



State of New Jersey
DEPARTMENT OF HEALTH

PO BOX 358
TRENTON, N.J. 08625-0358

PHILIP D. MURPHY
Governor

TAHESHA L. WAY
Lt. Governor

www.nj.gov/health

KAITLAN BASTON, MD, MSc, DFASAM
Commissioner

In Re Licensure Violation:	:	
	:	CURTAILMENT OF
	:	ADMISSIONS
Belle Care Nursing and Rehabilitation Center	:	ORDER AND
	:	DIRECTED PLAN OF
(NJ Facility ID# NJ61101)	:	CORRECTION
	:	
	:	
	:	

TO: Adetoun Adebowale, Administrator
Belle Care Nursing and Rehabilitation Center
439 Bellevue Avenue
Trenton New Jersey, NJ 08618

Dear Ms. Adebowale:

This letter confirms the verbal order given to Astride Oriol, your Director of Nursing, by the Department of Health (hereinafter, "the Department") on July 9, 2024, ordering Belle Care Nursing and Rehabilitation Center (hereinafter, "Belle Care") to curtail all admissions, including readmissions, and imposing a Directed Plan of Correction (DPOC) requiring Belle Care to retain the full-time services of a Consultant Administrator, Consultant Director of Nursing, and a Consultant Infection Control Preventionist, and to hire an Infection Control Preventionist as a regular, permanent employee.

These enforcement actions are being taken in accordance with the provisions set forth at N.J.A.C. 8:43E-2.4 (Plan of Correction) and 3.1 (Enforcement Remedies Available), after Staff from the Department's Health Facility Survey and Field Operations (HFS&FO or Survey) were on-site at Belle Care for a survey of June 26, 2024 and found at least thirty deficiencies, including deficiencies resulting in actual harm to a resident, the provision of substandard quality of care to residents and repeat deficiencies for the failure to provide adequate staffing at the facility. The deficiencies also included the facility's failure to provide adequate infection control and the failure to employ a qualified infection preventionist who meets the requirements of N.J.S.A. 26:2H-12.87.

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 Standards for Licensure of Long-Term Care Facilities set forth at N.J.A.C. 8:39-1.1 et seq.

LICENSURE VIOLATIONS:

Staff from Survey were on-site at Belle Care for a survey dated June 26, 2024, and found at least thirty deficiencies, including deficiencies resulting in actual harm to a resident, the provision of substandard quality of care to residents and repeat deficiencies for the failure to provide adequate staffing at the facility. The staffing deficiency resulted in the facility's failure to provide incontinent care to two residents and the facility's failure to administer medications to four residents in accordance with physician orders. The deficiencies also included the facility's failure to provide adequate infection control and the failure to employ a qualified infection preventionist who meets the requirements of N.J.S.A. 26:2H-12.87.

You will receive a complete inspection report detailing all deficiencies and factual findings. Additional facts supporting these deficiencies will be set forth in the survey report to be provided, which is incorporated herein by reference.

CURTAILMENT:

The Department hereby orders the continuation of curtailment of all admissions to Belle Care, including 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 at the facility in violation of this curtailment order.

DIRECTED PLAN OF CORRECTION:

a. The facility must retain the full-time, on-site services of an Administrator Consultant in accordance with N.J.A.C. 8:34-1.1 et seq., who shall be responsible for consultation services concerning the day-to-day operations of the facility. The Administrator Consultant must be approved by the Department. The facility shall provide the name and resume of the proposed Administrator Consultant by submitting the name and resume to Christina.Farkas@doh.nj.gov, Carol Hamill@doh.nj.gov, Christine.Farfalla@doh.nj.gov, Gene.Rosenblum@doh.nj.gov and Lisa.King@doh.nj.gov by 12:00 noon on July 18, 2024. The Administrator Consultant shall be present in the facility for no less than 40 hours per week, with documented coverage of all shifts and weekends, until further notice from the Department. The approved Administrator Consultant shall be retained no later than the close of business, July 20, 2024. The contract with the consultant shall include provisions for immediate corrective action with applicable state licensing standards.

The consultant shall have no previous or current ties to the facility's principals, management and/or employers or other related individuals of any kind, including, but not limited to employment, business, or personal ties. The Administrator Consultant and facility shall submit weekly progress reports, beginning on July 26, 2024, and continuing each Friday thereafter. The progress reports shall be submitted to Christina.Farkas@doh.nj.gov, and Christine.Farfalla@doh.nj.gov.

The Administrator Consultant shall:

1. Assess the facility's compliance with all applicable state licensing standards and identify areas of non-compliance;
2. Oversee the development, implementation and evaluation of corrective action plans;
3. Develop and implement compliance management systems at the facility;
4. Collaborate with facility leadership to ensure that operating procedures, systems and standards align with compliance requirements;
5. Ensure staff training needed to comply with applicable licensing standards; and,
6. Take other actions as may be necessary to ensure identification of compliance issues and implementation of timely corrective measures.

