



State of New Jersey  
DEPARTMENT OF HEALTH

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PHILIP D. MURPHY  
Governor

TAHESHA L. WAY  
Lt. Governor

[www.nj.gov/health](http://www.nj.gov/health)

KAITLAN BASTON, MD, MSc, DFASAM  
Acting Commissioner

In Re Licensure Violation:

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

CEASE AND DESIST 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](mailto: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).

Ambulatory Surgical Center of New Jersey's license expired on May 31, 2022. In addition, its accreditation with the Accreditation Association for Ambulatory Health Care, Inc. expired on December 11, 2021. Therefore, the facility is not currently licensed to operate nor does it currently meet the conditions for licensure.

**CEASE AND DESIST ORDER**

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 in accordance with the provisions set forth at N.J.A.C. 8:43E-3.11 (Cease and Desist Order).

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Please be advised that N.J.A.C. 8:43E-3.4(a)(1) provides for a penalty of \$1,000 per day for operation of a health care facility without a license.

This Cease and Desist Order shall remain in place until the facility is otherwise notified in writing by a representative of the Department.

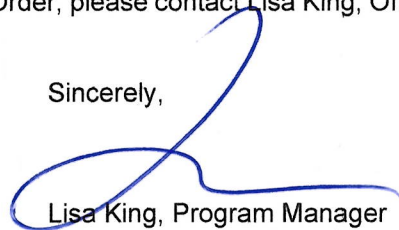
If the facility chooses to pursue accreditation, please contact the Department once an accreditation survey is scheduled so that the Department may (1) issue a temporary and/or provisional license to allow it to operate for the purpose of having the accreditation survey and (2) temporarily lift the cease and desist order.

### **Final Agency Decision**

This Cease and Desist Order shall constitute a Final Agency Decision. As such, pursuant to New Jersey Court Rules 2:2-3 and 2:4-1, you may appeal from this Final Agency Decision within 45 days to the New Jersey Superior Court-Appellate Division, Richard J. Hughes Justice Complex, Trenton, New Jersey.

Thank you for your attention to this important matter and for your anticipated cooperation. If you have any questions concerning the Cease and Desist Order, please contact Lisa King, Office of Program Compliance, at [Lisa.King@doh.nj.gov](mailto:Lisa.King@doh.nj.gov).

Sincerely,



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

LK:JLM:nj  
DATED: October 26, 2023  
E-MAIL  
Control #AX23014

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