

Ombudsman pursuant to P.L. 2017, c. 131, § 202 (see N.J.S.A. 52:27G-1 et seq., particularly at 52:27G-3), and changes to that entity's contact information. Throughout the chapter, the Department is updating mailing addresses and other contact information of entities, and cross-references to laws, rules, and publications, to which the chapter refers. The Department is also correcting spelling errors.

In accordance with N.J.S.A. 52:14B-5.1, the rules at N.J.A.C. 8:39, Standards for Licensure of Long-Term Care Facilities, were scheduled to expire on December 23, 2020. Pursuant to Executive Order Nos. 127 (2020) and 244 (2021) and P.L. 2021, c. 103, any chapter of the New Jersey Administrative Code that would otherwise have expired during the Public Health Emergency originally declared in Executive Order No. 103 (2020) is extended through January 1, 2022. Therefore, this chapter has not yet expired and the 30-day filing date pursuant to N.J.S.A. 52:14B-5.1.c has not yet occurred, therefore, pursuant to Executive Order No. 244 (2021), and P.L. 2021, c. 103, this notice of readoption is timely filed.

N.J.A.C. 8:39, Standards for Licensure of Long-Term Care Facilities, establishes the licensing standards for long-term care facilities. Subchapter 1 provides the scope, purpose, and definitions for the chapter. Subchapter 2 establishes the licensure procedures including certificate of need; application for licensure; newly constructed, expanded, or renovated facilities; surveys and licensing; surrender of a license; waivers; actions against a licensee; special long-term care services; chronic hemodialysis services; peritoneal dialysis; adding a bed; and transfer of ownership. Subchapter 3 details the mandatory rules, advisory standards, and reporting compliance with advisory standards. Subchapter 4 establishes the rules for mandatory resident rights. Subchapter

5 establishes the rules for mandatory access to care including mandatory policies and procedures; admissions; transfers; and discharges. Subchapter 6 provides the rules for advisory access to care.

Subchapter 7 details the requirements regarding mandatory resident activities. Subchapter 8 details the advisory resident activities. Subchapter 9 details the rules regarding mandatory administration, including rules regarding ownership, administration, and policies and procedures. Subchapter 10 details the rules regarding advisory administration, including advisory policies and procedures, advisory qualifications for staff, and advisory staff education. Subchapter 11 details mandatory resident assessment and care plans. Subchapter 12 details advisory resident assessment and care plans. Subchapter 13 details the rules for mandatory communication. Subchapter 14 details the rules for advisory communication. Subchapter 15 details the rules for mandatory dental services and Subchapter 16 details the rules for advisory dental services.

Subchapter 17 details the rules for mandatory dietary services and Subchapter 18 details the rules for advisory dietary services. Subchapter 19 details the rules for mandatory infection control and sanitation and Subchapter 20 details the rules for advisory infection control and sanitation. Subchapter 21 details the rules for mandatory laundry services. Subchapter 22 is reserved. Subchapter 23 details the rules for mandatory medical services and Subchapter 24 details the rules for advisory medical services. Subchapter 25 details the rules for mandatory nurse staffing and Subchapter 26 details the rules for advisory nurse staffing. Subchapter 27 details the rules for mandatory quality of care and Subchapter 28 details the rules for advisory quality of care.

Subchapter 29 details the rules for mandatory pharmacy services and Subchapter 30 details the rules for advisory pharmacy services. Subchapter 31 details the rules for mandatory physical environment requirements, including construction standards, general maintenance, quality assurance for housekeeping, pest control, fire and emergency preparedness, and safety requirements. Subchapter 32 details the rules for advisory physical environment, including general maintenance, fire and emergency preparedness, and safety. Subchapter 33 details the rules for mandatory quality assessment and/or quality improvement. Subchapter 34 details the rules for advisory quality assessment and/or quality improvement. Subchapter 35 details the rules for mandatory medical records. Subchapter 36 details the rules for advisory medical records.

