



State of New Jersey
DEPARTMENT OF HEALTH

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KAITLAN BASTON, MD, MSc, DFASAM
Acting Commissioner

In Re Licensure Violation:

AMBULATORY SURGICAL CENTER OF
NEW JERSEY, LLC
(NJ Facility ID# R24540)

ORDER LIFTING CURTAILMENT
OF SERVICES ORDER

TO: Dr. Alex Russoniello, Administrator
Ambulatory Surgical Center of New Jersey, LLC
5 Progress Street, Suite 2
Edison, New Jersey 08820
aprussoniello@comcast.net

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 Licensing of Ambulatory Care facilities set forth at N.J.A.C. 8:43A-1.1 et seq.

Pursuant to N.J.S.A. 26:2H-12, no health care service or health care facility may operate unless it has a license. In addition to possessing a license, an ambulatory care facility must also obtain ambulatory care accreditation from an accrediting body recognized by the Centers for Medicare and Medicaid Services as a condition of licensure. N.J.S.A. 26:2H-12(h). See also N.J.A.C. 8:43A-3.12(b).

As you were notified verbally on October 24, 2023, effective beginning October 26, 2023, the Department ordered Ambulatory Surgical Center of New Jersey to cease and desist providing services. This enforcement action was taken because Ambulatory Surgical Center of New Jersey's license expired on May 31, 2022, and, in addition, its accreditation with the Accreditation Association for Ambulatory Health Care, Inc. expired on December 11, 2021. On November 1, 2023, the Department issued to Ambulatory Surgical Center of New Jersey a conditional license to operate that expired on December 31, 2023. Because the facility was conditionally licensed, on November 2, 2023, the Department notified the facility via e-mail that the Department lifted the cease and desist order but imposed a curtailment of all services at the facility because the facility continued to lack the required accreditation. This was memorialized in a formal order issued on November 8, 2023. On November 17, 2023, the Department ordered that the curtailment of services would be lifted for December 14, 2023, only, to allow the Accreditation Association for Ambulatory Health Care, Inc. to conduct an accreditation survey. The curtailment remained in effect until that date and resumed again on December 15, 2023.

On January 8, 2024, the Department received evidence from the facility that it was reaccredited by the Accreditation Association for Ambulatory Health Care, Inc. effective December 15, 2023. As a result, the Department has renewed the facility's license to operate effective December 15, 2023 (issued January 9, 2024).

Based upon the reaccreditation and the license renewal, the Department hereby lifts the curtailment of services effective immediately.

Thank you for your attention to this important matter. If you have any questions concerning this order, please contact Nadine Jackman, Office of Program Compliance, at Nadine.Jackman@doh.nj.gov.

Sincerely,



Jean Markey, Regulatory Officer
Office of Program Compliance
Division of Certificate of Need and Licensing

LK:JLM:nj
DATED: January 9, 2024
E-MAIL
Control #AX23014

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