

HEALTH

HEALTH SYSTEMS BRANCH

OFFICE OF HEALTH CARE FINANCING

OFFICE OF LONG-TERM CARE RESILIENCY

**Nursing Home Financial Transparency Reporting and National Health Care Safety
Network Participation**

Readoption of Specially Adopted New Rules: N.J.A.C. 8:97

Proposed: March 18, 2024, at 56 N.J.R. 433(a).

Adopted: February 20, 2025, by Kaitlan Baston, MD, MSc, DFASAM, Commissioner,
Department of Health, with the approval of the Health Care Administration Board.

Filed: February 20, 2025, as R.2025 d.037, **with a non-substantial change** not
requiring additional public notice and comment (see N.J.A.C. 1:30-6.3).

Authority: N.J.S.A. 26:2H-1 et seq., specifically 26:2H-46.4.

Effective Dates: February 20, 2025, Readoption;
March 17, 2025, Amendments.

Expiration Date: February 20, 2032.

Summary of Public Comments and Agency Responses:

The Department of Health (Department) received comments from the following
individuals:

1. Andrew P. Aronson, President and CEO, Health Care Association of New
Jersey, Hamilton, NJ;
2. A. Katherine Blissit, Vice President, Health Care Resources, Princeton, NJ;

3. Jesse Burns, Executive Director, League of Women Voters of New Jersey,
Trenton, NJ;
4. Mary Ciccone, Director of Policy, Disability Rights NJ, Trenton, NJ;
5. Laurie Facciarossa Brewer, State Long-Term Care Ombudsman, Trenton, NJ;
6. Susan McDermott, Ocean, NJ;
7. Alexander Mitten, Fairfield, NJ;
8. Katie Squires, PhD, MBA, Associate State Director of Advocacy, AARP New
Jersey, New Brunswick, NJ;
9. William Walker, East Orange NJ, and
10. The Department received versions of a form letter from the following:
 - 10A. Diana Acosta, Clifton, New Jersey (NJ)
 11. Kenneth Adamcik, Rutherford, NJ
 12. Carol Adams, Bloomfield, NJ
 13. Ronald Adams, Little Falls, NJ
 14. Lauren Agoratus, Mercerville, NJ
 15. Yvonne Aguia, Fair Lawn, NJ
 16. Leonard Ahern, Succasunna, NJ
 17. Charles Alexander, Clifton, NJ
 18. Karmen Allen, Mount Laurel, NJ
 19. Sultan Ally, Edison, NJ
 20. Nilda Almedina, North Bergen, NJ
 21. Eugene Alvarez, Bedminster, NJ
 22. Egbert Ammicht, Denville, NJ

23. Nancy Analore, Trenton, NJ
24. Ira Andelman, Minotola, NJ
25. Beverley Anderson, Voorhees, NJ
26. Debora Anderson, West Deptford, NJ
27. Sandy Anderson, Plainfield, NJ
28. Susan Anderson, Flemington, NJ
29. Jeff Andreasen, Blairstown, NJ
30. Deborah Arden, Lindenwold, NJ
31. Ronald Ardron, Sicklerville, NJ
32. Jacquie Aririantz, Mullica Hill, NJ
33. Valerie Askins, Gibbstown, NJ
34. Lynn Atras, Mount Laurel, NJ
35. John Ausmann, West Deptford, NJ
36. Bethel Austin, Bayonne, NJ
37. Janice Auth, Toms River, NJ
38. Carol-Ann Ayers, Pompton Plains, NJ
39. Rhonda Bagby, Williamstown, NJ
40. Jan Baginski, Hackensack, NJ
41. Delphine Bailey, Delran, NJ
42. Renee Bain, Freehold, NJ
43. Anne Baker, Bedminster, NJ
44. Latesha Ballard, Clayton, North Carolina
45. David Bandfield, Oradell, NJ

46. Lorraine Barbetta, Philadelphia, Pennsylvania
47. Randolph Barbiero, Lawrenceville, NJ
48. Linda Baric, Deptford, NJ
49. Lee Barile, North Bergen, NJ
50. Edward Barkan, Manalapan, NJ
51. John Barrett, Hazlet, NJ
52. Kathleen Barrett, Forked River, NJ
53. Virginia Barrett, Maywood, NJ
54. Sharyn Barson, Lambertville, NJ
55. Kenneth Barth, North Caldwell, NJ
56. Leonid Basanskiy, Manalapan, NJ
57. Sharon Baser, Pleasantville, NJ
58. Fay Bass, Newark, NJ
59. Sergio Basurco, Clifton, NJ
60. Thomas Bates, Trenton, NJ
61. James Batra, Dayton, NJ
62. Nancy Bayda, Oak Ridge, NJ
63. Linda Beatrice, Mountainside, NJ
64. Patricia Beatty, Atco, NJ
65. Lorraine Beaty, Laurel Springs, NJ
66. Jean Beck, Rockaway, NJ
67. Joanne Beirne, Maywood, NJ
68. George Bell, Mystic Islands, NJ

69. Toni Belluscio, Edison, NJ
70. Angelina Benedict, Morristown, NJ
71. Bruce Benjamin, Toms River, NJ
72. Rosie Benson, Hamilton, NJ
73. Linda Benz, Hoboken, NJ
74. Corinne Bergin, Manchester, NJ
75. Linda Berry, Pennsauken, NJ
76. John Berstler, Hammonton, NJ
77. Ann Marie Bescherer, Westampton, NJ
78. Deborah Beshlian, Pompton Lakes, NJ
79. Paul Beshlian, Pompton Lakes, NJ
80. Kathleen Best, Morris Plains, NJ
81. Judith Betancourt, Guttenberg, NJ
82. Sheila Bey, Englewood, NJ
83. David Bieri, Old Bridge, NJ
84. Daniel Bilinski, Manchester, NJ
85. Joann Blackmore, Laurence Harbor, NJ
86. John Blass, Rumson, NJ
87. James Blinn, Berkeley Heights, NJ
88. Carole Bloomschwartz, Glen Rock, NJ
89. Harriet Blum, Marlboro, NJ
90. Charles Blystone, Millville, NJ
91. David Bobal, Annandale, NJ

92. Vicki Bodai, Lindenwold, NJ
93. Douglas Bode, Long Beach Township, NJ
94. Maureen Boley Pyle, Fort Lee, NJ
95. Eugenia Bonilla, Delanco, NJ
96. Donald Bornheimer, Monroe Twp, NJ
97. Christine Borntrager, West Caldwell, NJ
98. Charles Bound, Hamilton, NJ
99. Diane Bowser, Flemington, NJ
100. Laura Bozek, Island Heights, NJ
101. Carolyn Bradley, Brick, NJ
102. Daniel Brady, Summit, NJ
103. Patricia Brauer, Colts Neck, NJ
104. Carol Brawley, West Milford, NJ
105. Karen Breen, Jersey City, NJ
106. Edward Brennan, Hawthorne, NJ
107. Sharon Brenner Cadalzo, Point Pleasant Borough
108. Jeanette Brickey, Whiting, NJ
109. Duane Brikowski, Netcong, NJ
110. Ann Briscese, South River, NJ
111. Laura Brown, Westampton, NJ
112. Luetta Brown, Somerset, NJ
113. Randy Brown, Egg Harbor City, NJ
114. Takeisha Brown Everett, East Orange, NJ

115. Richard Brugger, Farmingdale, NJ
116. Stephen Bruner, Northfield, NJ
117. Tracy Buchanan, Lambertville, NJ
118. David Buck, Villas, NJ
119. Frederick Bugg, Scotch Plains, NJ
120. John Bujanowski, West Caldwell, NJ
121. Ronald Bulwith, Jersey City, NJ
122. Lynda Bunniceili, Whiting, NJ
123. Diana Burns, Port Monmouth, NJ
124. Jan Burns, New Milford, NJ
125. Marianna Burr, Williamstown, NJ
126. Nelda Burress, Bordentown, NJ
127. Barbara Burza, Jersey City, NJ
128. Diana Butler, Edison, NJ
129. Alex Cabinian, Cherry Hill, NJ
130. Herb Caesar, Monmouth Junction, NJ
131. Marietta Cahill, Lawrence Township, NJ
132. Kim Callender, Roselle, NJ
133. Laura Callo, Mount Laurel, NJ
134. Alvin Camacho, Bloomfield, NJ
135. Carolyn Campen, Berkeley Heights, NJ
136. Alfred Cannon, Edison, NJ
137. Paul Capelli, Toms River, NJ

138. David Caplin, Mount Laurel, NJ
139. Maria Cardinale, Lakewood, NJ
140. Colleen Carroccia, Toms River, NJ
141. Lisa and William Carscadden, Bayville, NJ
142. Richard Cassidy, Bayville, NJ
143. Merry Cassino, Collingswood, NJ
144. Joseph Cavaluzzi, Lake Como, NJ
145. Michael Cavilla, Cliffside Park, NJ
146. Deborah Cazaz, Paramus, NJ
147. Gary Cellamare, Manchester Township, NJ
148. Antonio Centola, Wyckoff, NJ
149. Sarah Cepeda, Clementon, NJ
150. Patricia Chadwick, Blackwood, NJ
151. Marvin Chartoff Chartoff, Sparta, NJ
152. Marie Cherichella, Wood Ridge, NJ
153. Barbara Chernick, East Brunswick, NJ
154. Kathy Chinnici, Pittsgrove
155. Mary Ann Christiansen, Conshohocken, Pennsylvania
156. Margaret Churley, River Edge, NJ
157. Patricia Ciccone, Old Bridge, NJ
158. Linda Cimino, Cinnaminson, NJ
159. Patricia Cipolla, Haskell, NJ
160. Cathryn Cirucci, Cape May Court House, NJ

161. Alice Ciuffo, Whiting, NJ
162. C Clancy, Morristown, NJ
163. Joseph Cogan, Gibbsboro, NJ
164. Sam Cohen, Bradley Beach, NJ
165. Arthur Cole, Winfield Park, NJ
166. Gary Coleman, Lambertville, NJ
167. Leeanne Cole-Smarrito, Brigantine, NJ
168. Louise Collazo, Guttenberg, NJ
169. Barbara Collins, East Brunswick, NJ
170. Karen Condon, Denville, NJ
171. Nicholas Confuorto, Hillsborough, NJ
172. Richard Coniglio, Lake Hiawatha, NJ
173. Mary Conley, Rahway, NJ
174. James Connolly, Point Pleasant, NJ
175. Thomas Conroy, Mount Tabor, NJ
176. Ellen Conway, Morris Plains, NJ
177. Glenn Coogan, Hoboken, NJ
178. Merryl Cool, Galloway, NJ
179. Edna Cooper, Brick, NJ
180. William Cooper, Lawrenceville, NJ
181. Karin Copelandpruden, Sussex, NJ
182. Eileen Cory Michal, Robbinsville, NJ
183. Marion Costanza, Wyckoff, NJ

184. Susan Costigan, Blackwood, NJ
185. Betsy Cousins-Coleman, Leonia, NJ
186. Dorothy Cowan, Manasquan, NJ
187. James Coyle, Brick, NJ
188. Edward Craviolo, Ramsey, NJ
189. Diane Crawford, Newton, NJ
190. Robert Cresci, Barnegat, NJ
191. Maria Cristallo, Cranford, NJ
192. K Crosby, West Long Branch, NJ
193. Paul Culbertson, Cherry Hill, NJ
194. Teresa Cullen, Rockaway, NJ
195. Rosalind Cummings, Browns Mills, NJ
196. Denise Currie, Sicklerville, NJ
197. Morris Cytryn, Manalapan, NJ
198. Dianne Czar, Phillipsburg, NJ
199. Kimberly Daley, Bridgeton, NJ
200. Donna Daniels, Columbus, NJ
201. Thaddeus Daniolowicz, West Caldwell, NJ
202. John DArcy, Holmdel, NJ
203. Alix Darlington, Hillside, NJ
204. Carolyn Daurio, Westfield, NJ
205. Crystal Davenport, Berlin, NJ
206. Niloufer Daver, Green Brook, NJ

- 207. Maria Day, Highland Park, NJ
- 208. Paul Day, Parsippany, NJ
- 209. Yvonne De Carolis, Plainsboro, NJ
- 210. Ronald De Franco, Old Bridge, NJ
- 211. Frederick De Martino, Hackettstown, NJ
- 212. Helen DeBoyace, Medford, NJ
- 213. Patricia DeCicco, Union, NJ
- 214. Donna Decker, Mullica Hill, NJ
- 215. Susan Decoste, Middlesex, NJ
- 216. Roy Delaney, Brick Township, NJ
- 217. Jacqueline Delario, Margate City, NJ
- 218. Glenn DeLuca, Morris Plains, NJ
- 219. Jeffrey Demby, Moorestown, NJ
- 220. Boel Denne-Hinnov, Lawrence Township, NJ
- 221. Ann DeRosa, Rockleigh, NJ
- 222. Diane DesPlantes, Plainfield, NJ
- 223. Renee DeStefano, Long Branch, NJ
- 224. Joann Devory, Jackson, NJ
- 225. Eileen Dey, Ewing, NJ
- 226. Dwaine DiDonato, Lawrenceville, NJ
- 227. James Dieterle, Princeton, NJ
- 228. Lucille Dimucci, Hamilton, NJ
- 229. Thomas DiSpaldo, Sewell, NJ

