



State of New Jersey
DEPARTMENT OF HEALTH

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

www.nj.gov/health

PHILIP D. MURPHY
Governor

TAHESHA L. WAY
Lt. Governor

KAITLAN BASTON, MD, MSc, DFASAM
Commissioner

In Re Licensure Violation:	:	
	:	
CAREPOINT HEALTH CHRIST HOSPITAL	:	NOTICE OF ASSESSMENT OF
	:	PENALTIES
(NJ Facility ID# NJ 10902)	:	
	:	
	:	

TO: Dr. Marie T. Duffy, Chief Hospital Executive
CarePoint Health Christ Hospital
176 Palisade Avenue
Jersey City, New Jersey 07306
Marie.Duffy@carepointhealth.org

Dear Dr. Duffy:

Effective immediately, the Department of Health (the Department) is assessing penalties pursuant to N.J.A.C. 8:43E-3.4(a)(10) upon CarePoint Health Christ Hospital (hereinafter Christ Hospital or the facility) because the facility was cited with multiple violations resulting in an immediate and serious risk of harm to patients.

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. General hospitals are licensed in accordance with N.J.S.A. 26:2H-1 and N.J.A.C. 8:43G. Pursuant to the Act, N.J.A.C. 8:43G (Hospital Licensing Standards) and N.J.A.C. 8:43E (General Licensure Procedures and Standards Applicable to All Licensed Facilities), the Commissioner of the Department of Health is authorized to inspect all health care facilities and to enforce the Manual of Hospital Licensing Standards set forth at N.J.A.C. 8:43G-1.1 et seq.

By way of background, the Department received a complaint that raised issues concerning patient care at CarePoint Health Christ Hospital. In response to the complaint, the Department sent a survey team to the facility from June 20, 2024, through June 24, 2024. The survey team identified the following deficiencies:

- The facility failed to ensure environmental cleaners and disinfectants were used in accordance with the manufacturer's instructions for use (N.J.A.C. 8:43G-13.4(m));
- The facility failed to ensure that the Infection Control Program conducted surveillance and collaborated with the State Health Department in reporting communicable diseases in accordance with the facility's Infection Prevention and Control Program (N.J.A.C. 8:43G-14.1(b)) ;
- The facility failed to ensure that hand hygiene was performed in accordance with Center for Disease Control guidelines and facility policy and that the Point of Care device that is used for multiple patients was cleaned and disinfected between patients in accordance with Center for Disease Control guidelines, manufacturer's instructions for use and facility policy (N.J.A.C. 8:43G-14.1(d)(1)(iii)); and,
- The facility failed to ensure that the Infection Control Professional maintained a certification in infection control through the Certification Board of Infection Control (N.J.A.C. 8:43G-14.3).

The complete survey findings are contained in a statement of deficiencies issued by the Department on September 12, 2024, which is incorporated herein by reference.

MONETARY PENALTIES:

N.J.A.C. 8:43E-3.4(a)10 allows the Department to impose a monetary penalty "[f]or violations resulting in either actual harm to a patient or resident, or in an immediate and serious risk of harm, \$2,500 per violation, which may be assessed for each day noncompliance is found." In accordance with N.J.A.C. 8:43E-3.4(a)10, the penalty assessed for each day on which noncompliance was found is \$2,500 per day from June 20, 2024, through September 27, 2024, the date the deficiencies were corrected (99 days). The total penalty assessed is \$247,500.

The total amount of this penalty is required to be paid within 30 days of receipt of this letter by certified check or money order made payable to the "Treasurer of the State of New Jersey" and forwarded to Office of Program Compliance, New Jersey Department of Health, P.O. Box 358, Trenton, New Jersey 08625-0358, Attention: Lisa King. **On all future correspondence related to this Notice, please refer to Control X24045.**

INFORMAL DISPUTE RESOLUTION (IDR)

N.J.A.C. 8:43E-2.3 provides facilities the option to challenge factual findings by requesting Informal Dispute Resolution with Department representatives. Facilities wishing to challenge only the assessment of penalties are not entitled to IDR review, but such facilities may request a formal hearing at the Office of Administrative Law as set forth herein below. Please note that the facility's rights to IDR and administrative hearings are not mutually exclusive and both may be invoked simultaneously. IDR requests must be made in writing within ten (10) business days from receipt of this letter and must state whether the facility opts for a telephone conference, or review of facility documentation only. The request must include an original and ten (10) copies of the following:

1. The written survey findings;
2. A list of each specific deficiency the facility is contesting;
3. A specific explanation of why each contested deficiency should be removed; and
4. Any relevant supporting documentation.

Any supporting documentation or other papers submitted later than 10 business days prior to the scheduled IDR may not be considered at the discretion of the IDR panel. Send the above-referenced information to:

Nadine Jackman, Office of Program Compliance
New Jersey Department of Health
P.O. Box 358
Trenton, New Jersey 08625-0358

The IDR review will be conducted by professional Department staff who do not participate in the survey process. Requesting IDR does not delay the imposition of any enforcement remedies.

FORMAL HEARING:

The facility is entitled to contest the assessment of penalties pursuant to N.J.S.A. 26:2H-13 by requesting a formal hearing at the Office of Administrative Law (OAL). The facility may request a hearing to challenge any or all of the following: the factual findings and/or the assessed penalties. The facility must advise this Department within 30 days of the date of this letter if it requests an OAL hearing.

Please forward your OAL hearing request to:

CarePoint Health Christ Hospital
Notice of Assessment of Penalties
April 17, 2025
Page 4

Attention: OAL Hearing Requests
Office of Legal and Regulatory Compliance, New Jersey Department of Health
P.O. Box 360
Trenton, New Jersey 08625-0360

Corporations are not permitted to represent themselves in OAL proceedings. Therefore, if the facility is owned by a corporation, representation by counsel is required. In the event of an OAL hearing regarding the penalty, the facility is further required to submit a written response to each and every charge as specified in this notice, which shall accompany its written request for a hearing.

Failure to submit a written request for a hearing within 30 days from the date of this notice will render this a final agency decision. The final agency order shall thereafter have the same effect as a judgment of the court. The Department also reserves the right to pursue all other remedies available by law.

Thank you for your attention to this important matter and for your anticipated cooperation. If you have any questions regarding this Notice of Assessment, please contact Nadine Jackman, Office of Program Compliance, at Nadine.Jackman@doh.nj.gov.

Sincerely,



Gene Rosenblum, Director
Office of Program Compliance
Division of Certificate of Need and Licensing

GR:JLM:nj
DATE: April 17, 2025
E-MAIL
REGULAR AND CERTIFIED MAIL
RETURN RECEIPT REQUESTED
c. Order Distribution List

Control # AX24045