



State of New Jersey
DEPARTMENT OF HEALTH

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www.nj.gov/health

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Governor

TAHESHA L. WAY
Lt. Governor

KAITLAN BASTON, MD, MSc, DFASAM
Commissioner

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|-------------------------------|---|------------------|
| In Re Licensure Violation: | : | |
| | : | |
| Morris View Healthcare Center | : | CURTAILMENT OF |
| | : | ADMISSIONS ORDER |
| (NJ Facility ID# NJ61411) | : | |

TO: Jimmy King, Administrator
Morris View Healthcare Center
540 West Hanover Avenue
Morristown, New Jersey 07960

Dear Mr. King:

As you were notified through email and verbally yesterday, effective upon the facility's notification, the Department of Health (hereinafter, "the Department") ordered the curtailment of new admissions to Morris View Healthcare Center (hereinafter "Morris View"). This enforcement action was taken in accordance with the provisions set forth at N.J.A.C. 8:43E-3.1 (Enforcement Remedies available) and N.J.A.C. 8:43E-3.6 (Curtailment of Admissions) in response to serious deficiencies observed by Department staff at Morris View during its on-site inspection.

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 Department's Commissioner 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 the Department's Health Facility, Survey and Field Operations (HFS&FO) unit were on-site at Morris View from March 3, 2024, to March 16, 2024, from June 23, 2024, to July 6, 2024, and on July 16, 2024. During these dates, the surveyors identified deficient practices that posed an immediate and serious risk of harm to the residents of Morris View. These violations pertain to minimum staffing requirements in accordance with N.J.S.A. 30:13-18 (P.L. 2020. C.112). N.J.S.A. 30:13-18 requires nursing homes to maintain the following minimum direct care staff-to-resident ratios: (1) one certified nurse aide (CNA) to every eight residents for the day shift; (2) one direct care staff member to every 10 residents for the evening shift, provided that no fewer than half of all staff members shall be CNAs, and each staff member shall be signed in to work as a CNA and shall perform CNA duties; and (3) one direct care staff member to every 14 residents for the night shift, provided that each direct care staff member shall sign in to work as a CNA and perform certified nurse aide duties.

During the dates March 3, 2024, to March 16, 2024, you were required to maintain at least 33 CNAs for residents on the day shift. In fact, a March 1, 2024, review of the Facility Assessment revealed that your Staffing Plan included a total of 33 CNAs for the 7:00 AM-to-3:00 PM day shift. Yet, during the dates in question noted above, the surveyors identified the following:

1. On March 3, 2024, your facility had 15 CNAs for 264 residents on the day shift;
2. On March 4, 2024, your facility had 25 CNAs for 264 residents on the day shift;
3. On March 5, 2024, your facility had 32 CNAs for 264 residents on the day shift;
4. On March 6, 2024, your facility had 25 CNAs for 264 residents on the day shift;
5. On March 7, 2024, your facility had 31 CNAs for 268 residents on the day shift;
6. On March 8, 2024, your facility had 27 CNAs for 268 residents on the day shift;
7. On March 9, 2024, your facility had 22 CNAs for 268 residents on the day shift;
8. On March 10, 2024, your facility had 16 CNAs for 266 residents on the day shift;
9. On March 11, 2024, your facility had 28 CNAs for 265 residents on the day shift;
10. On March 13, 2024, your facility had 20 CNAs for 262 residents on the day shift;
11. On March 14, 2024, your facility had 32 CNAs for 262 residents on the day shift;
12. On March 15, 2024, your facility had 27 CNAs for 262 residents on the day shift; and
13. On March 16, 2024, your facility had 23 CNAs for 266 residents on the day shift.

During the dates June 23, 2024, to July 6, 2024, you were required to maintain at least 32 CNAs for residents on the day shift. Instead, the surveyors identified the following:

1. On June 23, 2024, your facility had 20 CNAs for 253 residents on the day shift;
2. On June 24, 2024, your facility had 22 CNAs for 253 residents on the day shift;
3. On June 25, 2024, your facility had 30 CNAs for 253 residents on the day shift;
4. On June 26, 2024, your facility had 27 CNAs for 253 residents on the day shift;
5. On June 27, 2024, your facility had 27 CNAs for 256 residents on the day shift;
6. On June 28, 2024, your facility had 28 CNAs for 256 residents on the day shift;
7. On June 29, 2024, your facility had 25 CNAs for 256 residents on the day shift;
8. On June 30, 2024, your facility had 20 CNAs for 256 residents on the day shift;
9. On July 1, 2024, your facility had 22 CNAs for 259 residents on the day shift;

10. On July 2, 2024, your facility had 29 CNAs for 257 residents on the day shift;
11. On July 3, 2024, your facility had 28 CNAs for 257 residents on the day shift;
12. On July 4, 2024, your facility had 26 CNAs for 257 residents on the day shift;
13. On July 5, 2024, your facility had 30 CNAs for 257 residents on the day shift;
and
14. On July 6, 2024, your facility had 21 CNAs for 258 residents on the day shift.

Finally, on July 16, 2024, the surveyor interviewed the Licensed Nursing Home Administrator (LNHA). The LNHA stated that he was aware of the Facility Assessment staffing plan. And in response to questions about staffing, he replied, "Yes I'm aware of the short staffing." Moreover, he indicated that he was aware of the New Jersey-mandated staffing law and that they (the facility) tried to meet the requirements.

By contrast, during an interview with the surveyor on July 16, 2024, the Staffing Coordinator stated that she was unaware of the State's minimum staffing ratios for the 7:00 AM-to-3:00 PM day shift, the 3:00 PM -to-11:00 PM evening shift, and the 11:00 PM -to-7:00 AM night shift.

CURTAILMENT:

The Department hereby orders the curtailment of new admissions to Morris View effective yesterday upon email and verbal notification to the facility.

Please be advised that N.J.A.C. 8:43E-3.4(a)(2) provides for a penalty of \$250.00 per patient, per day for each resident at the facility in violation of this curtailment order.

FORMAL HEARING:

Morris View is entitled to contest the curtailment by requesting a formal hearing at the Office of Administrative Law (OAL). Morris View may request a hearing to challenge either the factual survey findings or the curtailment, or both. Morris View 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 Morris View is owned by a corporation, representation by counsel is required. In the event of an OAL hearing regarding the curtailment, Morris View is further required to submit a written response to every charge as specified in this notice, which shall accompany its written request for a hearing.

Jimmie King, Administrator
Morris View Healthcare Center
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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.

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.

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

GR:SS

DATE: August 14, 2024
E-MAIL (Morrisview061411@morrisview.com)
REGULAR AND CERTIFIED MAIL
RETURN RECEIPT REQUESTED
Control # X24074