

PHILIP D. MURPHY Governor TAHESHA L. WAY

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JEFFREY A. BROWN Acting Commissioner

May 22, 2025

## **VIA ELECTRONIC & FIRST-CLASS MAIL**

Zack Rosenberg Harbour View Senior Living Corp 3161 Kennedy Boulevard North Bergen, NJ 07047

Re: Harbour View Senior Living Corp

CN ER# 2024-09359-09:01

Relocation of Twenty-four (24) Long-Term

Care Beds

Total Project Cost: \$0

Expiration Date: May 22, 2030

Dear Mr. Rosenberg:

Please be advised the Department of Health (Department) is approving the Expedited Review Certificate of Need (ERCN) application submitted on October 1, 2024, by Harbour View Senior Living Corp (Harbour View), a long-term care facility located at 3161 Kennedy Boulevard, North Bergen, New Jersey 07047, for the relocation of 24 Long-Term Care (LTC) beds from Daughters of Israel Pleasant Valley Home to Harbour View. This application is being approved without any total project cost, as noted above.

The relocation of all or a portion of a health care facility's licensed beds or an entire service from one licensed facility (sending facility) to another (receiving facility) located within the same planning region is subject to the ERCN process under N.J.A.C. 8:33-5.1(a)(11). This relocation of 24 LTC beds to Harbour View will be effectuated through a transfer of ownership from the sending facility, Daughters of Israel Pleasant Valley Home, located in Essex County at 1155 Pleasant Valley Way, West Orange, New Jersey, 07052 to Harbour View, the receiving facility, located in Hudson County, which are contiguous counties within the same planning region as is required under N.J.A.C. 8:33- 3.4(a)(3)(i). Harbour View is currently licensed for 60 LTC beds. and the additional 24 LTC beds will bring their new total of licensed LTC beds to 84.

The Department has considered the applicable regulations for the services subject to expedited review (i.e., N.J.A.C. 8:33-5.3). The Department finds that the Harbour View Senior Living Corp, the licensed operator, has provided an appropriate project description. The applicant has identified that there are no additional costs for adding the 24 LTC beds (i.e. no costs for

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adding furniture). The operating costs and revenues were provided, which reflected that by the end of the first year of operation of the additional 24 LTC beds, the total expected revenue would be \$9,825,376.60 and total expected expenses of \$9,622,814.00, for a profit of \$202,562.60. The Applicant stated that these beds will enable the facility to admit more residents to meet the long-term care needs of the community. Based on the projected utilization statistics, Harbour View Senior Living Corp estimates that the additional 24 beds will result in 97.6% occupancy in the first year, which would be sustained going forward through the second and third year of operation. The applicant states that no special equipment is required for the relocation and the source of funds is not applicable as there is no cost associated with this project.

Justification for the proposed project (N.J.A.C. 8:33-5.3(a)(1)) referenced that the licensed operator has a documented history of high occupancy rates, and approval of the 24 additional LTC beds will allow Harbour View to continue to provide access to long-term care services to patients in Hudson County to better meet the needs of the community. As described in the application, the proposed project involves the redistribution of LTC beds already inventoried in the Hudson County Planning Region (i.e., transferring existing beds from other LTC facilities in the region), thus eliminating any requirements for statistical bed need. The addition of 24 licensed beds at Harbour View will only yield a positive outcome, and no providers are expected to be negatively impacted by the approval of this application.

In addition, the Applicant has assured that all residents of the area, particularly the medically underserved, will have access to services (N.J.A.C. 8:33-5.3(a)(2)), and confirmed that this facility will be operated in compliance with the regulatory requirements for admission of Medicaid residents. Harbour View Senior Living Corp asserts that the facility has and will continue to provide access to services to all residents from all payor sources without discrimination.

The proposed project does not require any construction or renovation for the requested increase in licensed beds. The additional LTC beds will be housed in the exiting, vacant first-floor unit of the facility that formerly held 30 beds. The proposed beds will be contained in 11 double bedded rooms and two single bedded rooms. Architectural plans were submitted to the Department for review and, a letter was issued to the applicant on January 6, 2025, confirming that physical plant compliance with LTC regulations for this unit were met. Additionally, Harbour View Senior Living Corp, has demonstrated a track record of substantial compliance with the Department's licensing standards (N.J.A.C. 8:33-5.3(a)(3)(ii)). The owners of Harbour View Senior Living Corp do not own, operate or manage any out-of-state facilities, and any regulatory compliance events reported in New Jersey have been addressed by the Applicant.

Please be advised that this approval is limited to the application as presented and reviewed. The application, related correspondence and any completeness questions and responses are incorporated and made a part of this approval. An additional review by the Department may be necessary if there is any change in scope, as defined at N.J.A.C. 8:33-3.9. However, in accordance with N.J.A.C. 8:33-3.9(a) 1-3, a change in cost of an approved certificate of need is exempt from certificate of need review subject to the following:

 The Applicant shall file a signed certification as to the final total project cost expended for the project at the time of the application for licensure for the beds/services with the Certificate of Need and Healthcare Facility Licensure Program. Harbour View Senior Living Corp CN ER# 2024-09359-09;01 Relocation of Twenty-four (24) Long-Term Care Beds Page 3

- 2. Where the actual total project cost exceeds the certificate of need approved total project cost and is greater than \$1,000,000, the applicant shall remit the additional certificate of need application fee due to the Certificate of Need and Healthcare Facility Licensure Program. The required additional fee shall be 0.25 percent of the total project cost in excess of the certificate of need approved total project cost.
- 3. The Department will not issue a license for beds/services until the additional fee is remitted in full.

The Department, in approving this application, has relied solely on the facts and information presented. The Department has not undertaken an independent investigation of such information. If material facts have not been disclosed or have been misrepresented, the Department may take administrative regulatory action to rescind the approval or refer the matter to the Office of the Attorney General.

Any approval granted by this Department relates to certificate of need and/or licensing requirements only and does not imply acceptance by a reimbursing entity. This document is not intended as an approval of any arrangement affecting reimbursement or any remuneration involving claims for health care services.

This approval is not intended to preempt in any way the authority of any municipality to regulate land use within its borders and shall not be used by the applicant to represent that the Department has made any findings or determination relative to the use of any specific property.

Please be advised that services may not commence until a license has been issued by the Certificate of Need and Healthcare Facility Licensure Program to operate the additional beds at this facility. A survey by Department staff will be required prior to commencing services.

The Department looks forward to working with the applicant to provide a high quality of care to patients needing long-term care services. If you have any questions concerning this Certificate of Need approval, please do not hesitate to contact Michael J. Kennedy, Executive Director, Division of Certificate of Need and Licensing at Michael Kennedy@doh.nj.gov.

Sincerely,

Stefanie J. Mozgai Assistant Commissioner

Certificate of Need & Licensing New Jersey Department of Health

C: Stefanie J. Mozgai, DOH (Electronic mail)
Michael J. Kennedy, J.D., DOH (Electronic mail)
Kara Morris, DOH (Electronic mail)
Carol Hamill, DOH (Electronic mail)

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Luisa Alexopoulos, DOH (Electronic mail)
Antonella Ventura, DOH (Electronic mail)
Keira McRae-Wiggins, DOH (Electronic mail)
Kirti Sunda, DOH (Electronic mail)
Ramon Santiago, DOH (Electronic mail)
Intake Unit, DOH (Electronic mail)
David Kostinas, David Kostinas & Associates