



State of New Jersey
DEPARTMENT OF HEALTH

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

PHILIP D. MURPHY
Governor

TAHESHA L. WAY
Lt. Governor

www.nj.gov/health

KAITLAN BASTON, MD, MSC, DFASAM
Commissioner

In Re Licensure Violation:	:	
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Prestige AMDC	:	NOTICE OF ASSESSMENT OF
(NJ Facility ID # NJ 158331)	:	PENALTIES
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TO: Charles Steinharter, Administrator
Prestige AMDC
53 Haddonfield Road, Suite 312
Cherry Hill, New Jersey 08002
Charles@Prestigeamdc.org

Dear Mr. Steinharter:

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 the Department of Health (the "Department") is authorized to inspect all health care facilities and to enforce the Manual of Standards for Licensure of Adult Day Care Health Services Facilities set forth at N.J.A.C. 8:43F-1.1 et seq.

LICENSURE VIOLATIONS & MONETARY PENALTIES

Staff of the Department visited Prestige AMDC ("Prestige") on January 21, 2025, to conduct a complaint survey. The report of this visit, which is incorporated herein by reference, revealed

that the facility failed to ensure that participants were safely transported to their residences, that the facility driver and Assistant Administrator (AA) failed to follow facility policy after an accident and that the facility failed to ensure that participants were medically evaluated immediately after the accident.

According to the Facility Reportable Event report prepared by the Director of Nursing, while transporting five participants to their residences on January 8, 2025, the facility bus driver went over an apartment entrance curb, made contact with a street sign and sustained a minor scratch to the back of the driver's side. Upon interview with the AA, survey staff learned that the bus driver called the AA to notify her that he hit a curb and a street sign while attempting to avoid parked cars. After ascertaining from the driver that there were no injuries to participants or damage to the property, the AA instructed the driver to continue dropping off participants. She informed the surveyor that she did not instruct the driver to call the police after the incident because, according to the driver, the participants were not injured and there was no damage to the bus or property. The AA informed the surveyor that she notified the administrator on the day of the incident and that she notified the Director of Nursing the following morning.

Surveyor interview with the Director of Nursing revealed that, upon being informed of the incident the following morning, she followed up and learned that two of the participants sought medical evaluation in the emergency room after they were dropped off. She informed the surveyor that all five of the participants attended the afternoon program, were assessed upon arrival to the program and for three days thereafter and were found to have no injuries.

The driver informed the surveyor that it was dark at the time of the incident, that he could not see well and tried to avoid parked cars on the street. He told the surveyor that when he was attempting to make a left turn out of an apartment complex he hit a curb and a street sign pole and that the pole fell. He stated that he checked for injuries to the participants and damage to the vehicle and then contacted the AA to notify her of the incident. According to the driver, the AA instructed him to continue the drop off because the participants were uninjured.

One of the participants reported to the surveyor that, a few hours after the accident, the participant and another participant experienced neck pain, went to the emergency room for evaluation and were discharged the same day.

Based on interview, record review and facility policy, it was determined that the driver failed to follow the facility drivers policy to report an accident to the police, and the Assistant Administrator (AA) failed to follow the policy by not instructing the driver to notify the police when the driver notified the AA to report the incident. Both the driver and the AA failed to have the five participants evaluated immediately after the accident for medical needs. The administrator failed to develop and implement its facility policy and procedure for emergencies,

the facility failed to provide the minimum in-service education upon hire and staff failed to follow the emergency policy by not providing safe transportation to a participant during transport.

The facility was in violation of N.J.A.C. 8:43F-3.1(b)(Appointment and Responsibilities of the Administrator), N.J.A.C. 8:43F-6.3(e)(Personnel) and N.J.A.C. 8:43F-17.1(a)(1)(Transportation Services). These violations pertain to the care of participants using the adult day health services at Prestige.

N.J.S.A. 26:2H-13 and N.J.A.C. 8:43E-3.4(a)(10) allow the Department to impose a monetary penalty of \$2,500 for violations resulting in either actual harm to a patient or resident, or an immediate and serious risk of harm, which may be assessed for each day noncompliance is found. In accordance with N.J.A.C. 8:43E-3.4(a)(10), and because these violations resulted in either actual harm to a participant, or in an immediate and serious risk of harm, the Department is assessing a penalty of \$2,500 per day from January 8, 2025, the date of the incident, through January 21, 2025, the period of noncompliance. The total penalty assessed is \$32,500.

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 X25019.

INFORMAL DISPUTE RESOLUTION (IDR)

N.J.A.C. 8:43E-2.3 provides facilities the option to challenge factual survey 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

Prestige is entitled to challenge 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 survey findings and/or the assessed penalties. Prestige 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:

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 Prestige is owned by a corporation, representation by counsel is required.

In the event of an OAL hearing regarding the penalty, Prestige 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.

Failure to comply with these and any other applicable requirements, as set forth in pertinent rules and regulations, may result in the imposition of additional penalties.

Prestige AMDC
Notice of Assessment of Penalties
March 25, 2025
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Thank you for your attention to this important matter and for your anticipated cooperation. Should you have any questions concerning this notice, please contact Nadine Jackman, Office of Program Compliance at Nadine.Jackman@doh.nj.gov.

Sincerely,

A handwritten signature in blue ink, appearing to read "Gene Rosenblum".

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

GR:JLM:nj

DATE: March 25, 2025
REGULAR AND E-MAIL
Control #X25019

c. Order Distribution List