

NEW JERSEY DEPARTMENT OF HEALTH

HEALTH SYSTEMS BRANCH

INTEGRATED HEALTH BRANCH

GUIDANCE 3-2019

DATE ISSUED: March 13, 2019

SUBJECT: SHARED CLINICAL SPACE IN LICENSED MENTAL HEALTH AND SUBSTANCE USE
DISORDER FACILITIES

The Department of Health provides this guidance to clarify that a single legal entity licensed to provide both mental health services¹ and substance use disorder services² is permitted to share clinical space for those services. Although Ambulatory Care Facilities (ACFs)³ providing behavioral health services must continue to meet waiver requirements⁴ to share clinical space, dually licensed mental health and substance use disorder facilities are not subject to the same regulatory restrictions and thus do not need a waiver.

The Department notes, however, that when providing mental health and substance use services in a shared clinical space, the facility must continue to:

1. Comply with all state and federal laws and regulations, particularly those pertaining to confidentiality and client rights; and
2. Comply with the licensing and program standards applicable to both substance use disorder and mental health facility licenses

Contact Information

Questions regarding shared clinical space in dually licensed mental health and substance use disorder facilities and/or shared clinical space in ACFs providing behavioral health services should be directed via email to Jean DeVitto at jean.devitto@doh.nj.gov.

¹ Facility holds a license pursuant to [N.J.A.C. 10:190](#) and/or [N.J.A.C. 10:37](#).

² Facility holds a license pursuant to [N.J.A.C. 10:161A](#) and/or [N.J.A.C. 10:161B](#).

³ Facility holds a license pursuant to [N.J.A.C. 8:43A](#).

⁴ See Waiver to Permit Sharing of Clinical Space (2015).

https://www.nj.gov/health/healthfacilities/documents/ac/primary_care_facilities_permitting_sharing_of_clinical_space.pdf