- 230. Russell DiValerio, Sewell, NJ
- 231. Dawn Dochney, Sicklerville, NJ
- 232. Patricia Doebler, Sewell, NJ
- 233. Nicholas Dollak, Secaucus, NJ
- 234. Robert Dollinger, Freehold, NJ
- 235. Fran Dombrowski, Lopatcong, NJ
- 236. Carolyn Dominguez, Neptune, NJ
- 237. Mary Donahue, Sparta, NJ
- 238. Kevin Donnelly, Passaic, NJ
- 239. Sara Donnelly, Swedesboro, NJ
- 240. Karen Donohoe, Brick, NJ
- 241. Mary Jane Donohoe, Bridgeton, NJ
- 242. Stephan Donovan, Oro Valley, Arizona, NJ
- 243. William Dorsett, Bergenfield, NJ
- 244. Richard Dorzback, River Edge, NJ
- 245. Thomas Dovidas, Nutley, NJ
- 246. Diane Dreher, Newtown, Pennsylvania, NJ
- 247. Victoria Druding, Egg Harbor Township, NJ
- 248. Daniel Dubek, Kenvil, NJ
- 249. Susan Dudla, Sayreville, NJ
- 250. Betty Ann Duggan, Princeton, NJ
- 251. Richard Duggan, Bryn Mawr, Pennsylvania
- 252. Annamarie Dunn, Manahawkin, NJ

253. Maryellen Dunn, Atlantic Highlands, NJ
254. Barbara Dura, Lawrence, NJ
255. Mary Ann Duus, Glendora, NJ
256. Alice Eads, Hillsborough, NJ
257. Denise Eccles, Piscataway, NJ
258. James Edmonds, Lake Mary, Florida
259. Mary Edwards, Manahawkin, NJ
260. Sheryl Edwards, Morris Plains, NJ
261. James M Egyud, North Wildwood, NJ
262. Steven Eisensmith, Pennsauken, NJ
263. Jacqueline Eliopoulos, Boulder, Colorado
264. Joanne Elliott, Hamilton, NJ
265. Edward Engel, Brick, NJ
266. Leslie Entwistle, Collingswood, NJ
267. Cindy Epstein, Hainesport, NJ
268. Nancy Erdman, Union, NJ
269. Denise Ericksson, Flanders, NJ
270. Rosalind Esemplare, South Amboy, NJ
271. Daniel Evans, Cinnaminson, NJ
272. Kenneth Faede, North Plainfield, NJ
273. Thomas Fair, Wenonah, NJ
274. Chris Falkiewicz, Brick, NJ
275. Monica Falkin, Montville, NJ

- 276. Donna Fancher, Hamburg, NJ
- 277. Tracy Farrell, Brick, NJ
- 278. Martin Fastaia, Lakewood, NJ
- 279. Joseph Feeney, Trenton, NJ
- 280. Allen Feitl, East Windsor, NJ
- 281. Michael Feldman, Marlboro, NJ
- 282. Danilo Feniola, Sicklerville, NJ
- 283. Maria Fernandez Agra, Highland Lakes, NJ
- 284. Marge Ferrance, Iselin, NJ
- 285. Kathie Ferraro, Brick, NJ
- 286. Elizabeth Field, Cinnaminson, NJ
- 287. Frances Fierst, Belle Mead, NJ
- 288. Anne Filazzola, Swainton, NJ
- 289. Robert Filler, Oakland, NJ
- 290. Dr Ellen Fink, Trenton, NJ
- 291. Upton Fink, Trenton, NJ
- 292. Alan Firkser, Montclair, NJ
- 293. Robert Fischer, Mullica Hill, NJ
- 294. Debra Fisher, Whitehouse Station, NJ
- 295. Russell Fisher, Freehold, NJ
- 296. Ruth Fisher, Clarksboro, NJ
- 297. Susan Fishman, Wharton, NJ
- 298. Mary Fitzsimmons, Waretown, NJ

- 299. Diana Fiumara, Marlton, NJ
- 300. Brian Flaherty, Chester, NJ
- 301. Harvey Flaxman, Marlton, NJ
- 302. Megan Flynn, Hoboken, NJ
- 303. Ayana Ford, Florence, NJ
- 304. Daniel Ford, Middletown, NJ
- 305. Sara Fourounjian, Boonton, NJ
- 306. Catherine Fowler, Delanco, NJ
- 307. Anthony Franchetti, Sicklerville, NJ
- 308. Nancy Francy, Old Bridge, NJ
- 309. Beth Frankel, Bernardsville, NJ
- 310. Michael Frayne, Hackettstown, NJ
- 311. David Fremont, Chester, NJ
- 312. Ruth Friedberg, East Windsor, NJ
- 313. John Furey, Oceanport, NJ
- 314. Thomas Furman, Hamilton, NJ
- 315. Jeanette Gallagher, Chester, NJ
- 316. Mk Gallehugh, Advance, North Carolina
- 317. Donna Gallina, Vineland, NJ
- 318. John Ganovsky, Trenton, NJ
- 319. Ray Garcia, West Milford, NJ
- 320. Betsy Gates, Manahawkin, NJ
- 321. Kenneth Gaylin, Edison, NJ

- 322. James Geary, Belvidere, NJ
- 323. Mary Geiringer, Bedminster, NJ
- 324. Katherine George, Cliffside Park, NJ
- 325. Irene Gerbrick, Mantua, NJ
- 326. Richard German, Sussex, NJ
- 327. David W Gerridge, Hightstown, NJ
- 328. Maria Giannetta Dittamo, Waldwick, NJ
- 329. Candyce Giaquinto, Ringwood, NJ
- 330. James Giarratano, Hasbrouck Heights, NJ
- 331. Frank Gigante, Hoboken, NJ
- 332. Lawrence Gilbert, Parsippany, NJ
- 333. Paul Gilbert, Millville, NJ
- 334. Deborah Gillen, Sayreville, NJ
- 335. Jeannie Ginsberg, Oldwick, NJ
- 336. Lisa Glick, Upper Saddle River, NJ
- 337. Carmine Glielmi Jr, Washington Township (Bergen County), NJ
- 338. Margaret Goddard, Matawan, NJ
- 339. Moira Goldberg, Monmouth Junction, NJ
- 340. Jeanne Golden, Linden, NJ
- 341. Wayne Goldsboro, Sicklerville, NJ
- 342. Norman Goldsmith, East Brunswick, NJ
- 343. Judy Goldstein, Maplewood, NJ
- 344. Nancee Goldstein, Princeton, NJ

- 345. Richard Gomolson, Barrington, NJ
- 346. Carol Goodhue, Mount Laurel, NJ
- 347. Barbara Gormise, Fort Lee, NJ
- 348. Cecile Gorostiza, Succasunna, NJ
- 349. Eugene Gorrin, Union, NJ
- 350. Frank Gottardi, Bridgeton, NJ
- 351. Sara Goya, Iselin, NJ
- 352. Debra Grady, Skillman, NJ
- 353. Amy Granato, Bridgeton, NJ
- 354. Lysrene Grandison, Hackensack, NJ
- 355. Jamie Granta, Bridgewater, NJ
- 356. Anita Grasso, East Hanover, NJ
- 357. Dana Green, Linden, NJ
- 358. Carol Gregory, Brick, NJ
- 359. Gregory Gregory, Mickleton, NJ
- 360. Ellen Grexa, Clifton, NJ
- 361. Robert Grieco, Saddle Brook, NJ
- 362. Georgette Grivas, Laurence Harbor, NJ
- 363. Diane Groome, Burlington, NJ
- 364. Ann Marie Grutta, Rutherford, NJ
- 365. Barbie Gumin, Magnolia, NJ
- 366. Patricia Guner, Trenton, NJ
- 367. Albert Guridy, Elizabeth, NJ

- 368. Robert Gurske, Scotch Plains, NJ
- 369. Bonnie Gustafsson, Bloomfield, NJ
- 370. Cesar Gutierrez, East Orange, NJ
- 371. Deborah Guydish, Hamilton, NJ
- 372. Israel Guzman, Union, NJ
- 373. Francine Haas, Lakewood, NJ
- 374. Tom Hackett, Woodbridge, NJ
- 375. Linda Hackman, Brielle, NJ
- 376. Richard Hadley, Brick, NJ
- 377. Barbara Haemmerle, Rockaway, NJ
- 378. Joe Haemmerle, Rockaway Township, NJ
- 379. Irene Haleta, Hamilton Township, NJ
- 380. Charlene Hallam, Secaucus, NJ
- 381. Roberta Hantman, Monroe Township, NJ
- 382. Glenn Harmer, Monroe Township, NJ
- 383. Joyce Harrington, Hammonton, NJ
- 384. William Harrison, Bloomsbury, NJ
- 385. Catherine Hartley, Moorestown, NJ
- 386. Jennifer Hartmann, Brick Township, NJ
- 387. Catherine Hatrak, Yardville, NJ
- 388. Kathy Hauser, Long Valley, NJ
- 389. Cherie Hayes, Little Egg Harbor, NJ
- 390. Michael Hayes, Mount Laurel, NJ

- 391. Dorinda Hazellforde, Newark, NJ
- 392. Robert Healey, Rahway, NJ
- 393. Christopher Hearn, Pennsauken, NJ
- 394. Morris Heisler, Lakewood, NJ
- 395. Carol Helm, Mahwah, NJ
- 396. Bernice Hensley, Deptford, NJ
- 397. Marie Herron, Wildwood Crest, NJ
- 398. Nancy Heymer, Bayonne, NJ
- 399. Robert Higgins, Lawrenceville, NJ
- 400. Steve Hill, East Orange, NJ
- 401. Patricia Hilliard, Bayonne, NJ
- 402. Patricia Hoffman, Lavallette, NJ
- 403. Karen Hollopeter, Bedminster, NJ
- 404. Donald Holt, Lanoka Harbor, NJ
- 405. Nadine Hopke, Toms River, NJ
- 406. Eddie Hopkins, Plainfield, NJ
- 407. John Horan, Somerset, NJ
- 408. George Hospodar, Brick, NJ
- 409. Julie Houbolt, Morristown, NJ
- 410. Daniel Howard, Hamburg, NJ
- 411. Nancy Huber, Bloomsbury, NJ
- 412. Peter Huda, Hainesport, NJ
- 413. Elaine Hudak, Brick, NJ

- 414. Thomas Hui, East Windsor, NJ
- 415. Charles Hull, Wall, NJ
- 416. Kathleen Hurley, Belvidere, NJ
- 417. George Hurst, Westfield, NJ
- 418. Mindy Iannelli, Freehold, NJ
- 419. Anna Marie Iati, Skillman, NJ
- 420. Patricia Igo, Mount Laurel, NJ
- 421. Joseph Incorvaia, Bayonne, NJ
- 422. Marion Ingram, Strathmere, NJ
- 423. Rosanne Inserra, Cape May Court House, NJ
- 424. Janet Internicola, Flanders, NJ
- 425. Ralph Iuele, Port Monmouth, NJ
- 426. Howard Iwahashi, West Caldwell, NJ
- 427. Bonnie Jackson, Cherry Hill, NJ
- 428. Diana Jackson, Newark, NJ
- 429. Jim Jacob, Hamilton Square, NJ
- 430. Robert Jacob, Linden, NJ
- 431. Joyce James, Rahway, NJ
- 432. Linda James, South Orange, NJ
- 433. Jean Janis, Marlton, NJ
- 434. Charles Jenkinson, Lakewood, NJ
- 435. Robert Jennings, Salem, NJ
- 436. Harriet Jernquist, Millburn, NJ

- 437. Charlene Johnson, Painted Post, New York
- 438. Diane Johnson, Irvington, NJ
- 439. Marcelyn Johnson, Piscataway, NJ
- 440. Karl Johnson , Holmdel, NJ
- 441. David Johnson, Jr, Lawrenceville, NJ
- 442. Carol Joseph, West Orange, NJ
- 443. Gary Jovanovich, Delran, NJ
- 444. Dianne Jozsa, Cedar Knolls, NJ
- 445. James Jurgens, Southampton, NJ
- 446. Roxanne Jurtschenko, Long Valley, NJ
- 447. Hsin-Kuo Kan, Holmdel, NJ
- 448. Pamela Kane, Bedminster, NJ
- 449. Patricia Kanzler, New Providence, NJ
- 450. Serfin Karadimos, Rutherford, NJ
- 451. Geraldine Karafin, West Deptford, NJ
- 452. Helaine Karp Giorgio, Ocean, NJ
- 453. Howard Karpf, Marlboro, NJ
- 454. Robert Keckes, Pennington, NJ
- 455. Gin Keefer, Franklinville, NJ
- 456. Barbara Keegan, Spotswood, NJ
- 457. Karen Kelly, Mount Tabor, NJ
- 458. Michael Kelly, North Haledon, NJ
- 459. Veronica Kelly, Stratford, NJ