Subchapter 37 details the rules for mandatory rehabilitation, including policies and procedures, staff qualifications, staffing amounts and availability, and mandatory supplies and equipment. Subchapter 38 details the rules for advisory rehabilitation, including advisory staff qualifications, space and environment, and supplies and equipment. Subchapter 39 details the rules for mandatory social work. Subchapter 40 details the rules for advisory social work. Subchapter 41 details the rules for mandatory staff posting and reporting standards. Subchapter 42 is reserved. Subchapter 43 concerns certification of nurse aides in long-term care facilities. Subchapter 44 details the rules for mandatory standards for respite care services. Subchapter 44A details the rules for advisory standards for respite care services. Subchapter 45 details the rules for Alzheimer's/Dementia programs. Subchapter 46 details the advisory standards for Alzheimer's/Dementia programs. Subchapter 47 details the rules for a Subacute care unit in an acute care general hospital.

The Commissioner has reviewed N.J.A.C. 8:39 and has determined that the existing chapter remains necessary, proper, reasonable, efficient, understandable, and responsive to the purposes for which the Department originally promulgated it, as amended and supplemented over time, and, with the technical changes, should be readopted.

Therefore, pursuant to N.J.S.A. 52:14B-5.1.c, N.J.A.C. 8:39 is readopted and shall continue in effect for seven years.

Full text of the technical changes follows (additions indicated in boldface **thus**; deletions indicated in brackets [thus]):

8:39-1.2 Definitions

The following words and terms, when used in this chapter, have the following meanings, unless the context clearly indicates otherwise:

...

"Advanced practice nurse" means a person certified by the New Jersey Board of Nursing, in accordance with [Section 8 or 9 of P.L. 1991, c.377; amended by P.L. 1999, c.85, § 6] **N.J.S.A. 45:11-45 et seq., and N.J.A.C. 13:37-7.**

...

"Bed" or "licensed bed" means one of the total number of beds for which each licensed long-term care facility is approved for resident care by the Commissioner of the New Jersey [State] Department of Health [and Senior Services].

...

"Commissioner" means the Commissioner of the New Jersey Department of Health [and Senior Services], or his or her designee.

...

"Department" means the New Jersey Department of Health [and Senior Services].

...

"Division of Certificate of Need and Licensing" means the division within the New Jersey Department of Health for which the contact information is: PO Box 358 Trenton, New Jersey 08625-0358; Overnight mail: 120 South Stockton Street, 3rd Floor, Trenton, New Jersey 08608; Phone: (609) 292-6552.

...

"Facility" means a facility or distinct part of a facility licensed by the New Jersey [State] Department of Health [and Senior Services] as a long-term care facility.

...

"State Long-Term Care Ombudsman" means the Office of the State Long-Term Care Ombudsman established pursuant to N.J.S.A. 52:27G-1 et seq., for which the contact information is State Long-Term Care Ombudsman, PO Box 852, Trenton, NJ 08625-0852; Phone: 1-877-582-6995.

...

8:39-2.1 Certificate of need

(a) (No change.)

(b) Application forms for a certificate of need, **CN-19**, and instructions for completion
[may be obtained from:

Office of Certificate of Need and Healthcare Facility Licensure

Division of Healthcare Facilities Evaluation and]Licensing

New Jersey State Department of Health and Senior Services

PO Box 358

Trenton, NJ 08625-0358.] **are available:**

- 1. At N.J.A.C. 8:33, Appendix B;**
- 2. The Division of Certificate of Need and Licensing; and**
- 3. On the Department's website at <https://www.nj.gov/health/forms/cn-19.pdf>.**

(c) (No change.)

