

3. By overnight delivery service or hand delivery:
Office of Health Care Financing
New Jersey Department of Health
55 N Willow Street, 5th Floor
Trenton, NJ 08608

**SUBCHAPTER 3. NATIONAL HEALTH CARE SAFETY
NETWORK PARTICIPATION AND
REPORTING REQUIREMENTS**

- 8:97-3.1 Participation in the Long-Term Care Facility Component of the National Health Care Safety Network and additional reporting requirements
- (a) Each nursing home shall participate in the Long-Term Care Facility (LTCF) Component of the NHSN (LTCF-NHSN) by:
1. Enrolling in the LTCF-NHSN by completing and submitting the online enrollment form through the website at: <https://www.cdc.gov/nhsn/lc/enroll.html>, and ensuring that it maintains continued enrollment and satisfies all associated reporting requirements;
 2. Completing the LTCF Annual Facility Survey upon initial enrollment in the LTCF-NHSN, and by March 31 of each calendar year thereafter; and
 3. Reporting data in accordance with the LTCF Monthly Reporting Plan by submitting to the NHSN the data or reports identified below in accordance with the indicated schedule, by the end of each month for the previous month's submission:
 - i. Weekly:
 - (1) LTCF COVID-19 Module, unless and until the Department deems this requirement no longer to be necessary based upon Federal guidance and communicates this to all facilities through formal notice through regular channels; and
 - (2) Health care personnel (HCP) and resident COVID-19 vaccination, unless and until the Department deems this requirement no longer to be necessary based upon Federal guidance and communicates this to all facilities through formal notice through regular channels; and
 - ii. Monthly:
 - (1) Multidrug-resistant organism and *Clostridioides difficile* infection (MDRO/CDI);
 - (2) Urinary tract infection (UTI);
 - (3) Healthcare personnel (HCP) safety component; and
 - (4) Prevention process measures, including hand hygiene, gloves, and gown adherence.
- (b) Each nursing home shall complete the COVID-19 Facility Outbreak Reporting survey daily, unless and until the Department deems it no longer necessary based upon Federal guidance and communicates this to all facilities through formal notice through the regular channels.
- (c) The Department will use the data reported pursuant to (a) and (b) above to maintain the data dashboard at: <https://www.nj.gov/health/ltc/nursing-homes/>.
- (d) To ensure compliance, each nursing home by March 31 annually shall complete and submit through email to NHSNAttestation@doh.nj.gov an attestation, confirming its participation in the LTCF Annual Facility Survey, the LTCF Monthly Reporting Plan, and the COVID-19 Facility Outbreak Reporting survey.
- 8:97-3.2 Internet posting of database link and designated staff
- (a) Concurrent with the reporting and submission of information to the Department pursuant to this chapter, a nursing home shall post on its website:
1. A direct link to the nursing home's webpage on the data dashboard; and
 2. The contact information for a staff person whom the nursing home designates to respond to questions from the public about the nursing home's policies, procedures, and operations.
- (b) A nursing home shall submit the required contact information to the Department in one of the following ways:
1. By email: OLTCSR@njlincs.net;
 2. By regular mail:
Office of Long-Term Care Resiliency
New Jersey Department of Health

PO Box 360

Trenton, NJ 08625-0360; or

3. By overnight delivery service or hand delivery:
Office of Long-Term Care Resiliency
New Jersey Department of Health
55 N Willow Street, 5th Floor
Trenton, NJ 08608

(c) If a nursing home fails to comply with the requirements outlined in this subchapter, the Department will impose necessary corrective actions to achieve compliance, which may include requiring the nursing home to submit an attestation that:

1. Outlines specific steps that the facility will undertake to achieve compliance within 120 days following the date of attestation;
2. Acknowledges legal obligations and penalties; and
3. Provides relevant information.

SUBCHAPTER 4. ENFORCEMENT REMEDIES

8:97-4.1 Enforcement remedies and procedures

(a) In accordance with applicable enforcement procedures, and in addition to available enforcement remedies at N.J.A.C. 8:43E-3, and subject to (b) below, the Department may assess civil monetary penalties pursuant to N.J.S.A. 26:2H-13 and 14, as well as N.J.S.A. 26:2H-46.12, for violations of this chapter as follows:

1. For failure to comply with the requirements set forth in this chapter, in regard to financial, operational, and clinical reporting and posting of applicable information, or to timely submit an attestation and plan of correction for any areas of noncompliance, up to \$200.00 per day until compliance occurs; and

(b) The Department may assess a penalty that is less than the maximum amount authorized pursuant to (a) above, upon consideration of:

1. A nursing home's compliance history;
2. The number, frequency, or severity of the violations;
3. The measures a nursing home takes to mitigate the effects of a violation or to prevent future violations;
4. The deterrent effect of the penalty; and
5. Mitigating circumstances that are particular to the nursing home or the violation.

