



State of New Jersey  
DEPARTMENT OF HEALTH  
PO BOX 358  
TRENTON, N.J. 08625-0358  
[www.nj.gov/health](http://www.nj.gov/health)

PHILIP D. MURPHY  
Governor

SHEILA Y. OLIVER  
Lt. Governor

SHEREEF M. ELNAHAL, MD, MBA  
Acting Commissioner

March 6, 2018

Scott R. Wolfe, President  
St. Luke's Hospital-Warren Campus  
185 Roseberry Street  
Phillipsburg, NJ 08865  
Fax (908) 859-4546  
Email: [scott.wolfe@SLUHN.org](mailto:scott.wolfe@SLUHN.org)

**Re: Order to Cease and Desist Operations**

Dear Mr. Wolfe:

This letter will confirm our telephone call yesterday between you and members of the staff of the Division of Certificate of Need and Licensing wherein you were ordered to Cease and Desist **all** operations at the Balance Center of St. Luke's Warren Hospital (hereafter "St. Luke's") being offered at an unlicensed location, effective at close of business yesterday. In accordance with N.J.A.C. 8:43E-3.1(a)(7), this Cease and Desist order is necessary because St. Luke's has been operating at a site without a valid license. St. Luke's is licensed to operate "The Balance Center of St. Luke's Warren Hospital" as a hospital-based, off-site ambulatory care facility at 755 Memorial Parkway, Building 100, in Phillipsburg, New Jersey, for comprehensive outpatient rehabilitation and primary care. St. Luke's has acknowledged that The Balance Center moved from its licensed location, Suite 103, 755 Memorial Parkway, Building 100, Phillipsburg, New Jersey, to Suite 201, an unlicensed site in the building. Pursuant to N.J.A.C. 8:43A-2.6(d), the ambulatory care facility "license is not assignable or transferable, and it shall be immediately void if the facility ceases to operate, if the facility's ownership changes, **or if the facility is relocated to a different site.**" Accordingly, your facility is prohibited from providing services at its unlicensed location.

After the close of business yesterday, you advised the Department via email that, effective immediately, The Balance Center would provide services only at its licensed location: Suite 103, 755 Memorial Parkway, Building 100, Phillipsburg, New Jersey.

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Please be advised that in accordance with N.J.A.C. 8:43E-3.4(a)1, St. Luke's is subject to fines up to \$1,000.00 per day for the operation of the facility in violation of this Order, as well as possible further enforcement action pursuant to law and regulation.

St. Luke's is entitled to a hearing at the Office of Administrative Law (OAL) to challenge this Cease and Desist Order. You must advise this Department within 30 days of the date of this letter to request an OAL hearing regarding this matter.

Please forward your OAL hearing request to:

Attention: OAL Hearing Requests  
Office of Legal and Regulatory Compliance, Room 805  
New Jersey State Department of Health  
P.O. Box 360  
Trenton New Jersey 08625-0360

Failure to do so shall constitute a waiver of the right to a hearing. Corporations are not permitted to represent themselves in the Office of Administrative Law Proceedings. Therefore, representation by legal counsel is required.

If you have any further questions regarding the contents of this letter, you may reach me at (609) 984-8128.

Sincerely,



Gene Rosenblum, Director  
Program Compliance and Health Care  
Financing  
Division of Certificate of Need and Licensing  
New Jersey Department of Health

GR/jlm

cc: Mark Sblendorio, Esq., Vice President of Legal Affairs  
John Calabria  
Ellen Kenny  
Felicia Harris

Control # AX18001