8:39-2.2 Application for licensure

- (2) Following acquisition of a certificate of need, or a determination that a certificate of need is not required, any person, organization, or corporation desiring to operate a facility shall make application to the Commissioner for a license on **the form provided at Chapter 39 Appendix [E] D, LCS-9**, incorporated herein by reference, which includes information regarding facility ownership, corporate officers and stockholders, and approval forms from local building, fire, health, and zoning departments. A license application may be obtained from:

[Office] **Division** of Certificate of Need [and Healthcare Facility Licensure

Division of Healthcare Facilities Evaluation] and Licensing.

[New Jersey State Department of Heald Senior Services

PO Box 358

Trenton, NJ 08625-0358]

1. The LCS-9 is also available on the Department's website at

<https://www.nj.gov/health/forms/lcs-9.pdf>.

(b) (No change.)

(c) Any person, organization, or corporation considering **submitting an** application for a license to operate a facility shall make an appointment for a preliminary conference at the Department with the [Long-Term Care] **Division of Certificate of Need and Licensing [and Certification Program]**.

(d) – € (No change.)

8:39-2.4 Surveys and license

(a) A license shall be issued to the operator of a facility when all of the following conditions are met:

1. (No change.)

2. An office conference for review of the conditions for licensure and operation has taken place between the [Long-Term Care] **Division of Certificate of Need and Licensing [and Certification Program]** and representatives of the facility;

3. The applicant has submitted the following documents to the [Long-Term Care] **Division of Certificate of Need and Licensing [and Certification Program]**: a copy of the certificate of occupancy, and written approvals from the Health Care Plan Review Unit of the New Jersey Department of Community Affairs and the local health authority;

4. – 5. (No change.)

(b) No facility shall begin to operate without prior approval from the [Long-Term Care Licensing and Certification Program] **Division of Certificate of Need and Licensing** of the Department.

(c) – (h) (No change.)

8:39-2.5 Surrender of license

The facility shall directly notify the [Department] **Division of Certificate of Need and Licensing, in writing**, each resident, the resident's physician or advanced practice nurse, and any guarantors of payment concerned at least 30 days prior to the voluntary surrender of a license, or as directed under an order of revocation, refusal to renew, or suspension of licensure. In such cases, the license shall be returned to the [Long-Term Care] **Division of Certificate of Need and Licensing** [and Certification Program of the Department] within seven calendar days from voluntary surrender, order of revocation, expiration, or suspension of license, whichever is applicable.

8:39-2.6 Waiver

(a) (No change.)

(b) A facility seeking a waiver of the standards in this chapter shall apply, in writing, to the Director of the [Long-Term Care] **Division of Certificate of Need and Licensing** [and Certification Program] of the Department.

(c) – I (No change.)

8:39-2.9 Chronic hemodialysis services

(a) If a facility provides hemodialysis services to its own long-term care residents only, the following conditions shall be met:

1. The facility shall be authorized to provide the service by the [Long-Term Care] **Division of Certificate of Need and Licensing** [and Certification Program of the Department] subsequent to the submission and review of the information contained in this subchapter. The application shall describe how the standards [in] **at (a)2 [through], 3, and 4** below will be met. The facility shall comply with ambulatory care requirements for a chronic dialysis provider, in accordance with N.J.A.C. 8:43A-24, and the application shall describe how such compliance will be achieved. Waivers from the nine station minimum requirement at N.J.A.C. 8:43A-24.2 shall be considered on an individual basis;

2. – 4. (No change.)

(–) - (c) (No change.)

(d) Any long-term care facility which proposes to offer hemodialysis services through a separately licensed dialysis provider shall also comply with the following requirements:

1. The facility shall request written authorization from the [Long-Term Care] **Division of Certificate of Need and Licensing** [and Certification Program] to contract with a licensed outside provider prior to implementing the service. A copy of the contract between the dialysis provider and the long-term care facility shall be included with the licensing application. The contract shall clearly state the roles and responsibilities of both the dialysis provider and the long-term care facility. Any change in dialysis provider shall require prior authorization and submission of a separate licensure application by the new dialysis provider; and

2. (No change.)

8:39-2.10 Peritoneal dialysis

(a) (No change.)

