



State of New Jersey
DEPARTMENT OF HEALTH
 PO BOX 358
 TRENTON, N.J. 08625-0358
www.nj.gov/health

PHILIP D. MURPHY
Governor

SHEILA Y. OLIVER
Lt. Governor

JUDITH M. PERSICHILLI, RN, BSN, MA
Commissioner

IN RE:	VIOLATION OF EMERGENCY	:	
	CURTAILMENT OF ADMISSIONS	:	NOTICE OF
	ORDER DATED MARCH 20, 2020	:	ASSESSMENT OF
		:	PENALTIES
	NJ FACILITY ID #: NJ60729	:	

TO: Rebecca Resh, Administrator
 The Canterbury At Cedar Grove Care & Rehabilitation
 398 Pompton Avenue
 Cedar Grove, New Jersey 07009
rresh@canterburycc.com

Pursuant to Executive Order #103, Governor Phillip D. Murphy declared the existence of a Public Health Emergency, pursuant to the Emergency Health Powers Act, N.J.S.A. 26:13-1. et seq., and a State of Emergency, pursuant to the Disaster Control Act, in the State of New Jersey as a result of COVID-19. Pursuant to the above and as a result of the number of COVID-19 related deaths at The Canterbury At Cedar Grove Care & Rehabilitation, the Department of Health issued an Emergency Curtailment of Admissions Order, dated March 20, 2020. The Order, which is incorporated herein by reference, inter alia, required The Canterbury At Cedar Grove Care & Rehabilitation to remain closed to new admissions, except readmissions, until further notice from the Department.

Further, 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.

VIOLATIONS & MONETARY PENALTIES:

1. The facility is in violation of the Department’s March 20, 2020 Emergency Curtailment of Admissions Order. Between March 20, 2020 and May 29, 2020, the facility admitted 68 new residents to the facility, as admitted by Rebecca Resh, Administrator and Joan Edwards, Director of Nursing, during a May 29, 2020 telephone conference with Department staff.

In accordance with N.J.A.C. 8:43E-3.4(a)(2), the penalty assessed for this violation is \$17,000, which represents a penalty in the amount of \$ 250 per resident.

In accordance with N.J.S.A. 26:2H-13 and N.J.A.C. 8:43E-3.4(a)(2), The Canterbury At Cedar Grove Care & Rehabilitation is hereby assessed a total penalty amounting to \$17,000.

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 X20034.**

FORMAL HEARING:

The Canterbury At Cedar Grove Care & Rehabilitation is entitled to a prompt formal hearing at the Office of Administrative Law (OAL) to challenge this assessment of penalties pursuant to N.J.S.A. 26:2H-13. The Canterbury At Cedar Grove Care & Rehabilitation may request a hearing to challenge the assessment of penalties. The Canterbury At Cedar Grove Care & Rehabilitation must advise this Department within 30 days of receipt of this letter if it requests 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 Department of Health
P.O. Box 360
Trenton, New Jersey 08625-0360

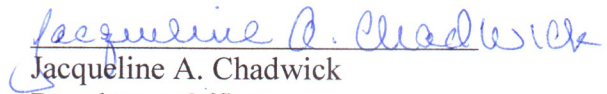
Corporations are not permitted to represent themselves in OAL proceedings. Therefore, if The Canterbury At Cedar Grove Care & Rehabilitation is owned by a corporation, representation by counsel is required.

In the event of an OAL hearing regarding this matter, The Canterbury At Cedar Grove Care & Rehabilitation is further required to submit a written response to each and every charge as specified in this Notice, which shall accompany your written request for a hearing.

Be advised that Department staff will monitor facility compliance with this Notice to determine whether the facility complies with the March 20, 2020 Order and whether assessed penalties are paid in a timely fashion. 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.

In accordance with N.J.A.C. 8:43E-3.5(c)(1), failure to submit a written request for a hearing within 30 days from the date of receipt of this notice will render this a final agency decision assessing the amount of the penalty, which shall then become due and owing. Further, at the request of the Department, the Clerk of the Superior Court or the Clerk of the Superior Court, Law Division, Special Civil Part, shall record the final order assessing the penalty on the

judgment docket of the court, in accordance with N.J.S.A. 2A:58-10. The final agency decision shall thereafter have the same effect as a judgment of the court.


Jacqueline A. Chadwick
Regulatory Officer

GR: jac

DATE: June 2, 2020
REGULAR AND
CERTIFIED MAIL:
RETURN RECEIPT REQUESTED
Control # X20034