



State of New Jersey  
DEPARTMENT OF HEALTH

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[www.nj.gov/health](http://www.nj.gov/health)

KAITLAN BASTON, MD, MSc, DFASAM  
Commissioner

In Re Licensure Violation:

Englewood Cliffs Surgery Center

(NJ Facility ID# NJ 23278)

CURTAILMENT OF  
SURGICAL PROCEDURES AND  
SERVICES

TO: Nyla Ramsumair, Administrator  
Englewood Cliffs Surgery Center  
520 Sylvan Avenue Avenue, Suite 102  
Englewood Cliffs, NJ 07632  
[nyla@samwellpain.com](mailto:nyla@samwellpain.com); [Bonnie@ambulatoryconsulting.com](mailto:Bonnie@ambulatoryconsulting.com)

This order confirms our telephone conversation with you on June 25, 2024, during which the New Jersey Department of Health (“Department”) ordered you to curtail all surgical procedures and services at Englewood Cliffs Surgery Center (Englewood Cliffs) **effective immediately**. This order shall remain in place until formally lifted by the Department.

This action is being taken based on a recommendation from the Department’s Certificate of Need and Licensing Intake Unit for Health Facilities, and in accordance with N.J.A.C. 8:43E-3.6, because Englewood Cliffs has not been accredited in accordance with the requirements of N.J.A.C. 8:43A-3.12(b) since 2022.

Pursuant to N.J.S.A. 26:2H-12, no health care service or health care facility may operate unless it has a license. In addition to possessing a license, an ambulatory care facility must also obtain ambulatory care accreditation from an accrediting body recognized by the Centers for Medicare and Medicaid Services as a condition of licensure. N.J.S.A. 26:2H-12(h). Further, N.J.A.C. 8:43A-3.12(b) requires each newly licensed ambulatory surgery facility to submit to the Department the report of a survey of the facility performed by an independent accreditation organization approved by the Department, and requires

each licensed facility to submit a report of the most recent survey by an independent accreditation organization as part of the annual licensure renewal process.

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 Standards for Licensing of Ambulatory Care Facilities set forth at N.J.A.C. 8:43A.

### **CURTAILMENT:**

The Department hereby orders the curtailment of all surgical procedures and services at Englewood Cliffs Surgery Center.

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

If the facility chooses to pursue accreditation, please contact the Department once an accreditation survey is scheduled so that the Department may temporarily lift the Curtailment to allow the facility to operate for the purpose of having the accreditation survey.

Please be advised that only after the Department receives confirmation from the Certificate of Need and Licensing Intake Unit for Health Facilities that the facility has become accredited in accordance with the requirements of N.J.A.C. 8:43A-3.12(b) will the Department consider lifting the curtailment.

### **FORMAL HEARING**

Englewood Cliffs 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. Englewood Cliffs may request a hearing to challenge either the findings that it is not accredited or the curtailment, or both.

Englewood Cliffs must advise this department within 30 days of receipt of this letter to request an OAL hearing regarding this matter.

Please forward your OAL hearing request to:

Attention: OAL Hearing Requests  
Office of Legal and Regulatory Compliance  
New Jersey State Department of Health  
P.O. Box 360  
Trenton, New Jersey 08625-0360

Corporations are not permitted to represent themselves in OAL proceedings. Therefore, if Englewood Cliffs is owned by a corporation, representation by counsel is required.

In the event of an OAL hearing regarding this matter, Englewood Cliffs is further required to submit a written response to each and every charge as specified in this order, which shall accompany your written request for a hearing.

In addition, N.J.A.C. 8:43E-3.4(a)(2) provides for a penalty of \$250 per day for each patient admitted in violation of this curtailment order.

Please call Lisa King at (609) 376-7751 if you have any questions regarding this curtailment.

Sincerely,



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

Date: June 26, 2024

WCK:NJ

Control # AX24021

Certified And Regular Mail, Return Receipt Requested

Email: [nyla@samwellpain.com](mailto:nyla@samwellpain.com); [Bonnie@ambulatoryconsulting.com](mailto:Bonnie@ambulatoryconsulting.com)

C: Stefanie Mozgai  
Dorothea Lewis  
Gene Rosenblum  
Lisa King