(b) Separately licensed dialysis providers may offer peritoneal dialysis services in a [long-term care] facility under the following circumstances:

1. – 2. (No change.)

3. A copy of the contract agreement for service provision between the dialysis provider and the [long-term care] facility shall be reviewed and approved by the [Long-Term Care] **Division of Certificate of Need and Licensing** [and Certification Program] of the Department prior to the authorization of the [long-term care] facility to provide the service through a separately licensed agency. The agreement shall clearly state the roles and responsibilities of both parties; and

4. (No change.)

8:39-2.11 Add-a-bed

(a) (No change.)

(b) The Department shall charge a nonrefundable fee of \$1,500 plus \$15.00 per additional bed for the filing of an application to add beds to increase a facility's total licensed capacity. Applicants [shall contact the Office of Certificate of Need and Healthcare Facility Licensure at (609) 633-9042 to] **may** obtain Add-a-bed application forms, **LCS-5, from the Division of Certificate of Need and Licensing or on the Department's website at <https://www.nj.gov/health/forms/>**. The completed forms,

along with, scaled floor plans and the appropriate fee, must be forwarded to the
[Department at the following address:] **Division of Certificate of Need and Licensing.**

[Office of Certificate of Need and Healthcare Facility Licensure

Division of Healthcare Facilities Evaluation and Licensing

New Jersey Department of Health and Senior Services

PO Box 358

Trenton, New Jersey 08625-0358]

(c) (No change.)

8:39-2.12 Transfer of ownership

(a) In accordance with N.J.A.C. 8:33-[3.3(a)4]**3.3(b)**, the transfer of ownership of a
[long-term care] facility shall not require a certificate of need except when the proposed
owner does not satisfy the Departm'nt's track record review.

(b) Prior to transferring ownership of a facility, the prospective new owner shall submit
an application to the [Long Term Care] **Division of Certificate of Need and Licensing**
[and Certification Program]. The application shall include the following items:

1. – 5. (No change.)

(–) - (d) (No change.)

(e) When a transfer of ownership application has been reviewed and deemed
acceptable, an approval letter from the [Long-Term Care] **Division of Certificate of**
Need and Licensing [and Certification Program] shall be sent to the applicant along with
licensure application forms.

(f) Within five days after the transaction has been completed, the applicant shall submit the following documents to the [Long-Term Care] **Division of Certificate of Need and Licensing** [and Certification Program]:

1.-3. (No change.)

(g) For Medicaid certification, the new owner shall contact the [Long-Term Care Licensing and Certification Program] **State's Medicaid contractor** at [(609) 633-9042] **1-800-776-6334, and online at <https://www.njmmis.com/>**.

(h) For Medicare certification, the new owner shall contact the [Assistant Director] **Department's Program Manager** of Long-Term Care [Assessment and] Survey at (609) 633-[8981]**8977**.

8:39-4.1 Resident rights

(a) Each resident shall be entitled to the following rights:

–. - 31. (No change.)

32. To receive written notice at least 30 days in advance when the nursing home requests the resid'nt's transfer or discharge, except in an emergency. Written notice shall include the name, address, and telephone number of the [New Jersey Office of the] **State Long-Term Care** Ombudsman [for the Institutionalized Elderly], and shall also be provided to the resid'nt's next of kin or guardian 30 days in advance;

3–. - 34. (No change.)

35. To voice complaints without being threatened or punished. Each resident is entitled to complain and present his or her grievances to the nursing home administrator and staff, to government agencies, and to anyone else without fear of interference,

discharge, or reprisal. The nursing home shall provide each resident and his or her next of kin or guardian with the names, addresses, and telephone numbers of the government agencies to which a resident can complain and ask questions, including the Department and the [Office of the] **State Long-Term Care** Ombudsman [for the Institutionalized Elderly]. These names, addresses, and telephone numbers shall also be posted in a conspicuous place near every public telephone and on all public bulletin boards in the nursing home.