The weekly progress reports by the Administrator Consultant and the facility should be sent every Friday by 1:00 p.m. to Christina.Farkas@doh.nj.gov, and Christine.Farfalla@doh.nj.gov. These weekly reports shall include timely status updates regarding:

1. Identified areas of non-compliance;
2. Corrective measures to address identified areas of non-compliance; and,
3. Status of corrective measures implementation.

b. Belle Care shall retain the full-time services of a Consultant Director of Nursing who is a Registered Nurse (RN). The Consultant DON must be approved by the Department. The facility shall provide the Department with the name and resume by 12:00 noon July 18, 2024. The resume should be sent to Christina.Farkas@doh.nj.gov, Carol Hamill@doh.nj.gov, Christine.Farfalla@doh.nj.gov, Gene.Rosenblum@doh.nj.gov and Lisa.King@doh.nj.gov. The consultant DON shall be on-site for no less than 40 hours per week, with documented coverage of all shifts and weekends, until further notice from the Department. The consultant shall have no previous or current ties to the facility's principals, management and/or employers or other related individuals of any kind, including, but not limited to employment, business, or personal ties. The approved Consultant Director of Nursing shall be retained no later than the close of business, July 20, 2024. They shall be responsible for ensuring that immediate corrective action is taken to ensure resident safety is not jeopardized and applicable state licensing standards are met.

c. Belle Care shall retain the full-time services of a Certified Infection Control Practitioner (ICP) consultant, to begin providing services to the facility no later than July 20, 2024. The facility shall provide the Department with the name and resume of the consultant by July 18, 2024. You may contact the Association of Professionals in Infection Control and Epidemiology (apic.org) to obtain the names of ICPs in your area. The resume should be sent to Christina.Farkas@doh.nj.gov, Carol Hamill@doh.nj.gov, Christine.Farfalla@doh.nj.gov, Gene.Rosenblum@doh.nj.gov and Lisa.King@doh.nj.gov. The ICP consultant shall be on-site for no less than 40 hours per week, with documented coverage of all shifts and weekends, until further notice from the Department.

The consultant shall have no previous or current ties to the facility's principals, management and/or employers or other related individuals of any kind, including, but not limited to employment, business, or personal ties. The contract with this consultant shall include provisions for immediate corrective action ensuring resident safety is not jeopardized and applicable state licensing standards are met. The facility should send weekly reports every Friday by 1:00 p.m. to the Communicable Disease Services (CDS) Healthcare Associated Infections Coordinator, Jason Mehr, MPH, CIC, at Jason.Mehr@doh.nj.gov with a copy to Christina.Farkas@doh.nj.gov. These weekly reports shall include timely updates regarding outbreak investigation, identified cases (as defined by CDS) and the progress of infection prevention. In addition, the facility is directed to maintain timely communication with the Department as may be required by CDS staff, including both the facility's infection prevention team and the consultants.

d. Belle Care shall retain an infection preventionist (IP) as an employee in accordance with the requirements of N.J.S.A. 26:2H-12.87, to begin providing services at the facility no later than August 2, 2024. In accordance with N.J.S.A. 26:2H-12.87e.(1)(b)(ii), the infection preventionist shall be qualified by education, training and shall have at least five years of infection control experience or be certified in infection control by the Certification Board of the Certification Board of Infection Control and Epidemiology. The IP must be approved by the Department. The facility shall provide the Department with the name and resume of the IP by 12:00 noon July 26, 2024. The resume should be sent to Christina.Farkas@doh.nj.gov, Carol.Hamill@doh.nj.gov, Christine.Farfalla@doh.nj.gov, Gene.Rosenblum@doh.nj.gov and Lisa.King@doh.nj.gov. The IP shall be on-site for no less than 40 hours per week, with documented coverage of all shifts and weekends. The IP shall be responsible for ensuring that immediate corrective action is taken to ensure resident safety is not jeopardized and applicable state licensing standards are met. The facility should send weekly reports every Friday by 1:00 p.m. to the Communicable Disease Services (CDS) Healthcare Associated Infections Coordinator, Jason Mehr, MPH, CIC, at Jason.Mehr@doh.nj.gov with a copy to Christina.Farkas@doh.nj.gov. These weekly reports shall include timely updates regarding the outbreak investigation, identified cases (as defined by CDS) and the progress of infection prevention. In addition, the facility is directed to maintain timely communication with the Department as may be required by CDS staff, including both the facility's infection prevention team and the consultants

The DPOC shall remain in place until the facility is otherwise notified in writing by a representative of this Department.

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 additional enforcement actions, including penalties.

Please be advised that you may be subject to other enforcement remedies in addition to this order.

FORMAL HEARING:

Belle Care 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). Belle Care may request a hearing to challenge any or all of the following: the factual survey findings and/or the curtailment. Belle Care 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 Belle Care is owned by a corporation, representation by counsel is required. In the event of an OAL hearing regarding the curtailment, Belle Care 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.

Since the surveyors have determined that an immediate and serious risk of harm is posed to the residents, please be advised that the Department will not hold the curtailment or the DPOC in abeyance during any appeal of the curtailment.

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) 376-7751.

Sincerely,



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

DATE: July 11, 2024

FACSIMILE

E-MAIL (administrator@Bellocarecenter.com and Aoriol@Bellocarecenter.com)

REGULAR AND CERTIFIED MAIL

RETURN RECEIPT REQUESTED

Control # X24064