



State of New Jersey
DEPARTMENT OF HEALTH

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

www.nj.gov/health

PHILIP D. MURPHY
Governor

SHEILA Y. OLIVER
Lt. Governor

JUDITH M. PERSICILLI, RN, BSN, MA
Commissioner

IN RE: :
 : EMERGENCY CLOSURE
PEDIATRIC MEDICAL DAY CARE :
FACILITIES IN THE STATE OF NEW JERSEY :

TO: Service List:
Administrators
Pediatric Medical Day Care Facilities in New Jersey

Pursuant to Executive Order 103, Governor Philip D. Murphy declared the existence of a Public Health Emergency, pursuant to the Emergency Health Powers Act, N.J.S.A. 26:13-1 et seq., and a State of Emergency, pursuant to the Disaster Control Act, in the State of New Jersey for COVID-19, which is a novel coronavirus first identified in China, spread to multiple other countries, including the United States, and has been identified in New Jersey. Under the declared health emergency, the Department is empowered, pursuant to N.J.S.A. 26:13-8(a), “[to] close, direct and compel the evacuation of, or to decontaminate or cause to be decontaminated, any facility of which there is reasonable cause to believe that it may endanger the public health.”

Pursuant to Executive Order 103, the spread of COVID-19 within New Jersey Constitutes an imminent public health hazard that threatens and presently endangers the health, safety, and welfare of the residents of one or more municipalities or counties of the State.

Pursuant to Executive Order 103, it shall be the duty of every person or entity in this State or doing business in this State to cooperate fully with the State Director of Emergency Management and the Commissioner of the Department of Health in all matters concerning this state of emergency.

Pursuant to N.J.A.C. 10:166-1.1 et seq., Pediatric Medical Day Care facilities are programs that provide medically necessary services in an ambulatory care setting to children who reside in the community and are designed to meet the medical, developmental, educational, nutritional and psycho-social needs of medically complex and/or technology-dependent children because they require continuous rather than part-time or intermittent care of a registered professional nurse in a developmentally appropriate environment and the children’s needs cannot be met in a regular day

care or pre-school handicapped program. The facilities serve medically fragile children in their immediate New Jersey communities.

Pediatric Medical Day Care facilities serve a population of medically fragile children who are particularly vulnerable to COVID-19, and social distancing is a mitigation strategy against the rapid and widespread spread of COVID-19. Accordingly, it has become necessary to take all steps necessary to mitigate the further spread of and contraction of the virus particularly to New Jersey's most medically vulnerable populations.

EMERGENCY CLOSURE ORDER

Pursuant to the above-referenced authority, the Department hereby issues this Emergency Closure Order as follows:

- Your Pediatric Medical Day Care facility shall close effective March 20, 2020 and shall not provide services to participants on-site. It shall remain closed until further notice from the Department, to reduce the risk to a particularly medically vulnerable population of exposure to COVID-19, and to slow the spread and reduce the impact of the disease in New Jersey;
- The date and time the closure shall commence is at the facility's close of business on March 20, 2020;
- The terms and conditions of the closure are the following:
 - The facility shall remain closed, no services shall be provided on site, and program participants shall not be on the premises;
 - Physical access to the premises shall be limited as directed by State, county and local health authorities;
 - Pursuant to N.J.A.C. 10:166-2.2 and N.J.A.C. 8:43J-1.1 et. seq., in coordination with the New Jersey Department of Human Services (DHS) professional staff, the facility through the Administrator and Director of Nursing shall arrange for the provision of services to participants who require them pursuant to N.J.A.C. 10:166-3.1 based on the functional assessment for each child, and shall assist the participants with obtaining offsite concrete services for any medical, rehabilitative, developmental and psychosocial needs identified by the nursing director, the child's primary health care provider and/or other healthcare professionals who have current and relevant knowledge of the child's needs, and any medically necessary services, including private duty nursing services. The nursing staff shall also provide family outreach and coordinate with other community resources to ensure the continued delivery of services consistent with participants' functional assessments

- Providers may contact an individual's Medicaid Managed Care Organization if assistance is needed to coordinate or secure alternative services for the individual. Note that members should be advised to call the health plan phone number on their member ID card or their MLTSS care manager. The contacts listed below are provider contacts and are not equipped to take incoming member calls.

Providers only, please use the following contacts:

Aetna Better Health: Pam Persichilli (609-282-8203)

AmeriGroup: Linda Cruz (973-715-6672)

Horizon NJ Health: Ginny Rivera (809-682-9094 x81364)

UnitedHealth Community Plan: Wendy Zec (763-361-2171) or
hcbs_northeast_pr@uhc.com

WellCare NJ: Lisa Knowles (973-494-6127) or Lisa.knowlesspruell@wellcare.com

Providers, if you cannot reach a Managed Care Organization for service coordination you may contact:

Geralyn D. Molinari, Director
Managed Provider Relations, Division of Medical Assistance and Health Services
Department of Human Services
Phone: (609) 588-3826
Cell: (609) 775-3668

Geralyn.Molinari@dhs.state.nj.us

- The basis upon which the closure is justified is the significant spread of COVID-19 in New Jersey. These steps are necessary to protect the medically fragile and vulnerable population of children at Pediatric Medical Day Care facilities from the serious and life-threatening risks of contracting COVID-19, and to mitigate the fast spread of COVID-19 in New Jersey.
- This emergency order shall remain in effect until the Department lifts the order. The facility is further ordered to comply with any cleaning requirements imposed by the Department. Please confer with your local health officer for further actions that may be necessary.

RIGHT TO HEARING:

Pursuant to N.J.S.A. 26:13-8(a)(2), the facility has the right to request a hearing regarding the Emergency Closure Order before the New Jersey Superior Court.

OTHER REMEDIES:

Failure to comply with this Emergency Closure Order may result in the imposition of penalties and/or other applicable remedies.

Thank you for your attention to this important matter and for your anticipated cooperation. If you have any questions, please contact the NJ Coronavirus and Poison Center Hotline at 1-800-222-1222.



Lisa King, Program Manager
Office of Program Compliance
Division of Certificate of Need and
Licensing

LK:JLM:cb
DATE: March 20, 2020
REGULAR AND CERTIFIED MAIL,
RETURN RECEIPT REQUESTED, AND
E-MAIL
Control # X20027