



State of New Jersey
DEPARTMENT OF HEALTH
 OFFICE OF EMERGENCY MEDICAL SERVICES
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 Lt. Governor

KAITLAN BASTON, MD, MSc, DFASAM
 Acting Commissioner

In Re Licensure Violation:

Saint Clare’s Dover Hospital
 (NJ Facility ID#11402)

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 :
 : DIRECTED PLAN OF
 : CORRECTION
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TO: Anthony Rajkumar, Chief Operating Officer
 Saint Clare’s Dover Hospital
 400 W Blackwell Street
 Dover, NJ 07801

As you were notified by verbal order on December 29, 2023, effective immediately, the Department of Health (Department) is ordering a Directed Plan of Correction (DPOC) requiring Saint Clare’s Dover Hospital (“the Hospital” or “Saint Clare’s”) to file weekly staffing reports with the Department to demonstrate compliance with the requirements for staffing its computerized tomography scan. This action is taken in accordance with the provisions set forth at N.J.A.C. 8:43E-2.4 in response to a record of deficiencies observed by Department staff in the Hospital.

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 Health is authorized to inspect all health care facilities and to enforce the Manual of Hospital Licensing Standards set forth at N.J.A.C. 8:43G-1.1 et seq.

LICENSURE VIOLATIONS:

The Department has received credible evidence of deficient staffing practices at Saint Clare’s Dover Hospital, a stroke designated hospital. Due to lack of staffing for the Computerized Tomography (CT) scan, Saint Clare’s has failed to provide CT scan services at the Hospital and has been diverting patients to Saint Clare’s Denville Hospital. In addition, the Hospital has had an

ongoing staffing issue pertaining to CT services since October 29, 2023, which has primarily affected the night shift hours.

N.J.A.C. 8:43G-7A.3(a)(3) requires, "Neuro-imaging services capability that is available 24 hours a day, seven days a week, such that imaging shall be performed within 25 minutes following order entry. Such studies shall be interpreted by a board-certified radiologist, board-certified neurologist or residents who interpret such studies as part of their training in an Accreditation Council of Graduate Medical Education-approved radiology training program with concurrence by a board-certified radiologist or board-certified neurologist within 20 minutes of study completion." Furthermore, N.J.A.C. 8:43G-7A.3(a)(3)(i) provides that, "Neuro-imaging services shall, at a minimum, include computerized tomography scanning or magnetic resonance imaging, as well as interpretation of the imaging."

N.J.A.C. 8:43G-12.7(w) requires that radiology services for emergency needs shall be available to the emergency department 24 hours a day. N.J.A.C. 8:43G-28.10(c) provides that, if provided by the hospital, computer tomography shall be available within one hour at all times, when deemed appropriate in the judgement of the radiologist, unless the machinery is temporarily disabled or in use. Additionally, personnel were not immediately available to all emergency department (ED) patients requiring these services.

The facility reported that there was no CT staff working from 9:00 PM on December 18, 2023, to 6:00 AM on December 19, 2023. In addition, there was no CT staff working between 1:00pm and 5:00pm on December 22nd, 2023, due to a staffing gap. A review of the Divert Log revealed that the Hospital was on CT-divert status for the first day of October, for 12 days in November (approximately 10-12 hours each night), and for 18 days in December. A review of the document titled "Diversion Dover to Denville" and the CT staff schedule, documented the additional days and times when there was no CT staff.

The Department has found that, when a patient needs CT services at Saint Clare's Dover Hospital, EMS will transport them to Saint Clare's Denville Hospital. The EMS Director is notified immediately when the facility needs to go on CT divert and arranges for 2-4 rigs to be available onsite. The ambulance dispatch is onsite at Saint Clare's Dover Hospital, and the trucks are parked there across from the main entrance. In addition, when the facility is on CT-divert, EMS will take the patient directly to Saint Clare's Denville Hospital. However, interviews with Emergency Department (ED) registration/triage, ED physician, and ED nurses confirmed that they have concerns about patients with stroke symptoms who may arrive in their personal vehicles.

The inability of the facility to provide CT services for patients presenting with emergency medical needs places patients at risk for serious harm, injury, impairment, or death. These violations pertain to the failure to provide appropriate staffing to care for patients who need the CT services at the Hospital.

DIRECTED PLAN OF CORRECTION:

As you were notified in the verbal order on December 29, 2023, the Department is ordering the facility to file weekly staffing reports beginning no later than January 5, 2024, detailing how the facility met the basic staffing requirements set forth above for the prior week.

The Hospital should send weekly staffing reports demonstrating compliance with the staffing requirements of N.J.A.C. 8:43G to Health Facility Survey and Field Operations, via facsimile to (609) 943-3013, Attention: Kimberly Hansen, Acute Care Program Manager, or via email to Kimberly.Hansen@doh.nj.gov.

These weekly reports shall include timely status updates regarding:

- Identified areas of non-compliance
- Corrective measures to address identified areas of non-compliance
- Status of corrective measures implementation

In addition, the Hospital is directed to maintain timely communication with the Department, including participation on weekly update calls, and additional calls as may be required by Department staff, including both the Hospital Administrator and the physician or other member of the Hospital's administrative staff responsible for CT and emergency department services.

Please be advised that this DPOC shall remain in place until the facility is otherwise notified by a representative of this Department.

Thank you for your attention to this important matter and for your anticipated cooperation. Should you have any questions concerning this order, please contact Lisa King, Office of Program Compliance at (609) 984-8128.

Sincerely,

Michael Toto

Michael Toto, JD, MPH
Regulatory Officer
Office of Program Compliance
Division of Certificate of Need and Licensing

DATE: January 2, 2024
FACSIMILE 973-989-3122
E-MAIL: arajkumar1@primehealthcare.com
REGULAR AND CERTIFIED MAIL:
RETURN RECEIPT REQUESTED
Control #AX24002

Saint Clare's Dover Hospital
Notice of Directed Plan of Correction
January 2, 2024

- c. Stefanie Mozgai
Pamela Lebak
Kimberly Hansen
Michael Kennedy
Gene Rosenblum
Lisa King