(b) (No change.)

8:39-5.2 Admissions

(a) (No change.)

1. (No change.)

2. Any Medicaid participating facility whose Medicaid occupancy level is less than the Statewide occupancy level shall not deny admission to a Medicaid eligible individual who has been authorized for nursing facility services by the [Long-Term Care Field Office] **New Jersey Department of Human Services, Division of Aging Services**, when a bed becomes available in [accord] **accordance** with the waiting list.

i. – iv. (No change.)

(b) – (c) (No change.)

8:39-7.1 Mandatory administrative organization for resident activities

(a) (No change.)

(b) The director of resident activities shall hold at least one of the following four qualifications:

–. – 3. (No change.)

4. Holds current certification from the National Certification Council for Activity Professionals (National Certification Council for Activity Professionals, [P.O. Box 62589, Virginia Beach, Virginia 23466-2589] **3015 Upton Drive, Suite 103, Kensington, Maryland 20895**) or the National Council for Therapeutic Recreation Certification (National Council for Therapeutic Recreation, Inc., [P.O. Box 479, Thiells, NY 10984-0479] **16 Squadron Blvd., Suite 101, New City, NY 10956**).

(c) (No change.)

8:39-9.4 Mandatory notification

(–) – I (No change.)

(f) The facility shall notify the State [Office of the] **Long-Term Care** Ombudsman [for the Institutionalized Elderly] at (800) 792-8820[)] immediately of any suspected or reported resident abuse, neglect, or exploitation of residents aged 60 or older, pursuant to P.L. 1983 c. 43[,] (N.J.S.A. 52:27G-7.1), and shall notify the Department immediately at [the telephone numbers indicated I(e) above] **1-800 792-9770** with respect to residents under the age of 60.

(g) (No change.)

8:39-11.2 Mandatory policies and procedures for resident assessment and care plan—

(a) - (d) (No chal)

(e) A comprehensive assessment shall be completed for each resident within 14 days of admission, utilizing the Standardized Resident Assessment Instrument (Minimum Data Set [2.0] **3.0**, or version current as of time of assessment, incorporated herein by reference).

1.-2. (No change.)

3. Each facility shall have the equipment and software necessary to enter, store, and transmit each resident's Standardized Resident Assessment Instrument (MDS [2.0] **3.0** or most current version) electronically to the Department and shall transmit such data to the Department. The facility shall use software which meets technical specifications for the MDS [2.0] **3.0** (or the version current at the time of assessment) as required by the [U.S. Health Care Financing Administration]**United States Centers for Medicare and Medicaid Services** at 42 CFR § 483.20(b), [and published in the Federal Register at 63 FR 2896] **as amended and supplemented.**

i. Additional information is available from the [MDS Automation Program, 609-984-8204 and at <http://www.hcfa.gov/medicaid/mds20/mds20.pdf>]

Centers for Medicare and Medicaid Services,

[https://www.cms.gov/Medicare/Quality-Initiatives-Patient-Assessment-](https://www.cms.gov/Medicare/Quality-Initiatives-Patient-Assessment-Instruments/NursingHomeQualityInits/MDS30RAIManual.h-m-)

[Instruments/NursingHomeQualityInits/MDS30RAIManual.h-m-](https://www.cms.gov/Medicare/Quality-Initiatives-Patient-Assessment-Instruments/NursingHomeQualityInits/MDS30RAIManual.h-m-)

(f) - (j) (No change.)

8:39-25.1 Mandatory policies and procedures for nurse staffing

(a) (No change.)

(b) During a temporary absence of the director of nursing, [there] **the facility** shall [be] **designate, in writing**, a registered professional nurse **to be** on duty [who shall be designated in writing] as an alternate to the director of nursing. The alternate shall be temporarily responsible for supervising all nursing personnel.

8:39-25.2 Mandatory nurse staffing amounts and availability

(a) - (f) (No change.)

