



State of New Jersey  
DEPARTMENT OF HEALTH

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PHILIP D. MURPHY  
Governor

TAHESHA L. WAY  
Lt. Governor

KAITLAN BASTON, MD, MSC, DFASAM  
Commissioner

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In Re Licensure Violation:	:	NOTICE OF INTENT TO
	:	SUMMARILY SUSPEND
MEDFORD CARE CENTER	:	
	:	
(NJ Facility ID# NJ60313)	:	
	:	
	:	
	:	

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TO: Richard Pineles, Administrator  
Medford Care Center  
185 Tuckerton Road  
Medford, New Jersey 08055  
[RPineles@tandemmanagement.com](mailto:RPineles@tandemmanagement.com)

As more fully set forth below, the Department is issuing to Medford Care Center (Medford) a Notice of Intent to Summarily Suspend its long-term care facility license because multiple violations identified at the facility present an imminent threat to the health, safety or welfare of its residents if they are not immediately rectified.

The New Jersey Department of Health (Department) is vested with the responsibility of carrying out the provisions of the Health Care Facilities Planning Act (Act), N.J.S.A. 26:2H-1 to -27, which was enacted, in part, to ensure that all hospitals, long-term care and related health care services, rendered in the State of New Jersey are of the highest quality. Pursuant to the Act, namely N.J.S.A. 26:2H-5, and the Department's rules, 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 Standards for Licensure of Long-Term Care Facilities set forth at N.J.A.C. 8:39-1.1 et seq.

#### FINANCIAL STABILITY

The Department has been actively monitoring the financial health of Medford, and, on July 26, 2024, the Department requested information regarding Medford's financial status. By letter dated July 31, 2024, the facility responded and identified five issues challenging the facility's financial

stability, including a lower resident census, staffing agency costs, increases in staffing pay in an effort to eliminate the use of staffing agencies, significant increases in the cost of supplies and a low Medicaid reimbursement rate.

On July 30, 2024, a complaint investigation survey at the facility identified deficiencies in both staffing (the facility did not meet required staffing ratios on 14 of 14 day shifts reviewed) and essential equipment (the facility failed to maintain acceptable standards of essential kitchen equipment in a safe and operable condition). Specifically, the facility's stove was inoperable purportedly due to a fire that occurred in May and had still not been replaced at the time of the survey. The surveyors also learned that the paychecks of multiple employees had been dishonored and that, although the checks had since cleared, the employees were waiting for reimbursement from the facility for the bank fees. In addition, the surveyors learned that the facility had closed itself for admissions and had no residents on the subacute unit because there was no physical therapist employed full time at the facility.

On October 2, 2024, the local health department contacted the Department's Division of Local Public Health expressing financial concerns about the facility due to a threatened utility shutoff. On September 19, 2024, Public Service Electric & Gas (PSE&G) issued a shut-off notice notifying the facility that it owed \$144,982 due on October 4, 2024, and that utilities to the facility would be shut off if the facility did not pay the balance by October 17, 2024. In addition, PSE&G issued an "Important Notice to Caregivers" notifying them that electric and/or gas service to the building may be shut off for an undetermined period of time. In addition, Medford received a separate shut-off notice of \$3,848 for a separate business address.

On October 3, 2024, the Department's Office of Health Care Financing contacted the facility to request additional financial information, including information regarding the failure of the facility to pay its debts when due.

On October 4, 2024, due to concerns about the ongoing financial stability of the facility, the Department ordered Medford to submit to the Department within 24 hours its emergency operations plan required to be maintained pursuant to N.J.A.C. 8:39-31.6.

On October 9, 2024, the facility averted the threatened utility shut off by entering into a payment plan with PSE&G.

On November 14, 2024, township officials reported to Department staff that the facility is delinquent on its real estate taxes.

## **CURRENT LICENSURE VIOLATIONS**

Staff from the Department's Health Facility, Survey and Field Operations unit were on-site at Medford on November 13, 14 and 15, 2024, for a recertification, complaint investigation, life safety code and state licensure survey. During this survey, the surveyors identified multiple serious violations, including, but not limited to, the following:

- The facility failed to ensure that the administrator was onsite full-time as required for a facility with 100 beds or more. N.J.A.C. 8:39-92.2(a)2. The administrator of record confirmed by interview that he has not been onsite at the building in over six months. Instead, the facility had an individual who was identified as the "Executive Director" onsite running the day-to-day operations who is not a

licensed nursing home administrator. During the visit, the administrator introduced himself to the facility's Director of Nursing.

