



State of New Jersey
DEPARTMENT OF HEALTH

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www.nj.gov/health

JEFFREY A. BROWN
Acting Commissioner

In Re Licensure Violation:	:	
	:	
Spring Oak Assisted Living	:	CORRECTED NOTICE OF
at Vineland	:	ASSESSMENT OF PENALTIES
	:	
(NJ Facility ID# NJ25A002)	:	

TO: Dawn Watkins, Administrator
(via email dwatkins@springoakliving.com)
Spring Oak Assisted Living at Vineland
1611 South Main Road
Vineland New Jersey 08360

This Notice corrects the July 27, 2023 Notice of Assessment of Penalties issued to Spring Oak Assisted Living at Vineland (hereinafter Facility or Spring Oak). Based on observation, interview, record review, and review of pertinent facility documents, the Department of Health (the "Department") is issuing this Corrected Notice to cite Spring Oak for violating N.J.A.C. 8:36-17.1(a), instead of N.J.A.C. 8:36-21.1(b)(4), which was cited in the initial Notice. N.J.A.C. 8:36-21.1(b)(4) relates to quality improvement of resident care services, safety, and the maintenance of physical plant and equipment, as well as other activities. N.J.A.C. 8:36-17.1(a) requires an assisted living residence to provide and maintain a sanitary and safe environment for residents.

This Corrected Notice of Assessment of Penalties supersedes the July 27, 2023 Notice.

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 the Department is authorized to inspect all health care facilities and to enforce the Standards for Assisted Living Residences set forth at N.J.S.A. 26:2H-1 et seq. and N.J.A.C. 8:36-1.1 et seq.

LICENSURE VIOLATIONS & MONETARY PENALTIES:

Staff of the Department visited Spring Oak on April 11, 2023, to conduct a complaint survey. The report of this visit, which is incorporated herein by reference, revealed the following licensure violations:

1. The facility violated N.J.A.C. 8:36-5.1(b), Types of services provided to residents. This regulation requires that an assisted living residence be capable of providing at least the following services: assistance with personal care, nursing, pharmacy, dining, activities, recreational, and social work services to meet the individual needs of each resident.

The facility's administration failed to meet the social work service needs for Resident #2. When the facility issued an eviction notice to the resident, it failed to provide social work services to assist Resident #2 and his/her family in finding alternate placement.

In accordance with N.J.A.C. 8:43E-3.4(a)(7), because such violation related to patient care that represented a risk to the health, safety, or welfare of the residents, and the violation was isolated or occasional and did not represent a pattern or widespread practice throughout the facility, the penalty assessed is \$500 for each violation, for a total of \$500.

2. The facility violated N.J.A.C. 8:36-17.1(a), Provision of services. This regulation requires that an assisted living residence provide and maintain a sanitary and safe environment for residents.

The facility violated this requirement when it failed to implement measures to ensure the safety of all residents after learning that Resident #2 was smoking and burning incense and candles in his/her room on multiple occasions.

Further, the New Jersey Smoke-Free Air Act, N.J.S.A. 26:30-55 et seq., prohibits smoking inside an indoor public place and workplaces, except as specifically excepted from the Act. See N.J.S.A. 26:30-58. See also N.J.A.C. 8:6-1.1 et seq. (Smoke-Free Air). An indoor public place by statutory definition includes a health care facility licensed pursuant to N.J.S.A. 26:2H-1 et seq. See N.J.S.A. 26:30-57. Pursuant to N.J.S.A. 26:30-62:

The Department of Health or the local board of health or the board, body, or officers exercising the functions of the local board of health according to law, upon written complaint or having reason to suspect that an indoor public place or workplace covered by the provisions of this act is or may be in violation of the provisions of this act, shall, by written notification, advise the person having control of the place accordingly, and order appropriate action to be taken. A person receiving that notice who fails or refuses to comply with the order is subject to a fine of not less than \$250 for the first offense, \$500 for the second offense, and \$1,000 for each subsequent offense. In addition to the penalty provided herein, the court may order immediate compliance with the provisions of this act.

In accordance with N.J.A.C. 8:43E-3.4(a)(10), because such violations represented an immediate and serious risk of harm to the health, safety, or welfare of the residents, the penalty assessed is \$2,500 for each violation that occurred on December 28, 2022, February 20, 2023, February 24, 2023, April 5, 2023, and April 11, 2023, for a total of \$12,500.

These violations relate to the care of residents at Spring Oak Assisted Living at Vineland. In accordance with N.J.S.A. 26:2H-13 and N.J.A.C. 8:43E-3.4(a), Spring Oak is hereby assessed penalties totaling \$13,000.

The total amount of this penalty is required to be paid within 30 days of receipt of this letter by certified check or money order made payable to the "Treasurer of the State of New Jersey" and forwarded to Office of Program Compliance, New Jersey Department of Health, P.O. Box 358, Trenton, New Jersey 08625-0358, Attention: Lisa King. **On all future correspondence related to this Notice, please refer to Control X23019.**

INFORMAL DISPUTE RESOLUTION (IDR):

N.J.A.C. 8:43E-2.3 provides facilities the option to challenge factual findings by requesting Informal Dispute Resolution with Department representatives. However, given that Spring Oak was previously afforded an opportunity to challenge these findings through the IDR process, in the July 27, 2023 Notice of Assessment of Penalties, an additional opportunity will not be forthcoming.

FORMAL HEARING:

Spring Oak is entitled to contest the assessment of penalties pursuant to N.J.S.A. 26:2H-13 by requesting a formal hearing at the Office of Administrative Law (OAL). The New Jersey Department of Health is aware that Spring Oak has already requested a formal hearing. Thus, your facility need not file for another, as your initial filing will suffice to preserve your full rights under N.J.S.A. 26:2H-13.

Be advised that Department staff shall monitor whether the facility complies with this Notice to determine whether corrective measures are implemented by the facility and whether assessed penalties are paid in a timely fashion. Failure to comply with these and any other applicable requirements, as set forth in pertinent rules and regulations, may result in the imposition of additional penalties.

Thank you for your attention to this important matter and for your anticipated cooperation. If you have any questions regarding this Corrected Notice of Assessment, please contact Nadine Jackman, Office of Program Compliance, at Nadine.Jackman@doh.nj.gov.



Gene Rosenblum
Director, Office of Program Compliance
Division of Certificate of Need and
Licensing

GR:SS:NJ
DATE: May 29, 2025
REGULAR AND
CERTIFIED MAIL:
RETURN RECEIPT REQUESTED
Control # X23019