



State of New Jersey

DEPARTMENT OF HEALTH

NURSING HOME ADMINISTRATORS LICENSING BOARD

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July 13, 2018

Mr. Raj Shah
Agile Urgent Care of Secaucus, LLC
20 Meadowlands Parkway
Secaucus, NJ 07094

Via Email: Rshah@agileurgentcare.com
and Facsimile: 201-381-4700

RE: Curtailment of Services Order
Facility ID# NJ25055

Dear Mr. Shah:

This letter confirms the telephone call of July 11, 2018 between you and staff of Health Facility Survey and Field Operations (Survey") and the Office of Program Compliance of the Department of Health (DOH), wherein you were **ordered to curtail all services at Agile Urgent Care of Secaucus, LLC, effective immediately**. This order shall remain in place until formally lifted by the Department.

This action is being taken based on a recommendation from Survey staff who, during an on-site complaint survey conducted on July 11, 2018, identified multiple deficiencies, including deficiencies related to medication storage and administration, in violation of N.J.A.C. 8:43A-9.5(f) and N.J.A.C. 8:43A-14.3(a), and there was no administrator or alternate administrator present at the facility in violation of N.J.A.C. 8:43A- 5.1.

Please be advised that N.J.A.C. 8:43E-3.4(a) provides for a penalty of \$250 per day for each patient admitted in violation of this curtailment order. Please also be advised that you may be subject to other enforcement remedies in addition to the curtailment order.

The deficiencies found include, but are not limited to:

- The facility had numerous expired medications and supplies that were available for patient use. The medication cabinet contained 4 open multi-dose vials that were not

dated when opened (one vial each of lidocaine, dexamethasone, Tigan, and ondansetron). The procedure room, which is a patent treatment area used for suturing, contained 6 open multi-dose vials of lidocaine that were also not dated when opened, and should have been discarded after having been opened and used for one patient in that area.

- The contracted physician who was on-site was not aware that opened, undated multi-dose vials should not be used and that opened multi-dose vials should not be accessed in an immediate patient care area after use for one patient.
- The facility failed to have an administrator or designated alternate administrator on site. Nor was a medical director or alternate medical director present. The surveyor was informed that the administrator/alternate administrator or medical director/alternate medical director were not coming to the facility that day. Staff credentials could not be reviewed, as no one present at the facility had access to them.

FORMAL HEARING

Agile Urgent Care of Secaucus, LLC (“Agile Urgent Care”) is entitled to a prompt formal hearing at the Office of Administrative law (OAL) to challenge the curtailment.

Agile Urgent Care must advise the Department within 30 days 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 Agile Urgent Care is owned by a corporation, representation by counsel is required.

If Agile Urgent Care requests an OAL hearing regarding this matter, the facility is further required to submit a written response to each charge specified in this order, which shall accompany your request for a hearing.

Please call 609-984-8128 if you have any questions regarding this curtailment.

Sincerely,

A handwritten signature in black ink, appearing to read "Gene Rosenblum". The signature is fluid and cursive, with a large initial "G" and "R".

Gene Rosenblum, Director
Program Compliance and Health Care
Financing
Division of Certificate of Need and Licensing
New Jersey Department of Health

GR/bjg
Control #X18005