- 460. William Kelly, Howell, NJ
- 461. William Kelly, Rockaway, NJ
- 462. Candice KellyDevine, Sewell, NJ
- 463. Beverley Kelter, Haddon Township, NJ
- 464. Melvin Kenduck, Boca Raton, Florida
- 465. Frances Kennedy, Medford, NJ
- 466. Karen Kernan, Washington, NJ
- 467. Warren Keshka, East Hanover, NJ
- 468. Victoria Kessler, Bridgewater, NJ
- 469. Yousuf M. Khan, Sicklerville, NJ
- 470. Marybeth Kielt, Barnegat, NJ
- 471. Karen Kilpatrick, Lawrenceville, NJ
- 472. Fawn King, Litchfield, Maine
- 473. Jeffrey Kinkley, Beaverton, Oregon
- 474. Margaret Kinsell, Eastampton, NJ
- 475. Jacqueline Kirnon, Newark, NJ
- 476. Victor Klymenko, Short Hills, NJ
- 477. Edward Koeppen, Toms River, NJ
- 478. Kenneth Kohler, Monmouth Junction, NJ
- 479. John Kolb, Toms River, NJ
- 480. Douglas Kolonics, Mays Landing, NJ
- 481. Sharri Koonce, Marlton, NJ
- 482. Diane Kopitsky, Ocean View, NJ

- 483. Laurel Kornfeld, Highland Park, NJ
- 484. Carolyn Kostera, Galloway, NJ
- 485. Gerald Koszer, Fort Lee, NJ
- 486. John Kozlowski, Hamilton, NJ
- 487. Donald Kraus, Mystic Island, NJ
- 488. Arthur Kreideweis, Ocala, Florida
- 489. Peter Krulikowski, Fords, NJ
- 490. George A. Krusznis, Belleville, NJ
- 491. Karen Krzaczyk, Delran, NJ
- 492. Susan Kubota, Lawrenceville, NJ
- 493. Joanne Kuhn, Franklin Park, NJ
- 494. Mahesh Kulkarni, Randolph, NJ
- 495. William Kuntz, Colonia, NJ
- 496. Janys Kuznier, Vernon, NJ
- 497. Carolyn LaBerta, Whiting, NJ
- 498. Kathryn Lagrace, Cranford, NJ
- 499. Rosanne Lambiase, Union, NJ
- 500. Nancy Lamboy, Jersey City, NJ
- 501. Janet Lampe, North Wildwood, NJ
- 502. Sheila Lantelme, Medford Lakes, NJ
- 503. Diance Lanzone, Succasunna, NJ
- 504. Elizabeth Larson, Woodbury, NJ
- 505. Lynda Lata, Budd Lake, NJ

- 506. Salvatore LaTorre, Cherry Hill, NJ
- 507. David Lavender, Atco, NJ
- 508. Kathleen Lawrence, Stanhope, NJ
- 509. Barbara Lechleiter, Pompton Plains, NJ
- 510. James Lee, Linden, NJ
- 511. Susan Lehman, Stratford, NJ
- 512. Trina Lehman, Voorhees, NJ
- 513. Peter Lenshoek, Lakewood, NJ
- 514. Stephen Lepp, Cedar Grove, NJ
- 515. Joanne Lettieri, Lambertville, NJ
- 516. Joanne Lettieri, Lambertville, NJ
- 517. Jan Levine, Forked River, NJ
- 518. Jeanne Lewis, Mullica Hill, NJ
- 519. Phyllis Lewis, Mahwah, NJ
- 520. Anthony Liccese, Marlton, NJ
- 521. Patrick Lilly, Phillipsburg, NJ
- 522. Robert Linarducci, South Orange, NJ
- 523. Pamela Lindquist, Bayonne, NJ
- 524. John Lippiello, Morris Plains, NJ
- 525. Linda Liptak, Park Ridge, NJ
- 526. Fabio Liscidini, Maywood, NJ
- 527. Vivian Little, Irvington, NJ
- 528. Suzanne Litwornia, Toms River, NJ

- 529. John LoBrutto, Scotch Plains, NJ
- 530. John LoBrutto, Scotch Plains, NJ
- 531. Renee Lockwood, Fort Lee, NJ
- 532. Stepanie Loel Holloway, Mendham, NJ
- 533. Carol Loffredo, Trenton, NJ
- 534. Donna Logan, Morristown, NJ
- 535. Steven Long, Marlton, NJ
- 536. Marie Longo, Hackensack, NJ
- 537. James Lotruglio, Toms River, NJ
- 538. Colleen Loughran, Spring Lake, NJ
- 539. Barbara Lubrani, Bridgewater, NJ
- 540. Ray Luetters, Teaneck, NJ
- 541. Robert Lunn, West Deptford, NJ
- 542. Stephanie M., Burlington, NJ
- 543. Lisa Maccaro, Horseheads, New York, NJ
- 544. Theresa MacIntosh, Burlington, NJ
- 545. Victoria Mack, East Windsor, NJ
- 546. Janice Mackanic, Point Pleasant, NJ
- 547. Michael Mackaravitz, East Hanover, NJ
- 548. James MacKenzie, Little Egg Harbor, NJ
- 549. Caryl Mackin-Wagner, Williamstown, NJ
- 550. Barbara Madorma, Red Bank, NJ
- 551. Donna Maerz, West Long Branch, NJ

- 552. Bob Magee, Cherry Hill, NJ
- 553. Patty Magee, Annandale, NJ
- 554. Gary Makus, Flanders, NJ
- 555. Edna Maldonado, Guttenberg, NJ
- 556. Maureen Malesco, Middletown, NJ
- 557. Deborah Malone, Medford, NJ
- 558. John Malone, Sewell, NJ
- 559. B. Lee Manns, Cherry Hill, NJ
- 560. Megan Manogue, Woodstown, NJ
- 561. Thyaharaj Manoharan, Fort Lee, NJ
- 562. Douglas Many, East Brunswick, NJ
- 563. Robert Marazas, Belvidere, NJ
- 564. Elaine Marcus, Plainsboro, NJ
- 565. Tom Mariano, East Brunswick, NJ
- 566. Jules Marron, Hackettstown, NJ
- 567. Joseph Marrone, Staten Island, New York
- 568. Joseph Marshall, Clifton, NJ
- 569. Jacquelyn Martin, Sicklerville, NJ
- 570. Patricia Martin, Brick, NJ
- 571. Frances Massa, Pompton Plains, NJ
- 572. Philip Matis, Woodbridge, NJ
- 573. Carole Mattiace, Glendora, NJ
- 574. Jeanine Mavica, Ewing, NJ

- 575. John Maybe, Barnegat, NJ
- 576. Merris Maye, Edison, NJ
- 577. Rosanne Mazzariello, Red Bank, NJ
- 578. Barry Mccall, Westville, NJ
- 579. Brian McCarthy, Woodbridge, NJ
- 580. Lawrence McCay, Cherry Hill, NJ
- 581. Sheila McCormack, Lanoka Harbor, NJ
- 582. Joyce McCree, Newark, NJ
- 583. Karen McCutcheon, Somers Point, NJ
- 584. Susan McDermott, Ocean, NJ
- 585. Holly McDonald, Robbinsville, NJ
- 586. Jeanne Marie McElwee, Burlington, NJ
- 587. Lee McGeady, Flemington, NJ
- 588. John McGinley, Pilesgrove, NJ
- 589. Michael McGinley, Nutley, NJ
- 590. Debra McGlynn, Columbus, NJ
- 591. Elizabeth McGrady, Newark, NJ
- 592. Robert McGrath, Tinton Falls, NJ
- 593. Jacqueline McGraw, West Milford, NJ
- 594. Jo Ann McGreevy, Hackensack, NJ
- 595. Lou McGuire, Leonardo, NJ
- 596. John Mcguirk, Parsippany, NJ
- 597. Kevin Mclver, Lake Como, NJ

- 598. Patricia McKay, Robbinsville, NJ
- 599. Dave McKiernan, Lebanon, NJ
- 600. Linda McKillip, Erial, NJ
- 601. Margaret McLaughlin, Mahwah, NJ
- 602. Martin McLoughlin, Ironia, NJ
- 603. Anne McMenamin, Mantua, NJ
- 604. Maryellen McMorro, Bayonne, NJ
- 605. Mary McNamara, Mahwah, NJ
- 606. Daniel McNeil, North Cape May, NJ
- 607. Kevin McVey, Cedar Grove, NJ
- 608. Gwen Meade, Margate City, NJ
- 609. Jacqueline Medina, Roselle, NJ
- 610. Barbara Megibow, Englewood, NJ
- 611. Frank Melchoni, Wharton, NJ
- 612. John Mendler, Belle Mead, NJ
- 613. Raquel Mendoza, Hillside, NJ
- 614. Lynn Merle, Vineland, NJ
- 615. Deborah Merritt, Plainfield, NJ
- 616. Anna Metcalf, South Amboy, NJ
- 617. Deborah Meyer, Bedminster, NJ
- 618. Lisa Micich, Oakland, NJ
- 619. Edward Miguez, Deptford, NJ
- 620. Vincent Milazzo, Roselle, NJ

- 621. Janine Miliband, Lafayette, NJ
- 622. Barbara Miller, Franklin, NJ
- 623. Barbara Miller, Peoria, Arizona
- 624. David Miller, Hackensack, NJ
- 625. Frank Miller, Clark, NJ
- 626. Richard Miller, Sicklerville, NJ
- 627. Alexandra Miranda, Toms River, NJ
- 628. Lourdes Miranda, Jersey City, NJ
- 629. Jill Misale, Secaucus, NJ
- 630. Michael Mistretta, North Cape May, NJ
- 631. Ellen Mitchell, Mount Laurel, NJ
- 632. Kenneth Mitchell, Bridgeton, NJ
- 633. Tyrone Mitchell, Newark, NJ
- 634. Alexander Mitten, Fairfield, NJ
- 635. Barbara Mocekis, Somerville, NJ
- 636. David Mollen, New Providence, NJ
- 637. Rosellen Moller, Point Pleasant Beach, NJ
- 638. Christopher Monaco, Middletown, NJ
- 639. Laura Mondon, Haddonfield, NJ
- 640. Luis Montesinos, Little Falls, NJ
- 641. Joyce Montgomery, Lindenwold, NJ
- 642. John Moore, Pennsville, NJ
- 643. Susan M Moran, Farmingdale, NJ

- 644. Thomas Morgan, Medford, NJ
- 645. Tawn Morris, Orange, NJ
- 646. Wesley Morris, Princeton, NJ
- 647. Dorothy Morrison, Woodbury, NJ
- 648. Linda Morton, Howell, NJ
- 649. Jacqueline Mosley, Vineland, NJ
- 650. Allen Moy, Nutley, NJ
- 651. John Mueller, Stanhope, NJ
- 652. Angela Mulcahy, Phillipsburg, NJ
- 653. Regina Mulhern, Vero Beach, Florida
- 654. Gregory Muller, Union, NJ
- 655. Joanne Mulvihill, Delran, NJ
- 656. Carolyn Munn, Woodbury, NJ
- 657. Bob Murphy, Clifton, NJ
- 658. James Murphy, Monroe Township, NJ
- 659. Deneen Murray, Matawan, NJ
- 660. Kelly Murray, Lake Hiawatha, NJ
- 661. Sanjiv Nadkar, Morganville, NJ
- 662. Ronald Napiorski, Westfield, NJ
- 663. Patrick Nappi, Little Silver, NJ
- 664. John Nappo, Old Bridge, NJ
- 665. Karl Natriello, Hamilton Square, NJ
- 666. Melanie Naumoff, Warren, NJ

- 667. Gladys Navarro, Westampton, NJ
- 668. Jacqueline Neal, Jersey City, NJ
- 669. Patricia M. Neil, West Orange, NJ
- 670. Jo-Ann Nelson, Colonia, NJ
- 671. Karen Nelson, Cherry Hill, NJ
- 672. Frank Nemec, Brick, NJ
- 673. Cynthia Nevitt, Marmora, NJ
- 674. Bill Newsome, Mount Laurel, NJ
- 675. Rita Neyman, South Orange, NJ
- 676. Susan Nierenberg, RN, BSN, CNM, MSN, Teaneck, NJ
- 677. Nancy Nitti, Hamilton, NJ
- 678. Dolores Nolan, Flemington, NJ
- 679. Mary OConnell, Ridgewood, NJ
- 680. Robert Odell, Whiting, NJ
- 681. Susan ODonnell, Berkeley Heights, NJ
- 682. Richard Oliver, Whiting, NJ
- 683. Joseph Oneill, Browns Mills, NJ
- 684. Stephen Opdyke, Stockton, NJ
- 685. Barbara OReilly, Cape May, NJ
- 686. Janice Orolen, Bloomfield, NJ
- 687. Johnny Ortiz, Bayonne, NJ
- 688. Susan Osit, Somerset, NJ
- 689. Dorothy Otto, Deptford, NJ

- 690. Maryann Owca, Martinsville, NJ
- 691. Terry Owens, Atlantic City, NJ
- 692. Judith Oxley, Toms River, NJ
- 693. Michael Pacyna, Daytona Beach Shores, Florida
- 694. Bari Page, Little Egg Harbor Township, NJ
- 695. Joseph Paliotta, Westampton, NJ
- 696. Kenny C. Palmer, Palmyra, NJ
- 697. Nicos Papaioannou, Caldwell, NJ
- 698. Mike Park, Hackensack, NJ
- 699. Eva Parker, Willingboro, NJ
- 700. Sherri Parrotta, Bordentown, NJ
- 701. Florentino Pascual, Leonia, NJ
- 702. Diane Pasquale, Fair Lawn, NJ
- 703. Deven Patel, Dayton, NJ
- 704. John Patrick, Toms River, NJ
- 705. Lincoln Paul, Columbus, NJ
- 706. Karen Peer, Mine Hill, NJ
- 707. Ruth Pennoyer, West Orange, NJ
- 708. Daniel Pentland, Old Bridge, NJ
- 709. Sharon Pepe, Westfield, NJ
- 710. Linda Perednas, Millville, NJ
- 711. Debora Persiano, Somers Point, NJ
- 712. Patty Peterson, Lumberton, NJ

