



State of New Jersey
DEPARTMENT OF HEALTH

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To: All Ambulatory, Outpatient, and Integrated Care Facilities Licensed Pursuant to N.J.A.C. 8:43A and 8:43K; Existing N.J.A.C. 10:37 and 37D; New N.J.A.C. 10:36; and former N.J.A.C. 10:37E, 10:37F, and 10:161B

From: Michael J. Kennedy, Esq. *MJK*
Acting Assistant Commissioner
Certificate of Need and Licensing Program

Date: April 6, 2026

Re: N.J.A.C. 8:43K, Manual of Standards for Licensure of Outpatient and Integrated Care Facilities

The Department of Health (Department) has adopted new administrative rules at N.J.A.C. 8:43K, Manual of Standards for Licensure of Outpatient and Integrated Care Facilities. This memorandum provides guidance to health care facilities impacted by the adoption of N.J.A.C. 8:43K. The Department is providing this information to assist all impacted facilities to comply with the licensing process for new and existing rules.

N.J.A.C. 8:43K Manual of Standards for Licensure of Outpatient and Integrated Care Facilities:
Applicable Facilities

N.J.A.C. 8:43K establishes the standards for licensure for facilities that provide outpatient behavioral health services, mental health services, substance use disorder (SUD) treatment, and/or addiction treatment services (collectively "behavioral health care") individually and facilities that provide behavioral health care in conjunction with specific outpatient physical health care (primary, reproductive health, and pediatric) services. The new rules allow outpatient facilities to offer these services in combination, through one license and one set of standards, to patients in a more convenient and accessible way, and promotes integrated "whole person" care.

Facilities offering outpatient behavioral health care must comply with both the new rules at N.J.A.C. 8:43K and the administrative rules developed by the Department of Human Services (DHS) as applicable to the program(s) offered, listed below.

- N.J.A.C. 10:37 - Community Mental Health Services Act
- N.J.A.C. 10:36 - Behavioral Health Program Service Standards
- N.J.A.C. 10:37D - Management and Governing Body Standards

Facilities seeking to provide outpatient physical health care (primary, reproductive health, and pediatric) services without one or more outpatient services classified as behavioral health care above will remain subject to the licensure and standards contained in N.J.A.C.

8:43A, Manual of Standards for Licensing of Ambulatory Care Facilities.

The provisions of N.J.A.C. 8:43E, General Licensure Procedures and Standards Applicable to All Licensed Facilities, apply to all facilities, including those described throughout this memorandum and licensed pursuant to N.J.S.A. 26:2H-5.1g.

Behavioral Health Care

With the repeal of the rules at N.J.A.C. 10:161B, facilities that are currently licensed to provide behavioral health care and previously subject to those rules will be transitioned to a license under N.J.A.C. 8:43K. Existing active facility licenses will remain active through the current licensure period. Facilities that do not wish to add new services will only receive a new license following their submission of a renewal application at the expiration of the current license period. The Department will issue new licenses to facilities that submit applications to add new services covered under N.J.A.C. 8:43K. Facilities may access the new rules online free of charge at <http://www.lexisnexis.com/hottopics/njoal/>.

Facilities not currently licensed to provide behavioral health care must apply to the Department for licensure or licensure renewal utilizing the form found at N.J.A.C. 8:43E-5 Appendix or online at the Department's website at: <http://www.nj.gov/health/forms/cn-7.pdf>. All facilities providing at least one of these services, either alone or in conjunction with primary care services, reproductive health services, or pediatric services, will be licensed pursuant to N.J.A.C. 8:43K.

Primary Care, Reproductive Health, Pediatric Care

Facilities that wish to provide primary care services, reproductive health services, or pediatric services may be licensed pursuant to N.J.A.C. 8:43A or 8:43K, or, in rarer circumstances, both. The Department will contact facilities following receipt of a license application to confirm the services the facility seeks to provide to ensure the license accurately reflects the services offered and the proper licensure fees are collected. This confirmation will reduce instances where licensees are inadvertently required to obtain a license under both N.J.A.C. 8:43A and 8:43K to continue the facility's current operations.

Existing Ambulatory Care Facilities

Existing ambulatory care facilities licensed under N.J.A.C. 8:43A will not be affected by the adoption of N.J.A.C. 8:43K unless the facility wishes to add one of the services classified as behavioral health care covered by N.J.A.C. 8:43K.

Telemedicine and Telehealth Activities

N.J.A.C. 8:43K-5.7(a) states "A facility that provides services using telemedicine or telehealth shall comply with applicable Federal and/or State laws governing this activity, including N.J.S.A. 45:1-61 et seq." Please note that the Department does not license facilities that operate completely remotely, nor is completely remote operation allowed by Federal law for Narcotic Treatment Programs (NTPs) or Opioid Treatment Programs (OTPs). Waivers of the requirement to establish in-person service locations will be denied.

Application

The Department created a new application form, which can be found at N.J.A.C. 8:43E-5 Appendix and online at the Department's website at: <http://www.nj.gov/health/forms/cn-7.pdf>. The form must be utilized for all ambulatory, outpatient, and integrated care facilities. To promote faster processing times, please review the form to ensure use of the correct section, as the form now contains the following sections: Inpatient Facilities, Ambulatory Care Facility, and Outpatient Integrated Care Facility.

The Outpatient Integrated Care Facility section must be used by:

- All facilities that provide or wish to provide behavioral health services, mental health services, substance use disorder treatment, addiction treatment, or opioid treatment; and
- All facilities providing at least one of the above services in conjunction with primary care services, reproductive health services, or pediatric services.

The form specifies the information that an entity must submit to the Department in support of an application for licensure or renewal of licensure, or to notify the Department of a change in services and includes the instructions for completion of the form. One original and two copies of a completed license application form, license application fee, biennial inspection fee (if applicable), full-sized schematic architectural plans (if applicable), and all out-of-state track record reports shall be submitted either physically or electronically to:

Department of Health
Office of Certificate of Need and Healthcare Facility Licensure
PO Box 358, Trenton, NJ 08625-0358

Integrated.License@doh.nj.gov for integrated care facility license applications
CNLapps@doh.nj.gov for ambulatory care facility license applications

Waivers

Facilities seeking licensure under N.J.A.C. 8:43K will be charged a nonrefundable fee of \$375 for each licensure waiver request submitted to the Department. The Department intends to amend the applicable licensure rules at the earliest opportunity to incorporate the same waiver fee across all licensed facility rules. A request for a rule waiver can be submitted electronically to the following:

Integrated.License@doh.nj.gov for integrated care facility license applications
CNLapps@doh.nj.gov for ambulatory care facility license applications

Complaints

Complaints about the licensed healthcare facilities described above may be submitted electronically or via phone as described below:

- Ambulatory Care Contacts:
Online: https://www.nj.gov/health/healthfacilities/file_complaint.shtml
Phone: 1-800-792-9770

- Behavioral Health Care Contacts:
Email: SUD.Complaints@dhs.nj.gov
Phone: 1-877-712-1868
- Division of Mental Health and Addiction Services (DMHAS):
Online: <https://nj.gov/humanservices/contact/email/>
Phone: 1-800-382-6717

Questions regarding the Outpatient Integrated Care Facility application may be directed to the Department at Integrated.License@doh.nj.gov.

Additional guidance and information may be accessed online at:
<https://www.nj.gov/health/healthfacilities/certificate-need/>

Any questions regarding this memo may be directed to Jacqueline Chadwick at Jacqueline.Chadwick@doh.nj.gov.