HUMAN SERVICES

(a)

DIVISION OF DEVELOPMENTAL DISABILITIES

Notice of Administrative Change

Contribution to Care and Maintenance Requirements

Notice of Family Maintenance Standard, Medical Cost Standard, Tuition Deduction, and the Cost of Care and Maintenance Rates

N.J.A.C. 10:46D-3.2

Effective Date: January 1, 2025.

Take notice that, in accordance with N.J.A.C. 10:46D-3.2, the Department of Human Services announces that the following family maintenance standard (N.J.A.C. 10:46D-3.2(a)), medical cost standard (N.J.A.C. 10:46D-3.2(a)), tuition deduction standard (N.J.A.C. 10:46D-3.2(a) and (f)), and the cost of care and maintenance rates that shall be utilized in the determination of eligibility and the contribution to care and maintenance of individuals residentially placed by the Division of Developmental Disabilities and their legally responsible relatives for the period beginning January 1, 2025. The approved calendar year 2025 patient payment per diem rate for State developmental centers is \$1,565. The approved calendar year 2025 patient payment per diem rate for residential functional services is \$621.00. These changes are effective January 1, 2025. This notice of administrative change is published pursuant to N.J.A.C. 1:30-2.7.

Full text of the changed rule follows (additions indicated in boldface **thus**; deletions indicated in brackets [thus]):

SUBCHAPTER 3. TREASURY FORMULA-DDD

10:46D-3.2 DDD Formula B-DDD (B) for individuals under age 18

(a) This section shall apply to the individual under age 18 being served, LRR(s), or any other person responsible for the estate of such individual and/or LRR(s). The family maintenance standard for a family of four, for calendar year [2024] **2025**, is [\$39,996] **\$41,420**, the medical cost standard for a family of four is [\$9,896] **\$10,038**, and the tuition deduction shall be revised annually, using the Consumer Price Index figures then applicable and the cost for in-State tuition at Rutgers, the State University[,] ([\$13,674] **\$14,222** for school year [2023-24] **2024-25**). These revisions shall be published annually by the Department as public notices in the New Jersey Register. Additionally, the Department shall publish, in the New Jersey Register, the cost of care and maintenance rates as established by the Commissioner.

(b)-(e) (No change.)

(f) The deduction for college tuition shall be the actual college tuition cost paid, but shall not exceed the maximum of the annual in-State tuition expenses for Rutgers University. The deduction shall be the net of any scholarships, awards, or grants, and shall cover tuition paid but shall not cover such items as room, board, books, and lab fees. The maximum college tuition deduction for school year [2023-2024] **2024-2025** is [\$13,674] **\$14,222**. This shall be revised annually as required at (a) above.

(g)-(j) (No change.)

PUBLIC UTILITIES

(a)

BOARD OF PUBLIC UTILITIES

Community Solar Energy Program

Adopted Amendments: N.J.A.C. 14:8-9.2, 9.5, 9.6, 9.7, 9.9, 11.2, 11.4, and 11.5

Proposed: September 18, 2023, at 55 N.J.R. 1985(a) (see also 55 N.J.R. 2048(a) and 56 N.J.R. 1948(a)).

Adopted: February 12, 2025, by the New Jersey Board of Public Utilities, Christine Guhl-Sadovy, President, Dr. Zenon Christodoulou, Ph.D., and Michael Bange, Commissioners.

Filed: February 14, 2025, as R.2025 d.035, **with substantial changes** to proposal after additional notice and comment, pursuant to N.J.S.A. 52:14B-10, and **with non-substantial changes** not requiring additional public notice and comment (see N.J.A.C. 1:30-6.3).

Authority: N.J.S.A. 48:3-87.11, 48:3-115, and 48:3-116.

BPU Docket Number: QX23070434.

Effective Date: March 17, 2025.

Expiration Date: February 17, 2026.