- 713. John Petrose, Pine Hill, NJ
- 714. Steven Petruska, Pompton Lakes, NJ
- 715. David M Phillips, Budd Lake, NJ
- 716. Gloria Picariello, Lakewood, NJ
- 717. Joann Pichiarello, Manchester, NJ
- 718. Michael Pietsch, Morristown, NJ
- 719. Rosemary Pignato, Whippany, NJ
- 720. Tracey Pino-Murphy, Lawrenceville, NJ
- 721. Frank Pinteno, Washington, NJ
- 722. Peter Pirog, Garfield, NJ
- 723. Nicholas Pjatikin, Woodbury, NJ
- 724. Cornelia Planillo, New Milford, NJ
- 725. Jennifer Plotts, Sparta, NJ
- 726. Michael Polinsky, Old Bridge, NJ
- 727. Kelley Pollard, Turnersville, NJ
- 728. Linda Ponter, Marlton, NJ
- 729. Gregory Popek, Garfield, NJ
- 730. Joseph Porcello, Freehold, NJ
- 731. Maria Porfirio, Madison, NJ
- 732. Marcia Porter, Teaneck, NJ
- 733. Phil Portuese, West Orange, NJ
- 734. Nigel Powell, Flemington, NJ
- 735. Takesha Powell, Elizabeth, NJ

- 736. John Price, Stratford, NJ
- 737. Theresa Pride, Ewing, NJ
- 738. Robert and Carolyn Primiano, Somerset, NJ
- 739. Russell Profita, Washington, NJ
- 740. Richard Pucciarelli, Matawan, NJ
- 741. Vito Pulito, Lawrenceville, NJ
- 742. Nicholas Puluso, Manchester, NJ
- 743. Joan Purchase, Cape May Court House, NJ
- 744. Janice Pursley, Kendall Park, NJ
- 745. Mathew Puthuparampil, Bergenfield, NJ
- 746. Evelyn Quinones, Belleville, NJ
- 747. Teresa Rakoczy, Whippany, NJ
- 748. Richard Rasner, Linwood, NJ
- 749. Amrutlal Rawal, Manalapan, NJ
- 750. Manoj Rawal, Rockwall, Texas
- 751. Purnima Rawal, Manalapan, NJ
- 752. Phillip Raynis, Hazlet, NJ
- 753. Debbie Regan, Hamilton Square, NJ
- 754. Kathleen Regan, Bernardsville, NJ
- 755. Edward Reichman, West Orange
- 756. Brian Reiner, Wayne, NJ
- 757. Eric Remington, Morristown, NJ
- 758. Timothy Render, Nutley, NJ

- 759. Marie Rene, Summerville, South Carolina
- 760. Carol Renteria, Mount Laurel, NJ
- 761. Lyle Resch, Brigantine, NJ
- 762. Gilda Restrepo, Clifton, NJ
- 763. Bruce Revesz, Cedar Grove, NJ
- 764. Diane Reyes, Union, NJ
- 765. Hilary Rice, Manalapan, NJ
- 766. Gertrude Richman, Monroe Township, NJ
- 767. Lynn Richmond, Southampton, NJ
- 768. Renee Riczker, Green Brook, NJ
- 769. Ronald Ridgway, Beverly, NJ
- 770. Diane Riffitts, Mullica Hill, NJ
- 771. Susan Rinn, Hillsborough, NJ
- 772. Kathryn Riss, Piscataway, NJ
- 773. Mary Rivas, Riverton, NJ
- 774. Joyce Rivera, Mullica Hill, NJ
- 775. Alexander Rivier, Stockholm, NJ
- 776. Ana Rivier, Stockholm, NJ
- 777. Elaine Rizzo, Montvale, NJ
- 778. Ray Rizzuto, Cherry Hill, NJ
- 779. Mark Roberts, Hewitt, NJ
- 780. Juliette Robinson, Mahwah, NJ
- 781. Frank Rockstedt, Wall, NJ

- 782. Elena Rodriguez, Ridgefield Park, NJ
- 783. Ramon Rodriguez, Newark, NJ
- 784. Joanna Roman, Vineland, NJ
- 785. Wilson F. Roman, Newark, NJ
- 786. Linda Romanchick, Point Pleasant, NJ
- 787. Robert Rosato, Cliffside Park, NJ
- 788. Art Rosenberg, Plainsboro, NJ
- 789. David Rosney, Pittsgrove, NJ
- 790. Madeline Ross, Atlantic City, NJ
- 791. Robert Ross, Tinton Falls, NJ
- 792. Linda Rossin, Lake Hopatcong, NJ
- 793. Andrew Rossner, Summit, NJ
- 794. Lincoln Rowley, Mendham, NJ
- 795. Harriett Rubin, Asbury Park, NJ
- 796. Bruce Rubinsky, Pennsauken, NJ
- 797. John Ruggeri, Medford Lakes, NJ
- 798. John Ruhl, Flemington, NJ
- 799. Donna Ruperto, East Brunswick, NJ
- 800. Karen Ruza, Delran, NJ
- 801. Charles Ryder, Edgewater Park, NJ
- 802. Kyle Sabatino, Long Valley, NJ
- 803. Susan Sabik, Mercerville, NJ
- 804. Carol Sabio, Manchester, NJ

- 805. Gary Salaga, Bordentown, NJ
- 806. Salvatore Salerno, Manahawkin, NJ
- 807. Robert Salgado, Bergenfield, NJ
- 808. Niranjan Sandesara, Freehold, NJ
- 809. Herbert Sands, Hewitt, NJ
- 810. Marie Santos, Newark, NJ
- 811. Anita Sanyour, Verona, NJ
- 812. Narendra Saraiya, Roselle Park, NJ
- 813. Patricia Sarles, Whippany, NJ
- 814. Marilyn Saywell, Monmouth Junction, NJ
- 815. Ronald Scarpitti, Middlesex, NJ
- 816. Lori Schapiro, Hillsborough, NJ
- 817. Jean Schaver, Hawthorne, NJ
- 818. Margaret Schiliro, Cliffside Park, NJ
- 819. Curt Schmidt, Bound Brook, NJ
- 820. Adele Marie Schnepf, Avenel, NJ
- 821. Charlotte Schoen, Oak Ridge, NJ
- 822. Gerd Schubert, Brick, NJ
- 823. Rich Schwab, East Rutherford, NJ
- 824. Mary Scott, East Brunswick, NJ
- 825. Lynette Seader, East Brunswick, NJ
- 826. Karen Seider, Clifton, NJ
- 827. Fatu Seisay, Newark, NJ

- 828. Pahaka September, Westwood, NJ
- 829. Charles Serafin, Westfield, NJ
- 830. Donna Serota, Hazlet Township, NJ
- 831. Shirley Shafran, Atlantic City, NJ
- 832. Gautam Shah, Somerset, NJ
- 833. Manish Shah, Franklin Park, NJ
- 834. Yogesh Shah, Edison, NJ
- 835. Margaret Sheary, Keyport, NJ
- 836. Nora Shelly, Mays Landing, NJ
- 837. Thomas Sheola, Toms River, NJ
- 838. Lindsay Sherman-Alpert, Toms River, NJ
- 839. Daniel J. Shields, Keansburg, NJ
- 840. Lori Shiles, Ventnor City, NJ
- 841. Patricia Shorr, Monroe Township, NJ
- 842. Jane Shu, Roseland, NJ
- 843. Deborah Shupenko, Whiting, NJ
- 844. Rick Siano, Little Egg Harbor, NJ
- 845. Carol Siegel, Howell, NJ
- 846. Lynn Siegel, Stafford, Virginia, NJ
- 847. Larisa Sigal, Sparta, NJ
- 848. Jennifer Sigler, Hampton, NJ
- 849. Steven Sigman, Manalapan, NJ
- 850. Patricia Silva, Toms River, NJ

- 851. Anthony Sindoni, Freehold, NJ
- 852. Lorraine Sing, Morristown, NJ
- 853. Brendan Singleton, Union, NJ
- 854. Robin Sipler, Cape May Court House, NJ
- 855. Monica Skinner, Trenton, NJ
- 856. Robert Slack, Perth Amboy, NJ
- 857. Ceil Slauson, Middlesex, NJ
- 858. Larry Smedley, Dunellen, NJ
- 859. Diana Smith, Springfield, NJ
- 860. Nicole Smith, North Haledon, NJ
- 861. Sandy Smith, Lawrenceville, NJ
- 862. Tom Smith, Ringwood, NJ
- 863. Walter Smith Mount Ephraim, NJ
- 864. Jeffrey Snitzer, Hamilton, NJ
- 865. Carolyn Snyder, Bordentown, NJ
- 866. Patricia Snyder, Sparta, NJ
- 867. Stuart Snyder, Somerset, NJ
- 868. Patti Soldavini, Hackettstown, NJ
- 869. Awny Soliman, Fords, NJ
- 870. Ned Sonners, Freehold, NJ
- 871. Bret Sorrell, Atlantic City, NJ
- 872. Wendy Sowa-Maldarelli, Teaneck, NJ
- 873. Jonathan Spinosi, West Deptford, NJ

- 874. Barbara Stallone, Hazlet, NJ
- 875. Lisa Stamile, Princeton, NJ
- 876. Linda Stampoulos, Monroe Township, NJ
- 877. Pamela Starzyk, West Orange, NJ
- 878. Alexis Stashkevetch, South River, NJ
- 879. Gary Steeb, Galloway, NJ
- 880. Mary Steen, Southampton, NJ
- 881. Robert Steffen, Mount Laurel, NJ
- 882. John Steger, South Plainfield, NJ
- 883. Marcia Steinberg, Lawrenceville, NJ
- 884. Linda Stewart, Aberdeen, NJ
- 885. Joseph Stippick, Williamstown, NJ
- 886. Maura Strausberg, West Windsor, NJ
- 887. Jennifer Strauss, Cranford, NJ
- 888. Linda Strimike, Nutley, NJ
- 889. Susan Sugarman, Princeton, NJ
- 890. Christine Sullivan, Franklin Lakes, NJ
- 891. Elaine Sullivan, South Plainfield, NJ
- 892. Elsa Sumcad, Jersey City, NJ
- 893. Joseph Susi, Middletown, NJ
- 894. Ed Sutter, Toms River, NJ
- 895. Paul Sutton, Livingston, NJ
- 896. Diane Swaim, Belford, NJ

- 897. Robert Szabo, Franklin Park, NJ
- 898. Karen Takeall, Barnegat, NJ
- 899. Marianne Tamburro, Leonardo, NJ
- 900. Arthur Tanenbaum, Little Silver, NJ
- 901. Michael Tangreti, Annandale, NJ
- 902. Toni Tarighi, Wharton, NJ
- 903. Darrell Tarpkin, Bloomfield, NJ
- 904. Lawrence Tedeschi, Egg Harbor Township, NJ
- 905. Joyce Terhune, Somerset, NJ
- 906. Samuel Terhune, Pompton Lakes, NJ
- 907. Linda Terminiello, Saddle Brook, NJ
- 908. Kathleen Thayne, Stratford, NJ
- 909. Dorothy Thomas, Monroe Township, NJ
- 910. Yvonne Thomas, Basking Ridge, NJ
- 911. Toni Thompson, Lakewood, NJ
- 912. Theresa Thorsen, Somerset, NJ
- 913. Stephen Till You Franz, Vineland, NJ
- 914. William Timmann, Phillipsburg, NJ
- 915. Erin Tinagero, Franklin Park, NJ
- 916. Dwight Tjornhom, Elizabeth, NJ
- 917. Mark Tonkinson, Barrington, NJ
- 918. Joseph Torre, Old Bridge, NJ
- 919. Al Torrisi, Livingston, NJ

- 920. Eleanor Toye, Wharton, NJ
- 921. Laura Truscelli, Forked River, NJ
- 922. Kathleen Tufaro, Fort Lee, NJ
- 923. Gail Turbitt, Edison, NJ
- 924. Jeanne Turner, Princeton, NJ
- 925. Judy Turner-Bernier, Berkeley Heights, NJ
- 926. Charlyn Tyler-Partida, Westfield, NJ
- 927. Phil Uhler, Bedminster, NJ
- 928. Mary Anne Usher, Bridgewater, NJ
- 929. John Vajda, Verona, NJ
- 930. Cristobalina Valdes, North Bergen, NJ
- 931. Lynn Van Dyke-Perez, Somerset, NJ
- 932. Arie Vanderdoes, Manchester, NJ
- 933. Michael Vanni, Waldwick, NJ
- 934. Marion Vanorden, Rockaway, NJ
- 935. Lee Varian, Princeton, NJ
- 936. Luz Vasco, Fort Lee, NJ
- 937. Gina Vassallo, Springfield, NJ
- 938. Dorothy Venezio, Ocean Gate, NJ
- 939. Lorraine Ventura, Moorestown, NJ
- 940. Arthur Verpent, North Brunswick, NJ
- 941. Ibrahim Versi, Morristown, NJ
- 942. Jane Viens, West Deptford, NJ

