



State of New Jersey  
DEPARTMENT OF HEALTH

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KAITLAN BASTON, MD, MSc, DFASAM  
Acting Commissioner

December 20, 2023

Myrna Gomez, Administrator, LNHA  
Christian Health Care Center  
301 Sicomac Avenue  
Wycoff, NJ 07481

Re: Waiver Request – NATCEP Prohibition  
Christian Health Care Center – ID# 315376; NJ 60204  
Waiver Application # W2301

Dear Ms. Gomez:

I am responding to your waiver application dated August 25, 2023, in which you request a time-limited waiver from the Prohibition imposed on Christian Healthcare Center's ("Christian") (315376) Nurse Aide Training and Competency Evaluation Program (NATCEP) by the Centers for Medicare and Medicaid Services (CMS). Your NATCEP Prohibition began on June 8, 2023, and continues through June 7, 2025. As you are aware, Christian lost its NATCEP program in accordance with Sections 1819(f)(2)(B) and 1919(f)(2)(B) of the Social Security Act (the Act), due to the immediate jeopardy cited for substandard quality of care at the facility's June 14, 2023, Recertification and Complaint Survey. The facility was cited with a violation of F-689, at a scope and severity of J, for failing to keep the facility free from accidents/hazards, and a per instance civil monetary penalty (CMP) of \$23,989 was imposed upon the facility because of this deficiency. A NATCEP Program Prohibition was necessary to ensure that facilities which demonstrate substandard quality of care cannot socialize poor clinical practices through a training and certification process that produces unsafe resident conditions.

Your waiver application notes that the facility has corrected the deficiencies, remains in compliance with regulatory requirements, and that the isolated incident does not reflect any negative aspects of your nurse-aide (CNA) training program. Your application indicates that Christian has run a successful NATCEP Program for thirty years and that the facility has ample space to conduct a program that is conducive to learning. Your application asserts that there is a CNA staffing crisis and that the facility is in a geographic area in which there are limited options for CNA training. Your application states that Christian currently has eleven employees who

could benefit from the class if the facility is allowed to continue its NATCEP Program. In addition, many of the individuals that the facility recruits for its CNA positions come from nearby urban areas and they do not have their own transportation. Christian offers round-trip transportation for students for the training programs. These factors are significant in making Christian's training program accessible to those seeking to enter the long-term care field.

The Department of Health (Department) notes that there are nine other programs in Bergen County ranging from twelve minutes away to twenty-seven minutes away. Two of the programs had classes that ended in August and four had classes that ended in October. Only three of the nine programs are currently enrolling students.

42 C.F.R. §483.151(c) provides standards for the waiver of disapproval of a NATCEP Program:

(c) Waiver of disapproval of nurse aide training programs.

(1) A facility may request that CMS waive the disapproval of its nurse aide training program when the facility has been assessed a civil money penalty of not less than \$5,000 as adjusted annually under 45 CFR part 102 if the civil money penalty was not related to the quality of care furnished to residents in the facility.

(2) For purposes of this provision, "quality of care furnished to residents" means the direct hands-on care and treatment that a health care professional or direct care staff furnished to a resident.

(3) Any waiver of disapproval of a nurse aide training program does not waive any requirement upon the facility to pay any civil money penalty.

In addition, CMS Guidance requires the State Survey Agency to make the following findings for approval of a NATCEP Prohibition waiver:

(i) that there is no other such program offered within a reasonable distance of the facility;

(ii) that an adequate environment exists for operating the program in the facility; and,

(iii) that notice of such determination and assurances has been provided to the State long-term care Ombudsman.

See CMS QSO Memo 4132.1E - Waiver of Program Prohibition (Rev. 126, Issued: 11-21-14, Effective: 11-21-14, Implementation: 11-21-14).

Based upon the waiver application and the facts set forth above, the Department makes the following findings: Christian was assessed a CMP of not less than \$5,000 as adjusted annually under 45 C.F.R. part 102; the IJ deficiency was

not related to the direct, hands-on care and treatment that a health care professional or direct care staff furnished to a resident; there are not a sufficient number of NATCEP Programs currently offering courses within a reasonable distance from the facility; an adequate environment exists for operating the program in the facility; and, notice of this determination and assurances are being provided to the State Long-Term Care Ombudsman.

Please be advised that based on the findings set forth above, the Department approves a time-limited waiver to allow Christian to operate its NATCEP Program. The Department has consulted with CMS in approving this time-limited waiver. This waiver shall expire two years from the June 8, 2023, date that Christian's NATCEP Program prohibition began. The waiver will be rescinded sooner if Christian does not comply with the waiver requirements and will be immediately ineffective if another NATCEP prohibition is imposed during the waiver period.

If you have any questions concerning this matter, please contact Lisa King of my staff at (609) 376-7742.

Sincerely,



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

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State Long-Term Care Ombudsman