Summary of Public Comments and Agency Responses:

Written comments on the original notice of proposed amendments were received from Arcadia Power; Atlantic City Electric Company (ACE); Coalition for Community Solar Access and Solar Energy Industries Association (CCSA-SEIA); CS Energy; Gabel Associates; Good Energy; the NAACP NJ State Conference; NAIOP New Jersey; New Jersey Division of Rate Counsel (RC); Prologis; Public Service Electric and Gas Company (PSE&G); and Solar Landscape. Written comments on the notice of proposed substantial changes upon adoption to proposed amendments were received from the Affordable Housing Alliance (AHA); Atlantic City Electric Company (ACE); Atlantic Management; Coalition for Community Solar Access, Solar Energy Industries Association, and New Jersey Solar Energy Coalition (CCSA-SEIA-NJSEC); ForeFront Power; Gabel Associates; a member of the public identifying themselves as "Jean Public"; Jewish Renaissance Foundation; Mid-Atlantic Solar & Storage Industries Association

(MSSIA); NAIOP New Jersey; New Jersey Division of Rate Counsel (RC); New Jersey Utilities Association (NJUA); NJR Clean Energy Ventures Corporation; Passaic Valley Sewerage Commission; Rockland Electric Company (RECO); Solar Landscape; and Solstice Power Technologies LLC, Arcadia Power, Inc., and Perch Energy Inc. (Subscription Providers).

1. Comments Received During Initial Comment Period Giving Rise to Substantial Changes in Proposal Upon Adoption

N.J.A.C. 14:8-9.5 Community Solar Energy Program (CSEP) Eligibility

1. COMMENT: The commenter recommends including "a sand and gravel pit that has no critical wildlife habitat" as a permitted siting type in the CSEP, stating that sand and gravel pits were considered preferred siting in the Pilot Program and should continue to be able to participate in community solar. The commenter says such sites may require remediation and add value to their communities. (CS Energy)

RESPONSE: The New Jersey Board of Public Utilities (Board) agrees with the commenter's observation that mining sites are disturbed and degraded areas where installation of solar facilities would have relatively minor environmental impact. While not considered impervious surfaces or part of the built environment, these sites are in some ways analogous to contaminated sites and landfills. The Pilot Program also considered these sites to be preferred siting. The Board, in consultation with the New Jersey Department of Environmental Protection, determined that mining sites would be appropriate to include in the CSEP and is adding a definition of "mining site" and including these sites as permitted site types in the CSEP.

2. COMMENT: The commenters suggest that the Board's prohibition on co-located projects on adjacent buildings with the same beneficial owner will limit effective deployment of warehouse and distribution space and handicap long-term rooftop community solar development. The commenters note that within industrial properties, building rooftops are often separated by access roads, parking lots, or other physical means of separation, and are leased by distinct tenants. The commenters suggest removing "with different beneficial owners" from the co-location exemption at proposed N.J.A.C. 14:8-9.5(g). (Prologis and NAIOP New Jersey)

3. COMMENT: The commenter proposes extending the co-location exemption to projects that are registered in the CSEP during different energy years. (Prologis)

RESPONSE TO COMMENTS 2 AND 3: The Board agrees with the commenters that buildings on separate properties may have projects on their rooftops developed and installed separately. The Board believes that distinguishing adjacent buildings with the same beneficial owner and with different beneficial owners is unnecessary and adopts the proposal to remove this from the provision. However, the Board disagrees with the suggestion to distinguish co-located projects that are registered during different energy years, which would diminish the differences in eligibility for the Administratively Determined Incentive (ADI) and Competitive Solar Incentive (CSI) programs. The Board is making a change upon adoption to rephrase the definition of and restrictions on co-location at N.J.A.C. 14:8-11.2 and 11.4, respectively, for greater clarity.

4. COMMENT: The commenters object to the provision at N.J.A.C. 14:8-9.5(h) excluding electric distribution companies (EDCs) from developing, owning, and operating community solar projects and urge the Board to strike any such language in its entirety. The commenters state that the rule contradicts the language contained in the Clean Energy Act which permits EDCs to participate in the permanent program and imperils the State's ability to achieve its clean energy goals. (ACE and PSE&G)

RESPONSE: The Board agrees with the commenters that the EDCs may be able to participate in the CSEP. The Board has removed the originally proposed N.J.A.C. 14:8-9.5(h) and, instead, upon adoption, adds that the standard for community solar projects owned by EDCs be that such projects may register in the CSEP in any capacity that is not subscribed by the end of an energy year. Such remaining capacity would be carried over to the subsequent energy year in addition to newly allocated capacity, and the EDC may register pursuant to standard procedures projects that total up to the capacity that was carried over. The Board continues to believe that there is strong interest in developing community solar projects by non-EDC entities and that risks and costs