- 943. Roger Viens, West Deptford, NJ
- 944. Catherine Vignale, Holmdel, NJ
- 945. Johnnye Vinson, Wildwood, NJ
- 946. Norine Virden, Piscataway, NJ
- 947. Dennis Vitale, Mount Arlington, NJ
- 948. Jackie Vitale, Fredon, NJ
- 949. Diane Vitillo, Kendall Park, NJ
- 950. Johanna Vituschi, Merchantville, NJ
- 951. Joseph Vocca, Wyckoff, NJ
- 952. Michael Vollmer, Oaklyn, NJ
- 953. John Volpe, Swedesboro, NJ
- 954. Marlene Volper, Cinnaminson, NJ
- 955. Lori Voorhees, Hillsborough, NJ
- 956. Stephanie Waaben, Lawrenceville, NJ
- 957. Rhonda Wade, Cliffwood, NJ
- 958. James Wagner, Avenel, NJ
- 959. Noreen Walker, Glendora, NJ
- 960. William Walker, East Orange, NJ
- 961. Janet Walsh, Lawrenceville, NJ
- 962. Keith Wanamaker, Hackettstown, NJ
- 963. Richard Wantz, New Providence-Berkeley Heights, NJ
- 964. Christine Wardach, Marlton, NJ
- 965. Jalyn Warren, Lumberton, NJ

- 966. Phyllis Warren, Lawrenceville, NJ
- 967. Frank Wasiowicz, Haddon Township, NJ
- 968. Ramona Way, Bloomfield, NJ
- 969. Cece M Weber, Mount Laurel, NJ
- 970. John Weber, Warren, NJ
- 971. Marilyn Wechselblatt, Wharton, NJ
- 972. Jolene Weiss, Annandale, NJ
- 973. Naomi Weiss, Cherry Hill, NJ
- 974. Roberta Weiss, Somerset, NJ
- 975. Robert Weitzner, Summit, NJ
- 976. Dorothy A. Weller, Bernardsville, NJ
- 977. Janet Werfel, East Windsor, NJ
- 978. Patricia Werner, Washington, NJ
- 979. Susan West, Pequannock, NJ
- 980. Lillie Whaley-Panny, Clark, NJ
- 981. Charlette Whittle, Vineland, NJ
- 982. Chris Widelo, New Brunswick, NJ
- 983. Lynne Widman, Marlton, NJ
- 984. Stanley Wiener, Somerset, NJ
- 985. Nora Wilkinson, Randolph, NJ
- 986. Debra Williams, Blackwood, NJ
- 987. Eva Williams, Kendall Park, NJ
- 988. Rodrick Williams, Hackettstown, NJ

- 989. Patricia Williamson, Mount Arlington, NJ
- 990. Myrna Williams-Smith, Orange, NJ
- 991. Dorothy Willms, Rutherford, NJ
- 992. Marianne Willms, Rutherford, NJ
- 993. Dina Willner, Mahwah, NJ
- 994. Rita Winkelmann, Lakewood, NJ
- 995. G Wiseman, Teaneck, NJ
- 996. Joni Wisniewski, New Egypt, NJ
- 997. Todd Wolf, Parsippany, NJ
- 998. Barbara Wolfgang, Skillman, NJ
- 999. Robert Wong, Basking Ridge, NJ
- 1000. Michael Wood, Audubon, NJ
- 1001. Frank Wozniak, Clementon, NJ
- 1002. Rita Wright, Asbury Park, NJ
- 1003. Jay Wrobel, Lawrence Township, NJ
- 1004. Patricia Wronski, Oakland, NJ
- 1005. Mimi Wunderlich, Montclair, NJ
- 1006. Patricia Wyshynski, Matawan, NJ
- 1007. Mary Yergalonis, Cranford, NJ
- 1008. Steven Zarecki, Manasquan, NJ
- 1009. G. Zdziarski, South River, NJ
- 1010. Lorena Zebrowski, Forked River, NJ
- 1011. Jane Zeff, Hoboken, NJ

- 1012. Marian Zelazny, Lawrence Township, NJ
- 1013. Dawn Zelinski, Middletown Township, NJ
- 1014. Vincent Zenna, Toms River, NJ
- 1015. Xiaoping Zhang, Edison, NJ
- 1016. Frank Zimmerman, Westwood, NJ
- 1017. Wendy Zimmerman, Piscataway, NJ
- 1018. Lizbeth Zinze, Little Egg Harbor, NJ
- 1019. Edmond Zipfel, Saddle River, NJ
- 1020. Peg Zitko, Nutley, NJ
- 1021. Thomas Zoccolo, Holmdel, NJ
- 1022. Barbara Zukowski, Brigantine, NJ
- 1023. Dianelynn Zurawski Oyanedelr, Bayonne, NJ

The numbers in parentheses following each comment below correspond to the group or individual commenter numbers listed above.

1. COMMENT: A commenter states that “healthcare policy should provide ... equitable distribution of services and delivery of care, and ... the [State] budget should ensure funding for services that provide for our most vulnerable populations while remaining fiscally responsible. These goals are both addressed in the proposed rule.

Three-quarters of New Jersey’s nursing homes are for-profit corporations. The remaining are government-owned or run by non-profit organizations. Regardless of ownership status, all the skilled nursing facilities in the [State] are primarily funded by taxpayer dollars through [State] Medicaid and/or [Federal] Medicare.

Increasingly, large for-profit chains, real estate trusts or private-equity firms have become the new owners of nursing homes, and many peer-reviewed academic studies, government reports, and media exposés have demonstrated that private equity[-]owned nursing homes have lower staffing levels, lower quality ratings, more violations, and worse health outcomes for residents.

Because of the very large public investment in nursing homes, and because of the concerning outcomes at some of these for-profit facilities, [the commenter] is concerned that tax money is spent wisely and in a manner that ensures high[-]quality care.

The complex business structures of for-profit nursing home owners have the effect of obfuscating ownership, as they create separation between the owners of nursing homes and the facilities' operations. Although perfectly legal, these structures and related party contracts can also mask the true costs and profits to the owners and obscure the facility's true financial bottom line, which puts in question the quality of the services available to this vulnerable population.

[Because the] Department ... is responsible for determining whether a new owner meets the requirement for a nursing home operating license and meets certification conditions of Medicare and Medicaid, the applying owners' previous nursing home financial history must be very clear and available for review. To ensure the safety and well-being of any nursing home resident and the appropriate use of taxpayer funds, [the Department] must have adequate information in determining whether a potential owner should be offered a nursing home license, which includes whether that potential owner maintains other nursing homes that have a history of poor performance, poor

quality, abuse and/or neglectful practices. To determine whether the new owner meets [the] certification conditions of Medicare and Medicaid, and for policymakers to understand how nursing homes are spending their money and make informed decisions about reimbursement rates, cost transparency is absolutely necessary.

Adopting the proposed rule which requires annual, audited financial statements from nursing home owners is a first step for determining whether these owners are inappropriately shifting tax dollars to related companies that they own, for ensuring that the State has accurate data to determine whether nursing homes are receiving appropriate reimbursement, and to help ensure high[-]quality care to nursing home residents.” (3)

2. COMMENT: A commenter states that the specially adopted new rules, proposed for readoption, “will be beneficial to individuals with disabilities as it will improve transparency.

Public monies through Medicaid and Medicare heavily fund nursing homes in New Jersey. The nursing home industry regularly complains the current Medicaid reimbursements are not sufficient. However, the nursing home industry does not want to provide true transparency of its financial situation, so it is impossible to know whether the Medicaid reimbursements are adequate and being spent for meaningful resident care. In the recently released “Independent Review of New Jersey’s Response to the Pandemic,” the authors noted that nursing homes lacked financial resiliency and flexibility to effectively respond to a health crisis of the scale of Covid-19 and noted [at page 658] that ‘financial instability of LTCFs poses significant risks to their operational viability and the well-being of residents.’ [Citation omitted.] The report recommended

greater financial transparency. [Citation omitted.] In order for the public to have confidence that monies are properly spent on resident care, financial transparency through publicly available audited owner-certified financial statements is necessary. The proposed rules requiring that nursing homes post their audited owner-certified financial statements on their websites will assist the public with ensuring that the homes are financially stable and that monies are being properly allocated to resident care.

Furthermore, the rules requiring participation in the National Health Care Safety Network will assist nursing homes in New Jersey in controlling and hopefully eliminating healthcare-related infections which will benefit the residents of these facilities.” (4)

3. COMMENT: The State Long-Term Care Ombudsman (LTCO) writes “in strong support of the adoption of the changes proposed to N.J.A.C. 8:97 related to financial transparency reporting for nursing homes. [The commenter] applaud[s] the rule proposal overall and, most notably, the requirement that nursing home financial statements provided annually to the Department be independently audited. This requirement would help to ensure that:

- 1) Public funds are spent primarily on resident care;
- 2) The [State] can assess and monitor the true fiscal health of nursing homes;
- 3) There is more consistent transparency across NJ’s healthcare industry; and
- 4) The [State] can more accurately calculate the true cost of nursing home care

for the purposes of future rate setting.

[1)] Ensuring Public Funds Go to Resident Care

Taxpayer money destined for nursing home care should be spent for that purpose. To ensure this, the [State] needs the clearest picture of how nursing home operators spend public funds. Audited financial statements are a basic first step in this process.

Currently, no financial reports provided by NJ nursing homes are independently verified. Annual nursing home cost reports submitted to the federal Centers for Medicare and Medicaid (CMS) are self-reported and not reviewed or audited. Nursing home financial litigation experts assert that CMS nursing home cost reports they review are often incorrect or incomplete. Templates submitted by nursing homes to the NJ Department of Human Services (NJDHS) to confirm that they spend 90 [percent] of Medicaid funds under the Patient Care Ratio law are likewise self-reported and not audited. Finally, the current process to reinstitute [State] cost reports for rate-setting purposes also relies on self-reported financial information.

Federal law requires nursing homes to provide sufficient care for all residents. Increasingly, the LTCO, through our daily work advocating for residents in facilities across the state, see NJ facilities, particularly for-profit facilities, falling short of this obligation. Staffing is insufficient across large swaths of the industry, DOH penalties for short staffing are accelerating, and many residents are going without needed care. LTCO caseloads are growing at an alarming rate, increasing more than 100 [percent] between FFY 2020 and 2023. The number of reports of suspected abuse or exploitation has nearly tripled during that same time period (3,384 reports in 2023 alone), and our office received 13,700 calls for help in FFY 2023 (up 40 [percent] since 2020).

There is also a concurrent rise in for-profit consolidation of facilities. With very few exceptions, NJ nursing homes are not closing or going bankrupt but instead are being sold, primarily to large corporations that operate in multiple states. Despite industry protestations, there is little evidence to suggest that facilities cannot provide high-quality care with the funding they already receive. In fact, nonprofit nursing homes are able to do the job quite well with current funding levels. Despite making up a small portion of the total number of nursing homes, nonprofits in New Jersey represent the vast majority of the facilities who meet staffing standards that experts agree is sufficient to ensure patient care (4.1 hours per resident per day).

Against this backdrop, it is imperative that the [State] begin to require independently verified financial information from this industry wherever possible to ensure money paid for resident care actually reaches residents.

[2)] Monitor and Assess Fiscal Health of Each Nursing Home

Audited statements would help ensure the [State] is able to anticipate nursing home financial crises and avert sudden closures.

The abrupt closure of Princeton Care Center (PCC) on August 30, 2023, with no advanced notice to [more than] 70 ... residents or their families, was deeply traumatic. Our staff closely followed every resident who was displaced and many, particularly those with dementia, struggled to adapt after being forced from their home.

In the absence of audited financial statements, the [State] was dependent on self-reported information from PCC operators about its financial viability. This proposed requirement could have helped the Department to know much earlier and with greater certainty how much money Princeton had and how imminent closure truly was.

It could also serve as a trigger for the [State] to look more deeply at a nursing home's financial practices. If independently audited statements show something concerning or indicate a certain trend over time, regulators can request further information from that nursing home (or system) to ensure the integrity of the long-term care system.

[3)] More consistent transparency across New Jersey healthcare systems

Audited financial statements are already the norm in other major areas of our healthcare system, and for good reason. Large amounts of public funds flow to hospitals to treat sick and injured people. State law requires hospitals to produce independently audited annual financial statements. [The State] should not have a weaker standard for nursing homes, which house large numbers of vulnerable people, many of whom are completely dependent on others for their care.

The public should be confident in the financial health of nursing homes and hospitals alike, particularly when these are interconnected systems of care that tens of thousands of New Jerseyans access per year. What the nursing homes do with substantial public funds should not be left to good faith assumptions and self-reporting.

[4)] More Accurately Calculate the Cost of Care

As discussed above, we need an independently verified picture of how and where nursing homes are spending their money to accurately calculate the true cost of care and whether nursing homes have sufficient funds to meet their obligations. Time and again, the industry claims, relying on self-reported data that is not scrutinized at any level, that it does not have sufficient funds to provide quality care. Without greater transparency, we simply do not know if this is true.