- The facility failed to ensure that it had hot water on a consistent basis, attempting to service the entire facility with one faulty boiler. Testing at the time of the survey identified water temperatures between 68 and 70 degrees. Pursuant to N.J.A.C. 8:39-31.7 (h), hot (95 to 110 degrees Fahrenheit) and cold running water must be provided. Surveyors determined that no showers had been given in months and that residents are only receiving sponge baths.
- Surveyors identified concerns regarding the facility's food supply due to the facility being on a cash-on-delivery basis with food vendors, and the facility was forced to make food substitutions because the facility did not have on hand all of the food set forth in the meal plan menus. On November 14 and 15, 2024, the facility had only 2 days' supply of food on hand.
- Surveyors found evidence that trash and recycling at the facility had not been picked up for an extended period of time. The trash, but not the recycling, was finally picked up on November 14, 2024.
- The facility failed to produce to surveyors evidence of a surety bond covering the residents' personal needs funds deposited with the facility (the facility produced an expired bond). N.J.A.C. 8:39-9.5(c)3.
- The facility's evacuation plan provides for residents to be transferred to Wiley Christian Retirement Community and Aspen Hills Healthcare Center, but the Department was not in receipt of the transfer agreements despite requesting a copy of the current signed contracts with Wiley Mission and Aspen Hills as required by N.J.A.C. 8:39 31.6 (a copy of the Wiley Mission agreement has since been provided but a copy of the Aspen Hills agreement is still outstanding).

As a result of these violations, all residents in the facility are at an immediate and serious risk of harm.

#### **CURTAILMENT OF ADMISSIONS AND READMISSIONS**

Due to the violations delineated above, on November 14, 2024, the Department ordered the curtailment of new admissions and readmissions to Medford pursuant to N.J.A.C. 8:43E-3.6 (Curtailment of Admissions). The facility census at the time of the order was 93. The facility violated the Department's order by admitting a resident after the order was issued.

#### **DIRECTED PLAN OF CORRECTION**

On November 14, 2024, the Department issued a Directed Plan of Correction requiring the facility to:

1. Retain the full-time, on-site services of an Administrator Consultant who is a New Jersey Licensed Nursing Home Administrator.

2. Retain the full-time, on-site services of a registered dietitian to begin providing services to the facility as a consultant Dietitian.
3. Provide evidence of a repair order for the boiler equipment, ensuring that hot water is being provided to the facility on a consistent basis.
4. Provide evidence to the Department that it had on hand a three-day emergency supply of food and water as required by N.J.A.C. 8:39-31.6.
5. Provide to the Department copies of the current signed contracts with Wiley Mission and Aspen Hills.
6. Provide evidence to the Department of a surety bond covering the residents' personal funds deposited with the facility.

**CORRECTIVE ACTION:**

Pursuant to N.J.S.A. 26:2H-14 and N.J.A.C. 8:43E.8, the Commissioner may order the summary suspension of a license of a health care facility or a component or distinct part of a facility upon a finding that violations pertaining to the care of patients or to the hazardous or unsafe conditions of the physical structure pose an immediate threat to the health, safety, and welfare of the public or the residents of the facility. In accordance with N.J.S.A. 26:2H-14 and N.J.A.C. 8:43E-3.8, the Department hereby notifies Medford that it shall have 72 hours in which to demonstrate that corrective action has been taken by the facility to correct any violation that poses an immediate threat to the health, safety and welfare of its residents. See also N.J.S.A. 26:2H-42.1(c) (providing that the Department may take appropriate actions to ensure continuity of care for, and the safety of, residents of long-term care facilities that are in financial distress). Specifically, the Facility shall, within 72 hours, submit to the Department the following:

1. Evidence that the water boiler has been repaired and is consistently providing hot water to the building as required by N.J.A.C. 8:39-31.7(h) (Mandatory Safety Requirements).
2. A copy of a fully executed transfer agreement with Aspen Hill.
3. Proof of contracts with food vendors, which are not based on cash-on-delivery, that provide for delivery through December 31, 2024 of sufficient food to meet all residents' food requirements.
4. Resumes for the facility's proposed Administrator and Dietitian consultants.
5. Proof of the facility's ability to meet payroll for the next 30 days.

6. Proof of the facility's ability to meet all of its operating expenses, including but not limited to medication, supplies and other contracted services, to ensure continuity of care and delivery of services to residents until December 31, 2024.

If Medford fails to implement corrective action within 72 hours and it continues to pose an immediate threat to the health, safety or welfare of the public or the residents of the facility, then the Department will issue a notice of summary suspension of Medford's license and order immediate correction of any violations as a prerequisite to reinstatement of the license.

#### **RIGHT TO HEARING**

In the event that the Department issues a summary suspension of Medford's license, the Facility will have a right to a hearing consistent with N.J.S.A. 26:2H-14.

#### **NOTIFICATION OF RESIDENTS**

The facility shall be prepared to notify residents, family members and legal representatives, pursuant to N.J.S.A. 26:2H-126, and be prepared to enact its emergency plan, pursuant to N.J.A.C. 8:39-31.6, to effectuate an orderly transfer of residents in the event the Department moves forward with a summary suspension.

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

Sincerely,



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

GR:JLM:nj  
DATED: November 15, 2024  
E-MAIL  
REGULAR AND CERTIFIED MAIL  
RETURN RECEIPT REQUESTED  
Control #X24127

c. Order Distribution List