

HEALTH**(a)**

**HEALTH SYSTEMS BRANCH
DIVISION OF CERTIFICATE OF NEED AND
LICENSING
Notice of Readoption
Certificate of Need: Cardiac Diagnostic Facilities
and Cardiac Surgery Centers**

Readoption: N.J.A.C. 8:33E

Authority: N.J.S.A. 26:2H-1 et seq., specifically 26:2H-5.

Authorized By: Judith M. Persichilli, RN, BSN, MA, Commissioner,
Department of Health.

Effective Date: March 20, 2020.

New Expiration Date: March 20, 2027.

Take notice that, pursuant to N.J.S.A. 52:14B-5.1, the Commissioner (Commissioner) of the Department of Health (Department) hereby readopts N.J.A.C. 8:33E, Certificate of Need: Cardiac Diagnostic Facilities and Cardiac Surgery Centers, which was scheduled to expire on April 19, 2020.

N.J.A.C. 8:33E, Certificate of Need: Cardiac Diagnostic Facilities and Cardiac Surgery Centers, establishes standards and general criteria for planning a cardiac diagnostic facility and cardiac surgery centers and for the preparation of an application for a certificate of need for such a facility. N.J.A.C. 8:33E-1 establishes the general criteria and certificate of need requirements for invasive cardiac diagnostic services. Subchapter 2 establish standards and general criteria for the planning of a cardiac surgical center and for the preparation of an application for a certificate of need for such a facility, or, in the case of primary percutaneous coronary intervention (PCI), non-cardiac surgery center hospitals providing primary PCI.

The Department is developing rulemaking to revise, update, and reorganize existing N.J.A.C. 8:33E, and anticipates filing this rulemaking with the Office of Administrative Law for processing in the ordinary course. However, the Public Health Emergency that Governor Philip D. Murphy declared in Executive Order No. 103, on March 9, 2020, has necessitated the reallocation of many Department personnel and resources to pandemic response activities, making it unlikely that the Department will be able to finalize the anticipated rulemaking prior to chapter expiration. Moreover, the declaration has made impracticable the convening of a meeting of the Health Care Administration Board to obtain that Board's authorization to process the anticipated rulemaking proposal, as required by the Health Care Facilities Planning Act, N.J.S.A. 26:2H-1 et seq. Therefore, the Department will not be able to finalize the anticipated rulemaking prior to the expiration of existing N.J.A.C. 8:33E.

The Commissioner has reviewed N.J.A.C. 8:33E and has determined that, pending the finalization of the anticipated rulemaking described above, 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 should be readopted.

Therefore, pursuant to N.J.S.A. 52:14B-5.1.c(2), N.J.A.C. 8:33E is readopted and shall continue in effect for seven years.

HUMAN SERVICES**(b)**

**DIVISION OF MEDICAL ASSISTANCE AND HEALTH
SERVICES**

**Notice of Extension of Chapter Expiration Dates
Transportation Services Manual
Home Care Services**

N.J.A.C. 10:50 and 10:60

Take notice that the Division of Medicaid and Health Services (DMAHS), in the Department of Human Services (Department) informed Governor Phillip D. Murphy that the Transportation Services Manual, N.J.A.C. 10:50, and the Home Care Services, N.J.A.C. 10:60, were both scheduled to expire on April 4, 2020, pursuant to the sunset provisions of N.J.S.A. 52:14B-5.1.

DMAHS intends to readopt these regulations with amendments but has not had sufficient time to finalize these amendments because of the press of business related to the COVID-19 Health Care Emergency. N.J.A.C. 10:50 describes the policies and procedures of the New Jersey Medicaid programs for reimbursement of approved providers of transportation services. N.J.A.C. 10:60 describes the policies and procedures by which home care services are administered to Medicaid beneficiaries eligible to receive such services. It is essential that N.J.A.C. 10:50 and N.J.A.C. 10:60 remain active beyond April 4, 2020, so that Medicaid beneficiaries may continue to receive these essential services.

By the authority vested in him pursuant to N.J.S.A. 52:14B-5.1.d(2), Governor Phillip D. Murphy, on April 2, 2020, directed that the seven-year sunset provision of N.J.S.A. 52:14B-5.1 be extended for N.J.A.C. 10:50 and N.J.A.C. 10:60 for a period of twelve months, from April 4, 2020 to April 4, 2021.

LAW AND PUBLIC SAFETY**(c)****JUVENILE JUSTICE COMMISSION**

**Notice of Administrative Correction
Secure Facilities; Classification Assignment
Process for Juveniles; Juvenile Discipline;
Community Programs**

N.J.A.C. 13:95-11.9

Take notice that the Juvenile Justice Commission (Commission) discovered an error in the text of N.J.A.C. 13:95-11.9(d)2 and 3. The Commission amended N.J.A.C. 13:95 and 101 in 2016, to eliminate disciplinary and administrative room restriction, replace the disciplinary sanction of room restriction with assignment to the Behavioral Accountability Unit, and to repeal N.J.A.C. 13:101-8, Prehearing Room Confinement, Conditions of Room Restriction Generally (see 48 N.J.R. 378(a); 2163(a)). All of these changes were proposed and adopted pursuant to P.L. 2015, c. 89. During this process, the Commission inadvertently neglected to amend N.J.A.C. 13:95-11.9 to delete paragraph (d)2 (pertaining to prehearing room confinement, which would no longer exist) and to amend paragraph (d)3 to replace "disciplinary room confinement" with "the Behavioral Accountability Unit." This omission is corrected through this notice of administrative correction, which is published pursuant to N.J.A.C. 1:30-2.7.

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