[The commenter] will continue to advocate for financial reporting requirements that go beyond this rule. Specifically, we support a requirement that all nursing homes submit financial statements for themselves and any related entities that are paid through their nursing home operations. But we recognize that new legislation is needed to support such a requirement.

For today, we urge you to approve this rule, which is an important and necessary first step to the financial transparency that vulnerable nursing home residents and NJ taxpayers deserve.” (5)

4. COMMENT: A commenter “supports the proposed rules, particularly the requirement that nursing homes provide annual audited financial statements to the Department Nursing homes (NHs) are primarily funded by the government, including Medicare, which pays for short-term, rehabilitation care, and Medicaid (funded jointly by the [State] and [Federal] governments) which pays for long-term care. More than [three-quarters] of New Jersey’s nursing homes are for-profit corporations. [Citation omitted.] Many of New Jersey’s nursing homes have complex management and financial structures that make it difficult to know where our dollars are going. Non-profit facilities already prepare and submit financial information through the Internal Revenue Service’s Form 990, the form that is required for non-profit facilities to submit to [the Department] in the proposed rules.

With today’s lack of strong financial transparency, money could be siphoned away from resident care[,] reducing the quality and safety of care that nursing home residents need and are paying for. More robust reporting, including owner-certified,

audited financial statements, will inform consumers and their families, decision-makers, and regulators where the billions of dollars paid to nursing homes are going. This need for increased transparency is also recommended in the Independent Review of New Jersey's Response to the COVID-19 Pandemic [at page 658].

None of New Jersey's most vulnerable residents who live in nursing homes should be subjected to subpar care. Unfortunately, some New Jersey nursing homes are cited for poor quality. In 2022 the Centers for Medicare and Medicaid Services (CMS) audited 20 nursing homes, finding deficiencies related to life safety, emergency preparedness, or infection control at all of them. In total, there were 363 deficiencies. [Citation omitted.]

In 2020, Manatt Health's Recommendations to Strengthen the Resilience of New Jersey's Nursing Homes in the Wake of COVID-19 found 'a large percentage of nursing homes in New Jersey have documented infection control deficiencies and citations' [at page 9]. One of Manatt's core recommendations is to implement stronger mechanisms to ensure a greater degree of accountability and increase transparency through data and reporting, including instituting 'new procedures to regulate and monitor facility ownership' [at page 22].

Full financial transparency that allows consumers, decision-makers, and regulators a clear understanding of how money is being used in these ownership structures is critical to improving the quality of care in NJ's nursing homes. Adopting these rules to increase financial transparency through audited financial statements puts the safety and well-being of nursing home residents first.

[The commenter] applaud[s] the Department's desire to monitor the financial viability of this industry. The stakes are too high to use unaudited and potentially inaccurate financial statements to assess the health of nursing homes." (8)

5. COMMENT: Commenters submitted form letters. (10)

The following three statements were common to all commenters that submitted form letters:

"Taxpayer funds spent on nursing home care should be spent on care for residents."

"Nearly 75 [percent] of New Jersey's nursing homes are for-profit facilities. Many have complex ownership structures, including nursing homes that have been purchased by private equity firms. Greater transparency and accountability will help ensure money is not being inappropriately siphoned away from resident care."

"Require nursing homes to submit audited financial statements to increase accountability and transparency for nursing home owners and improve care for residents."

In addition, individual commenters added the following statements to their letters:

"Hold Nursing Homes Accountable for Quality Care!"

"Hold nursing home owners accountable!!"

"Hold [n]ursing [h]omes accountable[.]"

"Hold them accountable!"

"Hold accountable [sic]. Nursing homes don't take care of [the] elderly in a caring respectful manner. Very abusive and some of them don't have an advocate."

“Hold these nursing homes accountable! They need to be inspected and held to high standards. It [appears] the shoddy nursing homes when caught sell to someone else, and [it’s] business as usual.”

“Hold nursing homes accountable. Hire more aides, and nurses, it is pitiful when you go to visit loved ones in a nursing home. We as taxpayers should demand more from the owners. I fear the day I may need to be in one!”

“Please hold [n]ursing [h]omes [a]ccountable for the proper care of patients, as well as financial accuracy and transparency.”

“Please hold nursing homes accountable. Require audited financial statements yearly.”

“Please insist on greater transparency and accountability by the nursing homes in NJ.”

“Please make nursing homes accountable for their spending and make sure the residents get proper care as required.”

“Please require more transparency for nursing home owners. Our elderly are vulnerable and can't speak up for themselves. We need better monitoring of nursing homes and more information about who owns them.”

“Please make this a mandatory requirement and sooner rather than later.”

“NJ’s nursing homes need more transparency.”

“Transparency is just as crucial here as all other businesses in the health care industry.”

“Nursing homes need to submit audited financial statements.”

“Nursing homes should be accountable to the [S]tate government that provides funding. Public audited financials would facilitate this reasonable expectation.”

“Nursing home accountability and standard of care is crucial.”

“Make all [n]ursing homes accountable. [T]hey play games and it’s got to be stopped.”

“Nursing [h]omes should be a safe place for everyone to spend their lives. The management should be held accountable for the care and treatment of the elderly, it is disgraceful the way some of our elderly are treated. Please fully investigate all nursing homes and require audited financial statements, we should know how they spend taxpayers['] money.”

“Particularly given ... the rise of for-profit nursing home corporations, I support this proposed rule that requires annual audited financial statements be submitted to [the Department] to facilitate its role in licensing, certifying and grading these institutions, and to ensure Medicaid and Medicare funds are appropriately used for the care of elderly patients.”

“Make [n]ursing homes accountable to the residents and taxpayers. Some of them ... are deplorable.”

“This change is long overdue.”

“Transparency PLEASE, please, please! We, as seniors DESERVE it! There is no reason why we should have extra concerns about patient care as we enter the end of our golden years.”

“Too many times I have seen nursing homes neglecting the elder patients in their care. Elderly people are afraid of going to nursing homes because of the horror stories.

That cannot be allowed to continue. Action must be taken to make sure that the final years of my individual [sic] are concluded with decency and proper care.”

“Make nursing homes safe and affordable.”

“Many nursing homes are very poorly. There should be accountability where the money from Medicaid goes and the quality of care for patients.”

“Nursing [h]ome patients are some of our most vulnerable citizens. We ow[e] it to them and their loved ones to do the best we can to oversee that the owners do the right thing.”

“Nursing [h]ome[s] should be held accountable for their failure to provide adequate care for their patients. Nursing homes [do] not pay their staff well enough for the job they do [a]nd the elderly are not getting the care they deserve. Way too little staff cause[s] the employees to cut corners on [their] work.”

“Patient safety should, should be first, not second. Please audit NJ nursing homes through auditing.”

“Nursing home[s] should be trusted to care for loved ones. That’s not the case with many of them. The staff they hire don’t have the training or desire to do what’s needed in some places. The costs are also skyrocketing. Please change the laws to hold the nursing home owners accountable for care givers’ errors and negligence. Also they need to be audited annually.”

“Nursing homes are moneymaking institutions with very little regard for the well[-being of] the patients, often understaffed.... [It’s] time they are held accountable.”

“Many of these for[-] profit nursing homes are understaffed and the staff is not able to do the jobs, are overworked and I have witnessed that they take it out on the patient which is totally unacceptable. [Their] staffing is short to increase profits.”

“Nursing homes do not have adequate staff. Therefore quality of care [is] affected.... Please address the need.”

“Nursing homes need to be audited. [Q]uestions are answered vaguely about the finances. Very shady. Never get a straight answer.”

“My [family member] lives in an assisted living facility in [a New Jersey municipality]. [T]he non-profit property owned by [a religious-affiliated entity] was sold to a for-profit private equity firm. It has been total chaos since—insufficient staff, large staff turnover, staff callouts. It is time that we audit these firms. Where is the \$10K/month that my [family member] spends going? They say \$7,600 of it goes to room and board, and that money goes to the firm’s real estate holding company. This leaves little left over for staff who provide direct resident care.”

“Please help our [family members who are nursing home residents] to get the care and dignity they deserve.”

“[P]lease hold nursing homes accountable as we as seniors do not have a great deal of funds.”

“Yes, please hold nursing homes accountable. The resident should know where the money is going. Most of the time they don't know they are just there accepting everything. The one in charge says, yes[.] Please [audit] the nursing homes.”

“The cost [of long-term care (nursing home and assisted living)] is unaffordable for seniors and not all long-term care facilities accept Medicaid. This needs to change.

The care varies from facility to facility and some places fall short. We need to protect our most vulnerable population. Staffing is another huge issue.”

“My [family member] is in a nursing home in [a New Jersey municipality]. It was purchased last year by a company They pay themselves first and do not properly take care of our elderly family members. The elderly in NJ deserve better oversight of government funds.”

“Nothing will ever be done to make nursing homes accountable.”

“WHAT drivel. You will never stop nursing homes from cutting every corner to make maximum profit. External incentives, however, could help cause positive changes. Request [S]tate and [F]ederal government to provide the financial incentive for good and caring workers to take evening and night work at nursing homes. Like a special tax deduction if W2 or 1099 is from a nursing home and taxpayer includes a NEW tax form documenting their evening and night shift performance along with the names of people they serviced.”

“What I see ... is staff eating patient food after meals. Staff ... not working together amongst themselves for the sake of the patients. They [especially] need training in helping Alzheimer patients. This is a major abused group.”

“They take all of what a person has worked hard for (homes, savings[]), and treat them like dirt. Poor food, beds. Lousy heat and air conditioning. Their families leave them there, [and] the place just take[s their] money. Finally someone sees this and [is] saying so.”

"I am in total support of transparency and agree that taxpayer funds spent on nursing home care should be spent on care for residents. As every business is required to have audited financials and should be provided to our residents' families."

"In addition to providing auditing financial statements, nursing homes should have minimum levels of [aides] to patients and nurses to patients 24-7. Moreover, the patients['] health should be monitored daily."

"These people in nursing homes deserve better care. They worked all their lives. Don't Mess with the Seniors."

"I cannot believe most NJ nursing homes are for-profit! No wonder they are a horror show and the seniors inside are treated like animals. Seniors need help, they don't need to be forced into a facility that should be shut down and most of the staff prosecuted for elder abuse."

"I have dealt with five nursing homes in three different states and all but one had a lot to be desired when it came to the care of their residents. Whether it was private pay or [M]edicaid, these residents didn't get the care or attention they needed. Most homes were understaffed, or the hired staff didn't seem to care, most likely due to the minimal salaries received as profit was most likely the nursing homes' main priority. This is pathetic."

"I live in a long-term care facility where there is insufficient staff and regular staff callouts which makes the remaining employees work doubly hard or do regular overtime. I pay \$10,000/month for this. I deserve more for my money."

"Improve care for our seniors as other countries have prioritized and because you will be one as well, someday. It is reprehensible that these nursing homes ask the

[Federal/State] government for more funding because they are shifting their profits to related entities. There is no financial transparency[,] which allows them to do this. Taxpayers are footing the bill for increased funding while the owners—private equity—are making money hand-over-fist.”

“The money should not be pocketed by admin nor spent on alternative activities!”

“They should be audit[ed] because I have seen for myself the inaccurate care at these homes. The money should go to the workers ... that have to help the elderly, not the top management.”

“We need a system [that] accounts for more transparency on how the money is spent. As a family member of someone in a nursing home[,] I have great concerns about the care being given by for-profit facilities.”

“Without adequate transparency, it is difficult if not impossible to determine where money is being spent, and therefore equally difficult to ascertain whether sufficient funds are being spent directly on services to residents or elsewhere. I urge you to require nursing homes to supply detailed information on precisely where their money is being spent.”

“WE who have to pay our own way need [oversight] as the cost [continues] to increase. Check out the cost for ‘Memory Loss’ care.”

“Patients in nursing homes are in a vulnerable condition, which is why they are in a nursing home. The State must play its role to protect these patients. Let's be sure the monies are being used for patient care. Nursing homes should file annual audited financial statements, just as other healthcare organizations do.”

“Most nursing homes are understaffed and should be made to conform to the state mandate of 6/1 aides to patients daily or be held accountable.”

“The care of our vulnerable seniors should be important to every citizen, and the management of nursing facilities should be transparent and annually audited.”

“Please hold nursing homes accountable for the safe care of their residents and financially responsible for their care. These facilities should be for the best care of our elderly citizens and not for profit as most unfortunately operate.”

“The current trend of corporate (read for profit) nursing home ownership, the purchasing and/or running of such facilities in NJ by same and the cost[-]cutting methods that are routinely utilized are already next to scandalous. Always the lowest staffing to patient ratio, the repeated failure of the [S]tate to intervene IMMEDIATELY when a care issue is reported, an annual physical inspection that is known to the facility in advance, (they always know), that allows them to increase staff and pretty up the surroundings for that duration only and now the fact that nursing home financial disclosures are not required to be reliably transparent in New Jersey. Nursing home residents, and by extension their families, deserve better. Protecting the wellbeing of our most vulnerable citizens should be a priority over corporate greed and outside political influences. Anything short of a mandated full financial operating and care disclosure for all New Jersey for nursing home facilities is totally unacceptable and requires immediate legislative attention.”

“I beg you please hold [n]ursing [h]omes accountable for their actions [and] lack thereof.”

“My [family member] was a patient for seven years in a county[-]run nursing home. It was sold to a private company that owns several homes in South Jersey. The care was never the same.”

