



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

In Re Licensure Violation:	:	
	:	
Prestige of Northfield AMDC	:	NOTICE OF ASSESSMENT
	:	OF PENALTIES
(NJ Facility ID# NJNE6M6S)	:	
	:	
	:	
	:	

TO: Jay Shein, Administrator  
Prestige of Northfield AMDC  
331 Tilton Road  
Northfield, New Jersey 08225

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 Standards for Licensure of Adult Day Health Services Facilities set forth at N.J.A.C. 8:43F-1.1 et seq.

**LICENSURE VIOLATIONS & MONETARY PENALTIES**

Staff from the Department's Health Facility, Survey and Field Operations visited Prestige of Northfield AMDC (hereinafter "Prestige" or "the Facility") on July 5, 2023, for the purpose of conducting a complaint survey. The report of this visit, which is incorporated herein by reference, revealed that the facility failed to ensure that a participant's medication was properly administered, in violation of N.J.A.C. 8:43F-9.2(b).

On April 14, 2023, a participant at the facility sustained a sunburn due to a nurse's failure to apply sunscreen as ordered by the physician. The nursing notes documented by the RN on April 14, 2023, revealed that the participant had sustained a sunburn on his/her cheeks, neck, and shoulders following a trip to a park. Participant #2 explained that the nurse forgot to apply sunscreen to his/her neck and back prior to going to the park. The participant stated that after the

above incident, sunscreen had been consistently applied prior to going out on trips. The participant reported no pain or discomfort and was not hospitalized.

The physician orders dated April 28, 2021, included an order for "Sunscreen SPF 30 or greater PRN [as needed] prior to exposure." However, the facility did not have a PRN Medication Record (PMR) form assigned to the participant to document the administration of the sunscreen as ordered by the physician.

The surveyor interviewed the Director of Nursing (DON) regarding Participant #2's sunburn on July 5, 2023. The DON stated that the nurse should have followed the physician's order to apply sunscreen to the participant prior to exposure. The DON also stated that the participant sunburned easily due to the use of Hytone 2.5 % cream topically applied to the participant twice daily at the group home. In addition, the DON confirmed that the participant did not have a PMR form, and that the sunscreen was documented in the participant's nurse notes (NN) whenever the sunscreen was applied to the participant. However, there was no documented evidence in the participant's NN that the sunscreen was applied to the participant until after the participant sustained a sunburn on April 14, 2023.

The facility is in violation of N.J.A.C. 8:43F-9.2(b) which requires medications to be accurately administered by properly authorized individuals and ensure that the right medication is administered to the right person in the right dose through the right route of administration at the right time. Survey determined that the facility did not apply sunscreen to a participant prior to going out on a trip, as directed by the physician orders for the participant.

N.J.A.C. 8:43E-3.4(a)(10), allows the Department to impose a monetary penalty of \$2,500 for violations resulting in either actual harm to a patient or resident, or in 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 patient or resident, or in an immediate and serious risk of harm, a penalty of \$2,500 per day is assessed for April 14, 2023, the date the resident sustained the sunburn. Thus, the total penalty assessed is \$2,500.

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 AX23011.**

## **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 of Northfield AMDC 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 of Northfield AMDC 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 of Northfield AMDC is owned by a corporation, representation by counsel is required.

In the event of an OAL hearing regarding the curtailment, Prestige of Northfield AMDC 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.

Finally, be advised that Department staff will monitor compliance with this notice to determine whether corrective measures are implemented by Prestige of Northfield AMDC 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.

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

Sincerely,

A handwritten signature in blue ink that reads "Gene Rosenblum / jtr".

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

GR:MT

DATE: July 24, 2023

E-MAIL: [jayshein@prestigeamdc.org](mailto:jayshein@prestigeamdc.org)

REGULAR AND CERTIFIED MAIL, RETURN RECEIPT REQUESTED

Control# AX23011