J.S.A. 26:2H-14 and N.J.A.C. 8:43E-3.4(a), Providence Pediatric Medical Day Care, Inc. is hereby assessed penalties amounting to \$24,800.** This amount represents a reduction of the earlier

penalty amount and was necessitated by a recalculation of the days for which the facility was without a Child Life Specialist. The total amount of this penalty is required to be paid within 30 days of receipt of this letter by certified check or money order made payable to the "Treasurer of the State of New Jersey" and forwarded to Office of Program Compliance and Health Care Financing, New Jersey Department of Health, P.O. Box 358, Trenton, New Jersey 08625-0358, Attention: Lisa King. **On all future correspondence related to this Notice, please refer to Control # x15018.**

**INFORMAL DISPUTE RESOLUTION (IDR):**

N.J.A.C. 8:43E-2.3 provides facilities the option to challenge factual survey findings by requesting Informal Dispute Resolution with Department representatives. An Informal Dispute Resolution was held with Department representatives, surveyors, and facility representatives on January 19, 2017. The deficiency which was disputed was upheld by the Informal Dispute Resolution Panel. Facilities wishing to challenge only the assessment of penalties are not entitled to IDR review, but may request a formal hearing at the Office of Administrative Law. A request for hearing at the Office of Administrative Law was made concurrent with the request for Informal Dispute Resolution. This matter is currently pending at the Office of Administrative Law and therefore another request for a hearing is not necessary.

  
\_\_\_\_\_  
Lisa King, Regulatory Officer  
Office of Program Compliance

LK:dj

DATE: May 8, 2017  
REGULAR AND  
CERTIFIED MAIL: 7009 1680 0002 1239 8473  
RETURN RECEIPT REQUESTED  
Control # x15018