“My [family member] is in a nursing home and the staffing is very thin. Residents wait a long time for help. The food is getting worse.”

“Our seniors deserve your help. Hold these facilities['] toes to the fire.”

“There is no accountability of where the taxpayer funds are spent.”

“Let’s protect our aging citizens and their anxious families. Holding nursing homes accountable is critical to our societal health.”

“Let’s make sure the funds are actually going to the residents and improving their quality of life.”

“It is time to require nursing homes to be accountable for the proper care of patients and not just look to make money at the expense of those in their care and not use that money to care for them in a proper manner. Audited financial statements should be a definite requirement.”

“There is no question that those who enter into the area of senior/elder care as for-profit facilities should be audited and held accountable. Just read the book Being Mortal by Dr. Atul Gawande for what I feel is a helpful perspective.”

“These nursing homes need more employees to allow the ones that are there to do the job correctly and the oversight to make sure this is done.”

“It’s time to start holding businesspeople responsible for their actions in what used to be a good country. NJ seems to be one of the ‘sane’ states remaining in the US so do what’s right. People should come first before greedy, uncaring corporations.”

“I have been into many of these homes and find that overall the workers are compassionate and dedicated. But I have also found that the staff to be overworked and the homes understaffed; it is obvious that they need direction as they seem unable to find it on their own.”

“These places make a fortune and do a terrible job with a skeleton crew.”

“We cannot ever see another refrigerator truck full of bodies get removed from an elder care center. It is on you to ensure that NJ makes elder care a priority.”

“CNAs [are] either overworked or negligent. Administration looked for ways to cut costs but making low paid workers give up benefits.”

“We need to be sure that local nursing homes are doing the right thing. Can you and your team be counted on to do the right thing? Accountability and transparency keep everyone honest.”

“What are you doing about making nursing homes accountable for the care of the people they are supposed to take care [of?] It's a disgrace what they get away with because [no] one is watching them.”

“With everything very expensive, we need to make sure that our tax dollars are spent wisely. To safeguard the integrity of our systems, nursing homes should be required to provide audited financial statements to foster accountability so funds are spent the way ... [they are] intended to be.”

“With the exorbitant fees, and poor quality of the care that they provide, where is [the] money going?? Follow the money and hold them accountable.”

“With the [g]ross [m]onthly cost of \$11,700 for a shared room the private [n]ursing [h]omes should be held [f]inancially accountable, particularly if [Medicaid] is paying for it.”

“We currently have [a family member] in New Jersey skilled nursing at \$12,000 monthly. At some point [the family member’s] funds may be exhausted and [the family member] will need to rely on taxpayer funds (including ours!). Nursing home owners may indeed have high expenses and deserve a reasonable return on their investments but should be required to be financially transparent. Let’s make certain they are!”

“[The Department] holds hospitals accountable through requiring audited financial statements. This requirement should be seamless across all entities and provide transparency for our most vulnerable residents, those in nursing homes.”

“If a legitimate business expects to succeed it must treat [its] customers and stakeholders as the key to their successful business. This rule should be instilled from the top down to all employees and contractors. This business attitude will guarantee ongoing, positive profits and an excellent outcome for all stakeholders, employees, and customers. Do not accept anything less than positive performance and acceptance from all. This is the way to run a great business and everyone can hold their heads up high knowing all is well.”

[I] demand that nursing home[s] submit audited financial statements. This would increase the accountability that will ensure that money is not being taken away from resident care.”

“[It is i]mperative that our senior nursing residents be protected.”

“The elderly in residential care often have no other persons to advocate for them. Act to ensure their welfare is the top priority!”

“The lack of respect[,] responsibility and accountability for nursing homes is appalling. Staff not only deserve proper compensation but it is necessary to ensure patients receive the care they need.”

“The lives and care of residents should always be a priority! We the taxpayers need to be assured that our tax dollars are spent for care, not profit! Anyone can be a resident residing in a nursing home someday, a thought for all to contemplate!”

“Nursing homes should be financially transparent for the good of the residents.”

“[P]ertaining to lack of help in nursing homes, it is a disgrace as to the quality of help and food associated with these facilities. Most of these patients have worked hard during their lifetime and do not deserve the lack of care and treatment they have received. Honesty and integrity need to be placed back in our government and health care facilities.”

“Please do whatever needs to be done to hold nursing homes accountable financially as well as kindness and care to those who are being taken care of.”

“Please give our seniors dignity, security and safety in their most vulnerable hour.”

“Please help protect our vulnerable citizens!”

“The care of our most vulnerable residents must take priority over financial concerns. Unfortunately, the nursing home industry has been taken over by for-profit enterprises that are not present in the homes they own and care nothing for their

patients. This opens opportunity for profiteering and abuse of residents, which must be prevented or stopped! That means accountability is essential.”

“It is shameful that the government doesn’t protect and take care of our seniors; all about the mighty buck. HOLD NURSING HOMES ACCOUNTABLE FOR THEIR CRAPPY CARE!!!!!!”

“STRICT THOROUGH MONITORING. ESPECIALLY VETERANS.”

“It is time that health care institutions and medical insurance realize that [s]eniors are still human beings and deserve to be healthy and happy.”

“Do it now! This industry has many, many problems associated with chasing profits.”

“Do the right thing. For a change.”

“Didn’t New Jersey get a bad enough reputation during the pandemic with poor patient care[?] Stop the madness now.”

“Especially now with a surge in seniors needing care in nursing homes[,] accountability is crucial.”

“Seniors certainly deserve better treatment than we are currently receiving!”

“Seniors need compassionate care with skilled nursing and other medical staff. Our seniors are treated so badly! This must stopped!! Spend \$ on residents!!!”

“Seniors need quality care. We will all at some point need care in our older years. Whether family or caretakers, the quality of care must be done with love, care, and desire to serve. Nursing homes lack in many of these humane qualities. Let’s begin to change these habits for new ones that reflect our Creator.”

“Soon I may need to go to a nursing home. I fear what changes will occur to my quality of life. Nursing homes must be accountable financially. Nursing homes should provide seniors with the help and nutritious food and medical care they need. This is not a place to generate HUGE PROFITS for some private owner!”

“South Jersey nursing homes are, by and large, a hugely expensive disgrace. Last summer, I did an enormous amount of research.... I found a pattern of suspicious ownership, directors with no medical or business training or certificates I am ... just curious and skeptical. Open the books! The lives of patients and families are at stake!”

“Care is terrible and [nurse aides] are underpaid.”

“As the population ages, nursing homes [and] assisted living homes will be big business [and] subject to abuse of those most vulnerable. There need[s] to be oversight in place [and an] agency that seniors [and] their guardian[s] can go to enforce those regulations.”

“Facilities need to be updated and modified not only in [r]ehabilitation sections but for long[-]term [n]ursing sections as well. Individuals residing in [n]ursing homes need to be treated with respect and provided with clean safe [environments]. Understaffing should not be a resident or family member’s problem, although it is a concern.”

“[Q]uality of care needs to be maintained, and is the responsibility of the facilities who receive our Medicare dollars. These facilities should be able to provide transparent data concerning provision of services and staffing and the costs involved. I am sure that those for[-]profits know exactly how much profit they make!”

“I am concerned about all that is hidden in the financial statements from money I paid with my taxes. I think most nursing home owners are owned by just one group.”

“All nursing homes or care facilities should totally be held accountable for quality of care as well as being held accountable to submit audited financial statements to increase accountability [and] transparency in spending.”

RESPONSE TO COMMENTS 1 THROUGH 5: The Department acknowledges the commenters’ support of the specially adopted new rules proposed for readoption.

6. COMMENT: A commenter states, “All elder care facilities in New Jersey should be required to present quarterly reports of how these funds are being used and sent to New Jersey’s Department of Taxation for scrutinization to confirm a certain percentage of receipts are being used for patient’s quality care.” (7)

RESPONSE: To the extent the commenter recommends that the Department establish requirements and operational standards for the Division of Taxation within the Department of the Treasury, the comment exceeds the scope of the rulemaking.

N.J.S.A. 26:2H-46.3 and 46.4 do not confer authority on the Department to establish standards that would apply to, or be administered and implemented by, another agency. Therefore, the Department will make no change upon readoption in response to this aspect of the comment.

To the extent the commenter supports the submission of reports to the Department in accordance with the specially adopted new rules proposed for readoption, the Department acknowledges the commenter’s support of the rulemaking.

7. COMMENT: A commenter states, “Please also consider diverting funds from nursing homes to expand home care services so that seniors can stay home instead of being forced into nursing homes!.” (6)

RESPONSE: The comment addresses State budgetary matters that exceed the scope of the proposed rulemaking. Therefore, the Department will make no change upon readoption in response to the comment.

8. COMMENT: “Please create an oversight panel to ensure a healthy financial operation.” (9)

RESPONSE: The Office of Healthcare Financing of the Department conducts nursing home financial oversight activities and will continue to do so upon the readoption of the specially adopted new rules. Therefore, the Department will make no change upon readoption in response to the comment.

9. COMMENT: A commenter states, “P.L. 2021, Chapter 457 [(the Act)] authorizes the DOH to adopt regulations on an ‘expedited basis’ only to ‘effectuate the purposes of this act.’ This specific authority to bypass standard regulatory procedure is not extended to any actions that are beyond or outside of the [Act]. As the [Department] says in [the proposal Summary], the [Act] ‘authorizes the Department to specially adopt rules to implement the Act[.]’

The ... special adoption, however, contains provisions that are beyond or outside of the [Act] and are thus not authorized by the [Act] for special adoption that bypasses standard regulatory procedure. Specifically, the proposed N.J.A.C. 8:97 requires that an ‘owner-certified’ financial statement be ‘audited by an independent, certified public

accountant in accordance with GAAS' and that those financial statements be submitted to the Department[.] Each of these requirements is beyond the [Act]. With regard to the Proposal's attempt to require audited financial statements, please see #2 below for a full discussion of why the [Act] does not authorize such a requirement by the [Department]. With regard to the requirement that financial statements be submitted to the [Department], the [Act] clearly does not contain any such requirement. Codified as N.J.S.A. 26:2H-46.3, the [Act] in section 3.b.1. clearly and unambiguously states, 'The department shall require all nursing homes to post on their internet websites annual owner-certified financial statements along with the nursing home's most recent cost reports[.]' The requirement that these documents be submitted to the [Department] is beyond the scope of the [Act], and thus cannot be included in the special adoption. For these reasons, the requirements for audited financial statements and for submission of owner-certified financial statements must be removed from the special adoption.

The [Act] does not authorize the [Department] to require the submission of audited financial statements. An analysis of the [Act] shows very clearly that 'owner-certified' means exactly what it says, and the [Department] is not given discretion within the law to expand upon the meaning of that term. First and foremost, the plain language of the statute is perfectly clear in requiring that financial statements be 'owner-certified.' Beyond the clarity of the language, a quick review of the legislative history shows that the [L]egislature did not intend that owner-certified financial statements be audited. The initial bill introduced in the [L]egislature did contain a requirement for annual audited financial statements. In fact, that initial proposal would have required all long-term care facilities to 'file with the department monthly and quarterly unaudited

financial information, quarterly unaudited financial statements, annual audited financial statements, and such other financial information as the department may request.’ As the proposal worked its way through the legislative process, however, changes were made, including the removal of the requirement for audited financial statements. The language in the final law as passed by the [L]egislature and signed by the Governor says, ‘The department shall require all nursing homes to post on their Internet websites annual owner-certified financial statements along with the nursing home’s most recent cost reports submitted to the [F]ederal Centers for Medicare and Medicaid Services.’ Clearly, the [Act] contains no requirement for audited financial statements.

Further, the [Act] does not grant the [Department] legal discretion to interpret the law to include audited financials. As discussed above, the initial proposal in the Legislature would have required all long-term care facilities to ‘file with the department monthly and quarterly unaudited financial information, quarterly unaudited financial statements, annual audited financial statements, *and such other financial information as the department may request* [(emphasis added by commenter)].’ As the [Act] was amended, the discretion granted to the [Department] in the original proposal was removed. The [Act] does not contain this discretionary language. Thus, we have the plain language of the [Act] that does not give the [Department] discretion to require more than owner-certified financial statements and we have the clear intent to remove such discretion from the [Act], as evidenced by the legislative history.

Finally, we know that the Legislature does not believe that [the Act] requires or authorizes the [Department] to require the submission of audited financial statements from nursing homes because there is a bill that has been proposed to amend the [Act]

that would require audited financial statements. This proposed bill has not passed either house in the Legislature.

For the aforementioned reasons, the [Department] is not legally authorized to require the submission of audited financial statements from nursing homes.” (1)

RESPONSE: The Department disagrees with the commenter’s assertion that the specially adopted new rules, concurrently proposed for readoption, are inconsistent with the purpose and intent of the Act and exceed the Department’s rulemaking authority.

N.J.A.C. 8:97-2.2 identifies the content of an owner-certified financial statement and uses the word “submit” in the same sense as the word “issue,” “produce,” or “create.” N.J.A.C. 8:97-2.2 does not require direct submission of any material to the Department.

