State of New Jersey
DEPARTMENT OF HEALTH
PO BOX 358
TRENTON, N.J. 08625-0358
www.nj.gov/health

MIKIE SHERRILL
Governor

SHIRLEY U. EMEHELU
Lt. Governor

DR. RAYNARD E. WASHINGTON
Commissioner

In Re Licensure Violation: Summit Health (NJ Facility ID# 25370)	:	NOTICE OF ASSESSMENT OF PENALTIES

TO: Joe Grubowski
Summit Health
1255 Broad Street
Clifton, New Jersey 07013
jgrubowski@summithealth.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 the Department of Health (the "Department") is authorized to inspect all health care facilities and to enforce the Manual of Ambulatory Care Facility Standards set forth at N.J.A.C. 8:43A-1.1 et seq.

LICENSURE VIOLATIONS & MONETARY PENALTIES

Staff from the Department's Health Facility Survey and Field Operations ("HFS&FO") visited Summit Medical Group ("SMG" or "the facility") in Clifton, New Jersey, on October 22, 2026, for the purpose of approval of the occupancy and operation of a second linear accelerator following license amendment application and onsite inspection.

During the onsite survey, SMG was found to be in violation of N.J.A.C. 8:43E-3.4(a)(3), which requires a facility to obtain prior approval from either the Inspections, Compliance and Complaints Program or the Long Term Care Assessment and Survey Program, as applicable, for either occupancy of an area or initiation of a service following construction or licensure application.

Based on documentation and information gathered by the HFS&FO team, the facility failed to obtain prior approval before beginning to treat patients with a new linear accelerator in a portion of the facility previously unused for that purpose.

While conducting a survey for recommendation of approval for SMG's license amendment, HFS&FO discovered that SMG has been using an additional linear accelerator to treat seventeen patients from a start date of September 22, 2026. The linear accelerator was not listed on the facility's license valid for the year of 2026, nor was its serial number listed in the original license application. The facility had entered an application to amend the existing license on July 14, 2026, anticipating a go-live date of September 1, 2026. By September 22, 2026, the facility's license had not yet been amended. Neither, by this date, had the facility obtained a Certificate of Approval from the Clifton Building Department. SMG was granted authorization to occupy and operate the second linear accelerator by the Department on October 23, 2026.

In accordance with N.J.A.C. 8:43E-3.4(a)(3), for initiating a service without acquiring either occupancy or operation authorization and approval, a penalty of $250.00 per day is assessed from September 22, 2026, to October 22, 2026, totaling 31 days.

The total penalty assessed for this violation is $7,750.00.

The total amount of this penalty is required to be paid within 30 days of receipt of this letter by certified check or money order made payable to the "Treasurer of the State of New Jersey" and forwarded to the Office of Program Compliance, New Jersey Department of Health, P.O. Box 358, Trenton, New Jersey 08625-0358, Attention: Lisa King. **On all future correspondence related to this Notice, please refer to Control #AX26005.**

INFORMAL DISPUTE RESOLUTION (IDR)

N.J.A.C. 8:43E-2.3 provides facilities with the option to challenge factual survey findings by requesting Informal Dispute Resolution (IDR) with Department representatives. Facilities wishing to challenge only the assessment of penalties are not entitled to IDR review, but such facilities may request a formal hearing at the Office of Administrative Law (OAL) as set forth below. Please note that the facility's rights to IDR and administrative hearings are not mutually exclusive and both may be invoked simultaneously. IDR requests must be made in writing within ten (10) business days from receipt of this letter and must state whether the facility opts for a telephone conference or review of facility documentation only. The request must include an original **and** ten (10) copies of the following:

1. The written survey findings;

2. A list of each specific deficiency the facility is contesting;

3. A specific explanation of why each contested deficiency should be removed; and

4. Any relevant supporting documentation.

Any supporting documentation or other papers submitted later than ten (10) business days prior to the scheduled IDR may not be considered at the discretion of the IDR panel. Send the above-referenced information to:

Nadine Jackman, Office of Program Compliance
New Jersey Department of Health
P.O. Box 358
Trenton, New Jersey 08625-0358

The IDR review will be conducted by professional Department staff who do not participate in the survey process. Requesting IDR does not delay the imposition of any enforcement remedies.

FORMAL HEARING

SMG is entitled to challenge the assessment of penalties pursuant to N.J.S.A. 26:2H-13, by requesting a formal hearing at the OAL. The facility may request a hearing to challenge **any or all** of the following: the factual survey findings, assessed penalties. SMG must advise this Department within 30 days of the date of this letter if it requests an OAL hearing.

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

Please note that corporations are not permitted to represent themselves in OAL proceedings. Therefore, if SMG is owned by a corporation, representation by counsel is required.

In the event of an OAL hearing regarding the penalty, SMG is further required to submit a written response to each and every charge as specified in this Notice. The written responses shall accompany SMG's written request for a hearing.

Failure to submit a written request for a hearing within thirty (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 Notice, please contact Lisa King, Office of Program Compliance at Lisa.King@doh.nj.gov.

Sincerely,

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

GR:LK:jc:nj
DATE: November 13, 2026
REGULAR AND CERTIFIED MAIL, RETURN RECEIPT REQUESTED
Email: jgrubowski@summithealth.com
Control# AX26005