



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:	:	
	:	
CARING HANDS HOSPICE	:	CURTAILMENT OF ADMISSIONS
	:	ORDER
	:	
(NJ Facility ID# NJ24923)	:	
	:	
	:	
	:	

TO: Lina Gefter, Administrative Director
1050 North Kings Highway, Suite 210
Cherry Hill, New Jersey 08034
lgefter@chhospice.com

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 Hospice Licensing Standards set forth in N.J.A.C. 8:42C-1.1. et seq. The purpose of the hospice regulations "is to assure the provision of high quality hospice services to the residents of New Jersey in a coordinated and cost-effective manner." N.J.A.C. 8:42C-1.1 According to N.J.A.C. 8:42C-1.2, "'Hospice' means a program that the Department licenses to provide palliative services, including medical, nursing, social work, volunteer, and counseling services, to terminally ill patients in their homes, at their places of residence, or at inpatient hospice care units." N.J.A.C. 8:42C-1.2(a).

LICENSURE VIOLATIONS

Staff from the Department's Health Facility, Survey and Field Operations (HFS&FO) unit were on-site at Caring Hands Hospice (hereinafter "Caring Hands") on April 1st through 4th, 2023, for a complaint survey. The surveyor identified deficient practices in the areas of administration, dining service and resident assessments and care plans. These violations pertain to the care of residents using the services at Caring Hands.

During the inspection, the surveyor found, among other things, the following:

- There was no documentation regarding volunteers or volunteer services on any of the medical records.

- There was no evidence that counseling services are being offered. During the nurse's initial nursing assessment, he/she is indicating that patients are "refusing" social work and chaplain services. This refusal is indicated prior to the social worker and chaplain performing their initial assessment. Out of eleven medical records reviewed, documentation in the medical record states that nine patients refused social work services and ten patients refused chaplain services without the social worker or the chaplain performing an initial assessment.
- As noted above, there was also no evidence that social work services are being offered.

Other areas of concern included emergency services, infection control and nursing services. Regarding emergency services, the facility's emergency preparedness plan did not address coordination with services in Essex County, where all of the hospice patients reside, as opposed to Cherry Hill, where the facility's office is located. Further, there was no evidence that education was provided to patients or families regarding the Emergency Preparedness Plan.

Regarding infection control, the designated infection control professional lacks training or coursework in infection control, the facility could not produce its policy on transmission-based precautions, does not have a list approved disinfectants for cleaning equipment, there was no evidence that the Director of Nursing, identified as the day-to-day infection control professional, provided infection control training to staff annually or as needed (the one in-service sign-in sheet did not specify what the training was about). The facility does not have a wound care policy.

Regarding nursing services, there was no evidence that the nurse collaborated with other disciplines in the care of the patient, to ensure that all of the patient's needs are met. For example, a psychosocial assessment indicated that the family of a patient would like a chaplain to contact them, but there was no indication that the nurse communicated this to the social worker or chaplain. There were no documented social work or chaplain visits and other documentation indicated that visits were refused.

CURTAILMENT OF ADMISSIONS

As you were notified verbally on May 5, 2023, effective upon the facility's verbal notification, the Department ordered the curtailment of new admissions to Caring Hands. The facility census at the time of the order was eight.

This enforcement action was taken in accordance with the provisions set forth at N.J.A.C. 8:43E-2.4 (Plan of Correction), 3.1 (Enforcement Remedies Available) and 3.6 (Curtailment of Admissions) in response to serious deficiencies observed by Department staff in Caring Hands during its on-site inspection.

The Department hereby orders the continuation of the curtailment of all admissions to Caring Hands, except readmissions.

Please be advised that N.J.A.C. 8:43E-3.4(a)(2) provides for a penalty of \$250 per day for each resident admitted to the facility in violation of this curtailment order

Department staff will monitor facility compliance with this order to determine whether corrective measures are implemented by the facility 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 penalties.

This curtailment of admissions shall remain in place until the facility is otherwise notified in writing by a representative of this Department.

FORMAL HEARING

Caring Hands is entitled to contest the curtailment, pursuant to N.J.S.A. 26:2H-14, by requesting a formal hearing at the Office of Administrative Law (OAL). Caring Hands may request a hearing to challenge any or all of the following: the factual survey findings and/or the curtailment. Caring Hands must advise this Department within 30 days of the date of this letter if it requests an OAL hearing regarding the curtailment.

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 Caring Hands is owned by a corporation, representation by counsel is required. In the event of an OAL hearing regarding the curtailment, Caring Hands 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.

Due to the emergent situation and the immediate and serious risk of harm posed to the residents, the Department will not hold the curtailment in abeyance during any appeal of the curtailment.

Thank you for your attention to this important matter and for your anticipated cooperation. If you have any questions concerning the Curtailement of Admissions Order or Directed Plan of Correction, please contact Lisa King, Office of Program Compliance, at Lisa.King@doh.nj.gov.

Sincerely,



Lisa King, Program Manager
Office of Program Compliance
Division of Certificate of Need and Licensing

DATED: May 31, 2023
E-MAIL
Control #X23017

- C. Nursing Home Administrators Licensing Board
Frank Skrajewski, Health Facilities Evaluation And Licensing
Pamela Lebak, Health Facility Survey and Field Operations
Kiisha Johnson, Health Facility Survey and Field Operations
Laurie Brewer, New Jersey Long-Term Care Ombudsman