



**State of New Jersey**  
**DEPARTMENT OF HEALTH**

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

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

PHILIP D. MURPHY  
*Governor*

SHEILA Y. OLIVER  
*Lt. Governor*

JUDITH M. PERSICILLI, RN, BSN, MA  
*Commissioner*

May 22, 2020

Mr. Chuck Erlanger, Administrator  
Gardens at Monroe Healthcare and Rehabilitation  
189 Applegarth Road  
Monroe Township, NJ 08831

VIA FACSIMILE & CERTIFIED & REGULAR MAIL

RE: Order to Cease Construction Work  
Facility ID# NJ061109

Dear Mr. Erlanger,

This notice memorializes the Order transmitted by staff of the Office of Program Compliance, Lisa King, via telephone call on March 6, 2020. In the telephone call, you were directed to cease all further construction work at the facility. Specifically, members of the Certificate of Need and Licensing and Office of Program Compliance staff informed you to cease and desist from any unapproved renovation or construction work, including replacing the flooring, ceiling, and any other construction work in the lobby, and visitors' and corridor areas of the facility, until you apply for and receive the proper approvals pursuant to N.J.A.C. 8:39-31.1(a)(b) and N.J.A.C. 8:43E-3.1(8).

This action is being taken as a result of the Health Facility Survey and Field Operation's recommendations after discovering the improper renovations during a survey for a door installation project on February 28, 2020. The surveyor observed the process of construction in the facility's lobby, visitors' room, and corridor areas. The law is clear:

(a) No construction, renovation or addition shall be undertaken without first obtaining approval from the Department, Long-Term Care Licensing and Certification Program and/or the Department of Community Affairs, Health Care Plan Review Unit.

(b) New construction, alterations and additions of long-term care facilities shall comply with the Uniform Construction Code (N.J.A.C. 5:23) as adopted by the New Jersey Department of Community Affairs.

N.J.A.C. 8:39-31.1(a)(b).

Please contact Elaine Granato at [elaine.granato@doh.nj.gov](mailto:elaine.granato@doh.nj.gov) for direction on the required submission of plans for review and approval by the Department of Health and the Department of Community Affairs prior to the resumption of any construction or renovation work.

**FORMAL HEARING**

The Gardens at Monroe Healthcare and Rehabilitation is entitled to a prompt formal hearing at the Office of Administrative Law (OAL) to challenge this Order pursuant to N.J.S.A. 26:2H-13.

The Gardens at Monroe Healthcare and Rehabilitation must advise this Department within 30 days of receipt of this letter to request an OAL hearing regarding this matter.

Please forward your OAL hearing request to:

Attention: OAL Hearing Requests  
Office of Legal and Regulatory Compliance, Room 805  
New Jersey State Department of Health  
P.O. Box 360  
Trenton, New Jersey 08625-0360

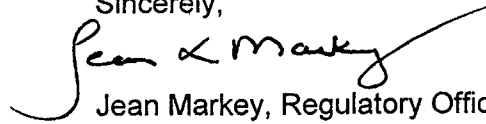
Corporations are not allowed to represent themselves in OAL proceedings. Therefore, if The Gardens at Monroe Healthcare and Rehabilitation is owned by a corporation it must be represented by counsel.

In the event of an OAL hearing regarding this matter, The Gardens at Monroe Healthcare and Rehabilitation is further required to submit a written response to every charge that may be levied against it, which shall accompany your written request for a hearing.

Please also be advised that a penalty may be assessed for the violations described above and for violation of this Order pursuant to N.J.A.C. 8:43E-3.4(a).

Please contact Lisa King at (609) 376-7751 if you have any questions regarding this Order.

Sincerely,



Jean Markey, Regulatory Officer  
Office of Program Compliance  
Division of Certificate of Need and Licensing  
New Jersey Department of Health

LK:ilm  
Control # X2005  
Certified Mail