



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. PERSICILLI, RN, BSN, MA
Commissioner

August 26, 2021

VIA EMAIL (feras@nirad.com)

Feras Jaloudi
Owner/Administrator
Hudson River Radiology
547 Summit Avenue
Jersey City, NJ 07306

**RE: Curtailment of Services Order
Hudson River Radiology
Facility ID# NJ22559**

Dear Mr. Jaloudi:

This letter confirms the telephone call of August 24, 2021 between you and the Department of Health, Office of Program Compliance (Department), wherein you were **ordered to curtail all services at Hudson River Radiology (NJ 22559), effective immediately**. This Order shall remain in effect until the facility develops an acceptable plan of correction and the Department determines to allow you to resume services at the facility.

This action is in accordance with N.J.S.A. 26:2H-5; N.J.A.C. 8:43E-3.1; and N.J.A.C. 8:43E-3.6 and is based on a recommendation from Survey staff after the Survey team visited the site to conduct a state re-licensure survey and found significant deficiencies posing an immediate and serious threat of harm to patients.

The conditions found posing serious health, safety, and welfare hazards to staff and potential patients include, but are not limited to:

1. High level disinfection in the ultrasound room is being performed by a technician who never worked with the machine before; the technician measured the amount of submersion by opening her fingers to demonstrate distance, about 2 to 3 inches; the facility lacks step-by-step instructions on how to perform the high-level disinfection; facility policy states to soak the ultrasound probe for 60 minutes, but the tech stated they thought it was 20-30 minutes; there are no logs of disinfectant testing; the facility test strips expired

- on May 28, 2021; and there were no new test strips available for use. See N.J.A.C. 8:43A -14.1 et seq.
2. There is one designated handwashing sink located in a bathroom in the same hallway as the ultrasound rooms. To rinse the ultrasound probe, staff must leave the ultrasound room and walk down the hallway and into a bathroom to rinse the probe in the bathroom's sink. N.J.A.C. 8:43A-25.5 requires the sink to be within each procedure room or, with respect to magnetic resonance imaging procedure rooms, located immediately outside the procedure room, as specified by the equipment manufacturer. N.J.A.C. 8:43A-25.5.
 3. The inside door-handle on the second egress door is broken off, and therefore staff were unable to open this exit door from the inside; and outside the door there are shrubs and a car blocking the door. See N.J.A.C. 8:43A-15.1(c)(3).
 4. Four out of five employees did not know the first aid kit location; the first aid kit was missing an injectable diphenhydramine; there are no logs documenting when the facility checked the first aid kit; some contents of the kit were expired, including the epinephrine, aspirin, and the albuterol inhaler medications; no facility staff are currently Advanced Cardiovascular Life Support (ACLS) certified; and the first aid kit is unsecured. See N.J.A.C. 8:43A -15.3.
 5. Facility policies are inaccurate and contradictory to state regulations and standards of acceptable practice. See N.J.A.C. 8:43A -3.6(a); N.J.A.C. 8:43A -5.2(a)(1).
 6. The facility had no evidence of an Infection Control Plan and it was unable to provide the Infection Prevention consultant report for this facility pursuant to contract; no one at the facility, including the administrator, has completed infection control training per the Plan of Correction accepted by the Department on June 9, 2021, which encompassed all four facilities owned by the facility's owners. See N.J.A.C. 8:43A -14.1.
 7. The facility has no inspections or testing of MRI and Xray equipment. See N.J.A.C. 8:43A -17.4(a)(13).
 8. Facility housekeeping is not providing services per contract, creating a further infection risk. See N.J.A.C. 8:43A -17.3; See N.J.A.C. 8:43A -17.4
 9. The facility does not have a fire extinguisher inspection log, pull alarm test log, emergency lighting test log, water temperature log, and evidence of a semi-annual inspection of the fire detection and automatic sprinkler system. See N.J.A.C. 8:43A -15.1; N.J.A.C. 8:43A -15.2.
 10. The facility has no evidence of a disaster drill monitoring form. See N.J.A.C. 8:43A -15.1; N.J.A.C. 8:43A -15.2.

11. The facility had no on-site administrator during the survey, and when contacted, the administrator stated that the designee was the office manager who was on-site. However, review of the designee's job description showed "receptionist" and it did not identify any administrator duties. See N.J.A.C. 8:43A -5.1.
12. The MRI technician's qualifications do not meet the job requirements. The MRI technician is required to have 3 years MRI technician experience, but the MRI technician received his American Registry of Magnetic Resonance Imaging Technologists (ARMRIT) certification on February 8, 2021. The job description also requires the facility MRI technician to have American Registry of Radiologic Technologists (ARRT) certification, but the MRI technician also lacks this certification. See N.J.A.C. 8:43A -3.5; N.J.A.C. 8:43A -5.2.
13. The facility utilizes the services of a physician located across the street, and the physician is an internist, not a radiologist. The facility could not provide the credentials or a contract for service for this physician. See N.J.A.C. 8:43A -25.2.

You will receive an inspection report detailing the noted deficiencies.

Please be advised that N.J.A.C. 8:43E-3.4(a)(2) provides for a penalty of \$250 per day for each patient served at the facility in violation of this curtailment order. Please also be advised that you may be subject to other enforcement remedies in addition to the curtailment order.

FORMAL HEARING

Hudson River Radiology is entitled to a prompt formal hearing at the Office of Administrative law (OAL) to challenge the curtailment.

Hudson River Radiology must advise the Department within 30 days 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 permitted to represent themselves in OAL proceedings. Therefore, if Hudson River Radiology is owned by a corporation, it must be represented by counsel.

If Hudson River Radiology requests an OAL hearing regarding this matter, the facility is further required to submit a written response to each charge specified in this order, which shall accompany your request for a hearing.

If you have any questions regarding this curtailment, you may contact me at the below email address.

Sincerely,



Marquis D. Jones, Jr.
Senior Legal Advisor
Division of Certificate of Need &
Licensing
New Jersey Department of Health
Marquis.dJones@doh.nj.gov

MDJ/mdj
Control # X21015

Cc: Michael J. Kennedy
E. Brenycz
Lisa Kiernan
E. Kenny
Kimberly Hansen
Kara Morris
Tamara Toth