N.J.S.A. 26:2H-46.3 requires the Department to “include on its Internet website a link to the page where each nursing home’s certified financial statements and cost reports are posted.” To accomplish this mandate, N.J.A.C. 8:97-2.3(e) requires each facility to undertake the ministerial act of submitting not the underlying documents themselves, but the website link that hosts the posted documents, so that the Department can add these links to the “data dashboard” that N.J.S.A. 26:2H-46.3 requires the Department to establish and maintain. Absent this requirement, the Department would be obliged to navigate the websites of hundreds of nursing homes to find the links to each facility’s posted documents and continually monitor these websites to see if a link has changed. This would impose an unnecessary administrative burden on the Department.

The Department disagrees with the commenter's assertion that the definition of "owner-certified financial statement" at N.J.A.C. 8:97-1.2 exceeds the scope of the regulatory authority that the Act confers on the Department. It is well-settled that administrative agencies enjoy substantial deference in interpreting statutes and developing rules within their implementing and enforcing responsibility because agencies maintain expertise and superior knowledge in their respective regulatory fields. *Natural Medical, Inc. v. N.J. Dept. of Health and Sr. Servs.*, 428 N.J. Super. 259, 269-270 (App. Div. 2012). Such deference is especially appropriate when an agency is implementing a new statute. *Id.* at 270.

The Act, at N.J.S.A. 26:2H-46.3.b(1), directs the Department to "require all nursing homes to post on their Internet websites annual owner-certified financial statements." To effectuate the purpose and intent of the Act, which is to create greater transparency into the operations and financial health of nursing homes, the Department proposes to define the term "owner-certified financial statement," at N.J.A.C. 8:97-1.2, to mean "a financial statement that is prepared using the accrual basis and includes, at a minimum, a balance sheet, statement of operations or income, statement of changes in net assets, and statement of cash flows, and is prepared in accordance with GAAP, and is then subsequently audited by an independent certified public accountant in accordance with GAAS."

Requiring an "owner-certified financial statement" to be audited by an independent, certified public accountant, in accordance with generally accepted auditing standards, provides assurances that the financial information a facility reports is accurate, correct, and free of material misstatements (as opposed to a financial

statement that a facility self-reports, without any assurances), and thereby provides the transparency the Act seeks to provide.

While the commenter states that the term, “‘owner-certified’ means exactly what it says,” the Act does not define this term, and the term is not widely used in the financial industry. Moreover, in the months following the enactment of the Act and preceding the special adoption of N.J.A.C. 8:97, the Department received many inquiries from nursing homes regarding the meaning of this term, thereby demonstrating to the Department that the term’s meaning was not self-evident and that rulemaking to define the term was appropriate. The definition of the term, “owner-certified financial statement” is reasonable and consistent with the Act’s purpose of promoting financial transparency of the nursing home industry of the State.

For the forgoing reasons, the Department will make no change upon readoption in response to the comment.

10. COMMENT: A commenter states, “In addition to not having the legal authority to require audited financial statements from nursing homes, such a requirement would be duplicative of other reporting requirements and excessively burden nursing homes. This would ultimately harm nursing home residents by diverting resources away from resident care toward unnecessary administrative expenses. Please consider the following:

[(A)] The [State] has more than enough financial information to know exactly what it costs to operate a nursing home in New Jersey. On a very basic level, there are three [State]-operated nursing homes that all report their financial information to the

[State]; there are approximately eight county-operated nursing homes that all report their financial information to the [State]; there are approximately [75] non-profit nursing homes in the [State], all of [which] file financial data to maintain their tax-exempt status and much (if not all) of that information is audited; and all nursing homes in the [State] submit both [Federal] and [State] cost reports, as well as NF-1 statements and patient care ratio financial reports;

[(B)] Financial statements as required by the [Act] will provide financial data in a different format from what is already collected by the [State], but the data is not new data and will not provide information that the [State] does not already have;

[(C)] The estimated cost of providing audited financial statements is up to \$30 million annually for the nursing home industry. The [Department] offers no funding to the industry to offset this administrative cost, and the [State's] Medicaid payment system contains neither the methodology nor the funding to reimburse this cost. Thus, the only way for nursing homes to meet this burden is to redirect existing resources toward this cost. For nursing homes that are either losing money or struggling to break even, which is about 60 [percent] of the industry in New Jersey, this will mean redirecting money that would otherwise be used for resident care;

[(D)] For those who believe that audited financial statements are a way to ensure accuracy, there are clearly less costly, more targeted ways to accomplish that same goal. Random or targeted audits of a percentage of nursing home cost reports would accomplish the same goal at a fraction of the cost. Similarly, requiring audited financial statements from a representative sample of nursing homes each year, with funding for the costs of those audits, would provide the [State] an accurate baseline that other

facility cost reports could be compared to, and would accomplish the goal of assuring accuracy at a fraction of the cost of the current proposal; and

[(E)] Prioritizing the residents in our nursing homes means investing resources into our nursing homes and using those resources to provide the best possible quality of life and care for those residents. Siphoning money from the industry for an unnecessary, [overly costly] administrative requirement is not prioritizing the residents of nursing homes.

For all of the above reasons, we ask that the [Department] rescind its emergency promulgation and reconsider its proposed N.J.A.C. 8:97.” (1)

RESPONSE: The purpose of the Act is to create financial transparency in the State’s nursing home industry, not to obtain knowledge of the cost to operate a nursing home in New Jersey. While it is correct that nursing homes already provide certain financial data to the State and Federal governments, the Act establishes additional requirements to promote financial transparency, and directs the Department to promulgate implementing rules. The Act requires each nursing home to create and post, annually, its owner-certified financial statements. If the purpose of the Act were to acquire knowledge of the cost of operating a nursing home in the State, then the Act would not have directed each facility to complete and post its financial statements. The Act explicitly states, “The [Department] may develop additional data reporting requirements for nursing homes as are necessary to improve transparency.”

The Department disagrees with the suggestion that random or targeted audits of facilities would provide adequate alternatives to implement the Act as this would not achieve the Act’s goal of complete financial transparency, and contradict the Act’s

explicit requirement that “all nursing homes” post their owner-certified financial statements.

The Economic Impact, in the concurrent proposal to readopt the specially adopted new rules, acknowledges that issuance of audited financial statements imposes costs on facilities. However, far from siphoning money from resident care, as the commenter suggests, the auditing of financial statements protects patients. Poor finances and inferior quality of care are directly linked; a nursing home that is financially insolvent does not have the financial resources to provide high-quality care. In these situations, residents suffer. As the Social and Economic Impacts in the notice of proposal describe, a financially insolvent nursing home negatively affects the facility’s residents by forcing their unplanned relocation to other facilities, thereby disrupting each resident’s sense of stability and care continuity. Resident relocation on short notice upon a facility’s insolvency also negatively affects the nursing homes to which residents relocate, and impairs the care those nursing homes provide to their existing residents, by disrupting operations due to the unanticipated and sudden influx of new residents. Financial transparency of nursing homes’ financial health promotes and enhances resident safety and care quality, and helps to mitigate the occurrence and attendant negative effects of facility closures on short notice.

The commenter’s estimate that up to 60 percent of the nursing home industry is “losing money or struggling to break even,” if accurate, reinforces the need for greater public awareness of facilities’ financial status and risk of closure. The benefits to the public of requiring a facility to post audited, owner-certified financial statements far outweigh the costs that a facility will incur.

The Department also disagrees with the commenter's assertion that requiring an "owner-certified financial statement" to be audited by an independent, certified public accountant, in accordance with generally accepted auditing standards, is duplicative to other nursing home financial reporting requirements. Cost reports and quarterly financial reports (NF-1s) that nursing homes file with the Department of Human Services do not capture information that is identical to the audited financial statements. Unlike audit financial statements, cost reports do not contain sufficient information to create a balance sheet or change in net assets. Moreover, audited financial statements include written narratives about various aspects of the facility's financials, including detailed information about long-term leases, long-term debt payment schedules, related-party transactions, and other important financial datapoints that are not captured in the NF-1s or cost reports. As noted above, the purpose and intent of the Act is to create greater transparency into the operations and financial health of nursing homes. Cost reports were designed for the purpose of rate setting, and NF-1s offer a quarterly snapshot into the financial health of the facility. Neither one is designed to provide a full picture of the financial health of facilities for the purpose of financial transparency.

For the foregoing reasons, the Department will make no change upon readoption in response to the comment.

11. COMMENT: A commenter states, "The [specially adopted new rules proposed for readoption] are based on N.J.S.A. 26:2H-46.3, but there are differences between that statute and the [rules as proposed] at [N.J.A.C.] 8:97. The [Act] requires nursing facilities to post their Medicare cost report and owner-certified financial statements. And

N.J.A.C. 8:97-2.2 uses that same language, ‘owner-certified financial statements.’

Numerous communications from the Department ... to nursing facilities said ‘owner-certified financial statements.’ However, in the definitions section ([at N.J.A.C.] 8:97-1.2), ‘owner-certified financial statements’ includes a line that the statements must be subsequently audited by a CPA. This is beyond all communication from both the original statute and the communications from the [Department] to the industry. The definition should be amended to strike the language about subsequent audits.” The comment further states that “N.J.A.C. 8:97-2.2(a)6 calls for a schedule of gross and net revenue. This schedule was not included in all earlier communications to the industry.”

(2)

RESPONSE: The Act authorizes the Department to “adopt any regulations necessary to effectuate [the Act’s] purposes.” N.J.S.A. 52:14B-3.a prohibits an agency from imposing, through the issuance of guidance documents, requirements that the agency has yet to adopt through rulemaking. Therefore, the Department would have exceeded the Act’s grant of authority if it had issued pre-rulemaking guidance materials to define the content and nature of the term, “owner-certified financial statements.” As stated in response to previous comments, the adopted definition of “owner-certified financial statements” would effectuate the Act’s purpose of enhancing financial transparency in the State’s nursing home industry. Likewise, the Department was unable to mandate, through guidance documents, the submission of a schedule of gross and net revenue prior to the promulgation of rules. For the foregoing reasons, the Department will make no change upon readoption in response to the comment.

12. COMMENT: A commenter states, “As a practical matter, nursing facilities sign engagement letters for audited financial statements generally at the end of a fiscal year. So, facilities [that]—based on all earlier directions—did not engage their CPAs for an audit will have difficulty complying with this additional requirement that was first published in March 2024 for the 2023 year end.” (2)

RESPONSE: The Department issued a memorandum to all nursing homes, dated April 18, 2024, providing a one-time, six-month grace period to fulfill the financial reporting requirements set forth at N.J.A.C. 8:97. Thus, a nursing home can comply by submitting its audited financial statements by the 15th day of the 12th month following the end of the nursing home’s fiscal year. As such, the commenter’s concerns are moot. Moving forward, nursing homes would be aware of the reporting requirements at N.J.A.C. 8:97 and have sufficient time to engage with a CPA firm and complete an audit on time. In addition, N.J.A.C. 8:97-4.1(b)3 grants the Department the ability to lessen financial penalties on a case-by-case basis if a nursing home is taking steps to mitigate the effects of a violation or prevent future violations. For the reasons stated above, the Department will make no change upon readoption in response to the comment.

13. COMMENT: A commenter states that “N.J.A.C. 8:97-2.2(a)6 calls for a schedule of gross and net revenue. This schedule was not included in all earlier communications to the industry.” (2)

RESPONSE: Prior to the special adoption and concurrent readoption notice of proposal of the new rules at N.J.A.C. 8:97, no requirement to submit this schedule existed. The Department could not instruct nursing facilities to submit a schedule of gross and net revenue until it had completed the rulemaking in accordance with the Administrative

Procedure Act. It is common practice in the health care sector to include this information in reporting of health care facility data to the Department. Ambulatory care facilities and acute care hospitals submit similar schedules in their respective annual reports to the Department. For the foregoing reasons, the Department will make no change upon readoption in response to the comment.

14. COMMENT: A commenter states, “N.J.A.C. 8:97-2.2(a)6 references NJ Family Care/Medicare. This is a typographical error. It should read NJ Family Care/Medicaid.”
(2)

RESPONSE: The commenter is correct. In response to the comment, the Department will make a non-substantial change to correct the text to use the official name of the program, NJ FamilyCare, which, according to the program’s website at <https://njfamilycare.dhs.state.nj.us>, “includes CHIP [(the Children’s Health Insurance Program)], Medicaid and Medicaid expansion populations.”

Federal Standards Statement

There are no Federal standards applicable to the specially readopted new rules. The Department is not readopting the specially adopted new rules at N.J.A.C. 8:97 pursuant to the authority of, or to implement, comply with, or participate in a program established pursuant to, Federal law, or a State law that incorporates or refers to a Federal law, standard, or requirement. The Department readopts the specially adopted new rules at N.J.A.C. 8:97 pursuant to the authority at N.J.S.A. 26:2H-1 et seq., particularly at 26:2H-46.1 through 46.4. Therefore, a Federal standards analysis is not required.

Full text of the specially readopted new rules follows (addition to proposal indicated in boldface with asterisks ***thus***; deletion from proposal indicated in brackets with asterisks *[thus]*):

8:97-2.2 Owner-certified financial statement requirements

(a) The owner of a nursing home, whether an individual or member of a governing body, must submit an owner-certified financial statement, which consists of:

1.-5. (No change from proposal.)

6. A supplemental schedule with a statement detailing gross (charges) and net patient services revenue by payer, including, but not limited to, Medicare, NJ *[FamilyCare/Medicare]* ***FamilyCare***, and other payers, and by revenue center.