



State of New Jersey  
DEPARTMENT OF HEALTH

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KAITLAN BASTON, MD, MSC, DFASAM  
Commissioner

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In Re Licensure Violation:

MEDFORD CARE CENTER  
(NJ Facility ID# NJ060313)

ORDER TO FILE EMERGENCY  
OPERATIONS PLAN

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TO: Richard Pineles, Administrator  
Medford Care Center  
185 Tuckerton Road  
Medford, New Jersey 08055  
[rpineles@medfordcare.com](mailto:rpineles@medfordcare.com)

As more fully detailed below, due to concerns about the ongoing financial stability of Medford Care Center (Medford), and to ensure resident safety, the New Jersey Department of Health (the Department) hereby orders Medford to submit to the Department within 24 hours its emergency operations plan required to be maintained pursuant to N.J.A.C. 8:39-31.6.

The Health Care Facilities Planning Act (N.J.S.A. 26:2H-1 et seq.) (the Act) provides a statutory scheme designed to ensure that all health care facilities are of the highest quality. Pursuant to the Act and N.J.A.C. 8:43E-1.1 et seq. (General Licensure Procedures and Standards Applicable to All Licensed Facilities), the Commissioner of Health is authorized to inspect all health care facilities and to enforce the Standards for Licensure of Long-Term Care Facilities set forth at N.J.A.C. 8:39-1.1 et seq. Under New Jersey Law, the Department of Health (Department) is also empowered to "identify nursing homes that may be in acute financial distress or at risk of filing for bankruptcy protection." N.J. S.A. § 26:2H-42. Pursuant to N.J.S.A. 26:2H-5e, "[a]t the request of the commissioner, health care facilities shall furnish to the Department of Health and Senior Services such reports and information as it may require to effectuate the provisions and purposes of this act, excluding confidential communications from patients."

#### FINANCIAL STATUS

The Department has been actively monitoring the financial health of Medford, and, on July 26, 2024, the Department requested information regarding Medford's financial status. By letter dated July 31, 2024, the facility responded and identified five issues challenging the facility's financial stability, including a lower resident census, staffing agency costs, increases in staffing pay in an effort to eliminate the use of staffing agencies, significant increases in the cost of supplies and a low Medicaid reimbursement rate.

On July 30, 2024, a complaint investigation survey at the facility identified deficiencies in both staffing (the facility did not meet required staffing ratios on 14 of 14 day shifts reviewed) and essential equipment (the

facility failed to maintain acceptable standards of essential kitchen equipment in a safe and operable condition). Specifically, the facility's stove was inoperable purportedly due to a fire that occurred in May and had still not been replaced at the time of the survey. The surveyors also learned that the paychecks of multiple employees had been dishonored and that, although the checks had since cleared, the employees were waiting for reimbursement from the facility for the bank fees. In addition, the surveyors learned that the facility was closed to admissions and had no residents on the subacute unit because there was no physical therapist employed full time at the facility.

On October 2, 2024, the local health department contacted the Department's Division of Local Public Health expressing financial concerns about the facility due to a threatened utility shutoff. On September 19, 2024, Public Service Electric & Gas (PSE&G) issued a shut-off notice notifying the facility that it owed \$144,982 due on October 4, 2024, and that utilities to the facility would be shut off if the facility did not pay the balance by October 17, 2024. In addition, PSE&G issued an "Important Notice to Caregivers" notifying them that electric and/or gas service to the building may be shut off for an undetermined period of time. In addition, Medford Care Center received a separate shut-off notice of \$3,848 for a separate business address.

Finally, on October 3, 2024, the Department's Office of Health Care Financing contacted the facility to request additional financial information, including information regarding the failure of the facility to pay its debts when due.

#### **ORDER TO FILE EMERGENCY OPERATIONS PLAN**

To ensure the health and safety of Medford's residents in the event of a closure or disruption of services, within 24 hours of this order, the facility shall submit to the Department its emergency operations plan as it is required to maintain pursuant to N.J.A.C. 8:39-31.6. The facility shall submit to the Department, at a minimum, its plan to meet the requirements of N.J.A.C. 8:39-31.6(f), below:

The facility shall have a written comprehensive emergency operations plan developed in coordination with the local office of emergency management. This plan shall:

1. Identify potential hazards that could necessitate an evacuation, including natural disasters, national disasters, industrial and nuclear accidents, and labor work stoppage;
2. Identify the facility and an alternative facility to which residents would be relocated, and include signed, current agreements with the facilities. **The facility and alternative facility to which residents would be relocated may not be a facility that is subject to a Notice of Suspension issued by the MFD;**
3. Identify the number, type, and source of vehicles available to the facility for relocation and include signed current agreements with transportation providers. Specially configured vehicles shall be included;
4. Include a mechanism for identifying the number of residents, staff, and family members who would require relocation and procedures for evacuation of non-ambulatory residents from the facility;
5. List the supplies, equipment, records, and medications that would be transported as part of an evacuation, and identify by title the individuals who would be responsible;
6. Identify essential personnel who would be required to remain on duty during the period of relocation;
7. Identify by title and post in a prominent place the name(s) of the persons who will be responsible for the following:

- i. Activating the emergency operations plan, issuing evacuation orders, and notifying of State and municipal authorities;
- ii. Alerting and notifying of staff and residents;
- iii. Facility shutdown and restart;
- iv. In place sheltering of residents and continuity of medical care; and
- v. Emergency services such as security and firefighting; and

8. Describe procedures for how each item in (f)7 above will be accomplished.

The emergency operations plan shall be emailed within 24 hours to: [Stefanie.Mozgai@doh.nj.gov](mailto:Stefanie.Mozgai@doh.nj.gov); [Michael.kennedy@doh.nj.gov](mailto:Michael.kennedy@doh.nj.gov); [Gene.Rosenblum@doh.nj.gov](mailto:Gene.Rosenblum@doh.nj.gov); [Lisa.King@doh.nj.gov](mailto:Lisa.King@doh.nj.gov) and [Jean.Markey@doh.nj.gov](mailto:Jean.Markey@doh.nj.gov).

N.J.A.C. 8:43E-3.4(a)11 provides a \$250 penalty for the failure to report information to the Department as required by statute or licensing regulation, after reasonable notice and an opportunity to cure the violation, which may be assessed for each day noncompliance is found.

Thank you for your attention to this important matter and for your anticipated cooperation. If you have any questions concerning this order, please contact Lisa King, Office of Program Compliance, at [Lisa.King@doh.nj.gov](mailto:Lisa.King@doh.nj.gov).

Sincerely,

*Jean Markey*

Jean Markey, Regulatory Officer  
Office of Program Compliance  
Division of Certificate of Need and Licensing

JLM:nj  
DATED: October 4, 2024  
E-MAIL  
REGULAR AND CERTIFIED MAIL  
RETURN RECEIPT REQUESTED  
Control #X24098

C. Order Service List