(g) The nurse aide component of the facility's total hourly nurse staffing requirement, as specified at (b) above, shall be met by nurse aides who have completed a nurse aide training course approved by the New Jersey [State] Department of Health [and Senior Services] and have passed the New Jersey Nurse Aide Certification Examination, in accordance with N.J.A.C. 8:39-43, and/or by newly hired individuals who have worked in the facility for less than four months and who are enrolled in a nurse aide training program.

(h) - (i) (No change.)

8:39-29.1 Mandatory pharmacy organization

(a) - (d) (No change.)

(e) If the facility keeps emergency injectable or oral controlled substances, a current Drug Enforcement Administration registration and Controlled Dangerous Substance registration for that location shall be available. (See N.J.S.A. 24:21-10 for registration requirements; registration application procedures are specified at N.J.A.C.

[8:65]13:45H-1.4.)

8:39-29.3 Mandatory pharmacy reporting policies and procedures

(a) The consultant pharmacist shall conduct a drug regimen review and enter appropriate comments into the medical record of every resident receiving medication, at least monthly, on a pharmacist consultation sheet or another portion of the medical record, in accordance with N.J.A.C. 13:39. The drug regimen review shall be performed in accordance with Federal and State statutes, rules and regulations, and currently accepted standards of practice for rational drug therapy.

1. (No change.)

2. [Drug product] **The consultant pharmacist shall report drug** defects and adverse drug reactions, [shall be reported] in accordance with the **recommendations of the** ASHSP-USP-FDA (American Society of Health System Pharmacists, United States [Pharmacopoeia] **Pharmacopeia**, Food and Drug Administration) [Drug Product Defect] **to the Adverse Event** Reporting System [and the USP Adverse Drug Reaction Reporting System].

i. **Information on the Adverse Event Reporting System may be found at <https://www.fda.gov/safety/medical-product-safety-information/forms-reporting-fda> and reports may be filed electronically at <https://www.fda.gov/drugs/fda-adverse-event-reporting-system-faers/fda-adverse-event-reporting-system-faers-electronic-submissions>.**

3. - 6. (No change.)

8:39-31.1 Mandatory construction standards

(a) No construction, renovation or addition shall be undertaken without first obtaining approval from the Department, [Long-Term Care Licensing and Certification Program] **Division of Certificate of Need and Licensing** and/or the Department of Community Affairs, Health Care Plan Review –nit.

(b) - (c) (No change.)

(d) Required annual maintenance inspections by the Department of Health [and Senior Services] for a facility participating in the Medicare or Medicaid programs shall be conducted, in accordance with the edition of the National Fire Protection Associations Life Safety Code that has been adopted by the [Federal Health Care Financing Administration] **United States Centers for Medicare and Medicaid Services**, incorporated herein by reference, as amended and supplemented; however, this code shall not be enforced to exceed the requirements of the Uniform Construction Code referenced [in] **at (b)** above. A facility that does not participate in either the Medicare or Medicaid programs shall be inspected under the version of the Life Safety Code in effect at the time of original licensure; however, this code shall not be enforced to exceed the requirements of the Uniform Construction Code referenced [in] **at (b)** above. (Copies of the Life Safety Code may be obtained from the National Fire Protection Association, Battery March Park, Quincy, MA 02200.)

8:39-31.6 Mandatory fire and emergency prepare–ness

(a) - (o) (No change.)

(p) The facility shall establish a written heat emergency action plan which specifies procedures to be followed in the event that the indoor air temperature is 82 degrees Fahrenheit or higher for a continuous period of four hours or longer.

1. These procedures shall include the immediate notification of the Department of Health [and Senior Services].

2. - 4. (No change.)

8:39-35.1 Mandatory organization for medical records

At least 14 days before a facility plans to cease operations, it shall notify the New Jersey [State] Department of Health, [and Senior Services] in writing, of the location and method of retrieval of medical records.

