



State of New Jersey
DEPARTMENT OF HEALTH

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www.nj.gov/health

PHILIP D. MURPHY
Governor

SHEILA Y. OLIVER
Lt. Governor

SHEREEF M. ELNAHAL, MD, MBA
Commissioner

January 11, 2019

Robert Angel, Administrator
Bentley ALP
7999 Route 130 South
Pennsauken, NJ 08110

Via Email: rangel@ivystoneseniorliving.com
and FAX (856) 488-9523

**RE: Curtailment of New Admissions Order
and Directed Plan of Correction**
Facility ID# NJ04A005

Dear Mr. Angel:

This will confirm today's phone call between you, me and staff of the Division of Certificate of Need and Licensing, Office of Program Compliance, of the Department of Health (the Department), wherein you were ordered to curtail all new admissions to Bentley ALP, effective immediately.

In addition, the Department issued a Directed Plan of Correction requiring the program to retain the consulting services of a Certified Assisted Living Administrator (CALA) and a Registered Dietitian (RD), who each will be required to work on site for at least 20 hours per week. The program administrator shall submit weekly progress reports, signed by each consultant, beginning on January 25, 2019, and each Friday thereafter. The progress reports shall be submitted to Donna.Koller@doh.nj.gov.

The consultant CALA and RD shall be retained no later than the close of business, January 17, 2019. These consultants must be approved in advance by the Department and resumes must be submitted to Gene.Rosenblum@doh.nj.gov and Donna.Koller@doh.nj.gov by 12:00 p.m. on January 16, 2019. The contract with the consultants shall include provisions for immediate corrective action with applicable state licensing standards. The consultants shall have no previous or current ties to the program's principals, management and/or employers or other related individuals of any kind, including, but not limited to employment, business or personal ties. This DPOC shall remain in place until the program is otherwise notified by this Department.

These actions are being taken based on the recommendations from Health Facility Survey and Field Operations (Survey) staff after an onsite complaint survey, and in response to the serious deficiencies identified during the survey related to kitchen sanitation, provision of meals, providing a qualified dietitian and corresponding dietary services and environmental concerns, including, but not limited to:

- Lack of contracted services with a registered dietitian. The prior dietitian's contract expired December 31, 2018. The new dietitian is not scheduled to start until January 14, 2019, and the credentials for the new dietitian have not yet been provided to Survey.
- Failure to provide nutrition services by a qualified dietitian to address resident weight loss (weight logs not available and weight changes not addressed).
- Insufficient food to feed residents and failure to provide meals that are planned in advance with portion sizes consistent with the menu and therapeutic needs (serving two-ounce portions instead of four-ounce portions).
- Four-week menu provided to Survey contained a dietitian's signature who was not the dietitian in 2018.
- The meal served at the time of Survey's visit was not the meal on the menu.
- No menu was posted in the food preparation area.
- The Executive Director failed to ensure that dietary staff provided therapeutic meals.
- Improper sanitation of dishware due to a faulty dish machine (temperature at the end of the rinse cycle did not reach 180 degrees) and improper operation and maintenance (failure to prime the detergent line resulting in detergent not dispensing into the machine for cleaning). The program continued to use soiled dishware prior to machine repair.
- Roaches were observed coming from the internal area of the dish machine.
- There were rodent droppings in the kitchen area.

These deficiencies pose an immediate and serious threat to residents.

FORMAL HEARING

Bentley ALP is entitled to a prompt formal hearing at the Office of Administrative law (OAL) to challenge the curtailment.

Bentley ALP must advise the 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 Bentley ALP is owned by a corporation, representation by counsel is required.

In the event of an OAL hearing regarding this matter, Bentley ALP 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.

In addition, N.J.A.C. 8:43E-3.4(a) provides for a penalty of \$250 per day for each resident admitted in violation of this curtailment order.

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

Sincerely,



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

GR:jn:jlm
DATE: January 11, 2019
FACSIMILE
E-MAIL
REGULAR AND
CERTIFIED MAIL:
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c. Alison Gibson
Stefanie Mozgai
Donna Koller
Susan Kelley