8:39-37.4 Mandatory rehabilitation supplies and equipment

(a) [Space] **The facility shall provide space** for rehabilitation therapy [shall be provided] in the facility. If space is unavailable, **the facility shall make** arrangements [shall be made] for transportation or transfer of residents who require rehabilitation therapy services.

(b) [Visual] **The facility shall provide visual** privacy and provisions for auditory privacy [shall be provided] for residents during evaluation and rehabilitation treatment, when clinically indicated.

(c) (No change.)

8:39-41.1 Authority and purpose

(a) The Commissioner of the Department of Health [and Senior Services] promulgates this subchapter pursuant to the authority of [N.J.S.A. 26:2H-1 et seq., particularly] N.J.S.A. 26:2H-5h.

(b) (No change.)

8:39-41.2 Information required to be posted; retention

(a) A facility shall post the direct resident care staffing information described [in] **at** (c) below, utilizing the Resident Care Staffing Report, incorporated herein by reference and set forth at chapter Appendix [G] **F**, prior to the start of the shift for which information is being reported in a visible location in the facility that is accessible to residents, their families, members of the public, and caregivers.

(b) - (d) (No change.)

(e) The Resident Care Staffing Report form is available through the following methods:

1. (No change.)

2. Electronically at the Certificate of Need and [Healthcare Facility Licensure Program's] **Licensing** webpage at [<http://nj.gov/health/healthfacilities/forms.shtml>] <https://healthapps.state.nj.us/forms/>; and

3. Upon written request to **the Director of the Division of Certificate of Need and Licensing**[:].

[Director

Certificate of Need and Healthcare Facility Licensure Program

New Jersey Department of Health and Senior Services

PO Box 358

Trenton, New Jersey 08625-0358]

(f) - (h) (No change.)

8:39-41.3 Reporting requirements

(a) (No change.)

(b) The public may obtain the quarterly report, which the Department is required to complete pursuant to N.J.S.A. 26:2H-5g(d), through the following methods:

1. Electronically at the **Division of Certificate of Need and [Healthcare Licensure Program's] Licensing** webpage at www.nj.gov/health/healthcarequality; and
2. Upon written request to **the Director of the Division of Certificate of Need and Licensing**[:].

[Director

Certificate of Need and Healthcare Facility Licensure Program

New Jersey Department of Health and Senior Services

PO Box 358

Trenton, New Jersey 08625-0358]

8:39-43.10 Approval of a nurse aide in long-term care facilities training program

(a)-(b) (No change.)

(c) The New Jersey Curriculum for Nurse Aide Personnel in Long-Term Care Facilities ([“]the curriculum[“]), which has been approved by the Department, shall be the approved curriculum for a 90 hour training program. The entire content of the curriculum shall be taught. A copy of the curriculum and the form needed to apply for approval of a

training course may be obtained by contacting the **Division of Certificate of Need and Licensing**. [following office:

Certification Program

New Jersey Department of Health and Senior Services

PO Box 367

Trenton, NJ 08625-0367]

(d) - (q) (No change.)

8:39-47.1 Scope

All hospital-based subacute care units shall comply with the rules in this subchapter, all other pertinent rules in this chapter, the provisions [of State of New Jersey P.L. 1996, c.102] **at N.J.S.A. 26:2H-7.4 et seq.**, and Federal Medicare requirements at P.L. 89-97 (42 U.S.C. §§ 1395 et seq.).

8:39-47.3 Licensure of hospital-based subacute care units

A hospital-based subacute care unit shall obtain a license to operate from the Department prior to accepting any patients. The hospital shall contact the [Long-Term Care Assessment and Survey Program] **Division of Health Facility Survey and Field Operations** of the Department **by phone at (609) 292-9900** in order to schedule an initial licensure survey. A license shall be issued [by the Long-Term Care Licensing Program] only upon a finding by the Department that the unit is in compliance with the licensure requirements specified at N.J.A.C. 8:39-47.4.