

ADOPTION SECTION

HEALTH

NEW JERSEY COMMISSION ON SPINAL CORD RESEARCH

Notice of Readoption

Administration and Operation of the New Jersey Commission on Spinal Cord

Research, the New Jersey Spinal Cord Research Fund, and the New Jersey

Spinal Cord Injury Registry

Readoption with Technical Changes: N.J.A.C. 8:94

Authority: N.J.S.A. 52:9E-1 et seq., particularly 52:9E-5.a, 8.b, and 10.

Authorized By: New Jersey Commission on Spinal Cord Research, Susan P. Howley,
Chair.

Effective Date: January 26, 2015.

New Expiration Date: January 26, 2022.

Take notice that pursuant to Executive Order No. 66 (1978) and N.J.S.A. 52:14B-5.1, N.J.A.C. 8:94 was to expire on April 7, 2015. N.J.S.A. 52:9E-1 et seq., the Spinal Cord Research Act (Act), establishes the New Jersey Commission on Spinal Cord Research (Commission) and the New Jersey Spinal Cord Research Fund (Fund). The Act charges the Commission to administer the Fund, which is a grant program to finance research for the development of treatments and cures for spinal cord injuries and diseases that damage the spinal cord. The Act further charges the Commission to establish and maintain a central registry (registry) of persons who have sustained spinal cord injuries other than through disease. The registry is to indicate the incidence and

prevalence of spinal cord injuries and serve as a resource for research, evaluation, and information on spinal cord injuries and available services.

N.J.A.C. 8:94 implements the Commission's mandates, described above, and establishes standards for the administration and operation of the Commission.

The Commission has reviewed N.J.A.C. 8:94 and has determined that, subject to certain technical changes described below, the chapter remains necessary, proper, reasonable, efficient, understandable, and responsive to the purposes for which it was originally promulgated, as amended and supplemented over time, and should be readopted.

The Commission is making technical changes throughout the chapter to reflect the change in the name of the Department, pursuant to P.L. 2012, c. 17, § 93 (approved June 29, 2012), codified in part at N.J.S.A. 26:1A-2.1; to correct the addresses of the Commission, the National Center for Injury Prevention and Control, and the National Center for Health Statistics; to update the referenced version of the National Violent Death Reporting System (NVDRS) coding manual, incorporated into the chapter by reference, as amended and supplemented, in the definition of "assault and homicide circumstances," from version 2 to version 4; and to correct spelling and grammar errors.

Therefore, pursuant to N.J.S.A. 52:14B-5.1.c(1) and N.J.A.C. 1:30-6.4(h), N.J.A.C. 8:94 is readopted and shall continue in effect for seven years.

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

8:94-1.2 Scope

This chapter provides for the administration and operation of the Commission; sets forth procedures for application, review and award of grants made from the New Jersey Spinal Cord Research Fund established pursuant to N.J.S.A. 52:9E-4; and sets forth procedures for the creation and operation of the New Jersey Spinal Cord Injury Registry established pursuant to N.J.S.A. 52:9E-8. This chapter applies to the Commission, its administrative staff, grant applicants and recipients pursuant to N.J.S.A. 52:9E-1 et seq., and health care [faculties] **facilities** required to report cases of spinal cord injuries pursuant to N.J.S.A. 52:9E-8.

8:94-1.3 Definitions

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

...

“Assault and homicide circumstances” means the variables (if available) that were precipitating factors of the spinal cord injury. These factors are defined by the National Violent Death Reporting System (NVDRS) version [2] **4** coding manual, incorporated herein by reference, as amended and supplemented. To obtain a copy of the manual, contact the National Center for Injury Prevention and Control, Centers for Disease Control and Prevention, [Mailstop K65] **MS F-63**, 4770 Buford Highway NE, Atlanta, GA 30341-[3724] **3717**.

“BLS/ALS dispatch” means the emergency medical services provided by trained and certified personnel, and includes [Basic Life Support] **basic life support** (BLS) and

[Advanced Life Support] **advanced life support** (ALS) services, as defined in N.J.A.C. 8:43G-12.13.

“Center for Health Statistics” or “CHS” means the Center for Health Statistics of the New Jersey Department of Health [and Senior Services].

...

“Department” [or “DHSS”] means the New Jersey Department of Health [and Senior Services].

...

“ICD-9-CM” refers to the International Classification of Diseases, Ninth Revision, Clinical Modification, incorporated herein by reference, as amended and supplemented. To obtain a copy of the ICD-9-CM, contact the Centers for Disease Control and Prevention, National Center for Health Statistics, 3311 Toledo Road, **Room 5419**, Hyattsville, MD 20782.

...

8:94-2.2 Office of the Commission

(a) – (d) (No change.)

(e) The official address of the Commission and its Office is for all purposes as follows:

New Jersey Commission on Spinal Cord Research

[Health and Agriculture Building, 4th Floor, Room 404

John Fitch Plaza, Market and Warren Streets]

225 East State Street, 2nd Floor West

P.O. Box 360

Trenton, New Jersey 08625-0360

Tel: (609) 292-4055

Fax: (609) 943-4213

8:94-3.1 Notice of grant awards availability

(a) – (b) (No change.)

(c) Each Notice of Grant Availability shall be published in the New Jersey Register and the Department's annual Directory of Department of Health [and Senior Services] Grant Programs. The Notice of Grant Availability shall be available for viewing or download on the Commission's website, and in printed form from the Office of the Commission upon request. The Commission may take such other steps as it determines are necessary to ensure adequate notice to all potentially interested persons.

8:94-4.1 Operation

The Registry shall be an electronic database managed and maintained by the Center for Health Statistics[, DHSS,] on behalf of the Commission pursuant to the Act and in furtherance of the purposes set forth in N.J.A.C. 8:94-1.1(c).

8:94-4.2 Reporting requirements

(a)-(c) (No change.)

(d) For each case of trauma resulting in spinal cord injury, the reporting hospital shall report such data as is required by the Registry Manager. The data required for each report shall include, at a minimum, the following:

1. – 3. (No change)

4. Injury description and diagnoses:

i. – vi. (No change.)

vii. [ICD-9 CM] **ICD-9-CM** Volume I diagnosis code(s);

viii. – x. (No change.)

5. (No change.)

6. Treatment and outcomes:

i. [ICD-9 CM] **ICD-9-CM** Volume III procedure code(s);

ii. – viii. (No change.)

7. (No change.)

8:94-4.4 Provision of technical assistance, training, and contracting

[DHSS] **The Department** may contract with any public or private party to discharge any or all of its responsibilities and obligations concerning the Spinal Cord Injury Registry, including, but not limited to, providing technical assistance and training on reporting, provided that such contracting entity shall be bound by and fully comply with the applicable provisions of the Act and this subchapter.

8:94-4.5 Access to information and records

(a) (No change.)

(b) A reporting hospital shall allow authorized [DHSS] **Department** representatives, on behalf of the Commission, access to pertinent records and logs related to spinal cord injury as may be necessary to ensure, evaluate and audit compliance with the provisions of the Act and this subchapter.

(c) [DHSS] **The Department** may from time to time publish statistics, analyses and reports based upon aggregate Registry data, in the ordinary course of its operations, in furtherance of the objectives of the Act and this subchapter or as may be otherwise required or authorized.

(d) [DHSS] **The Department** may charge fees in accordance with N.J.S.A. 47:1A-2[,] to recover all expenses and costs, including costs associated with electronic data processing, duplication of reports, and complying with requests by public and private entities for summary Registry data compilation and analyses.

8:94-4.6 Audit, notice of violations, and enforcement actions

(a) A health care facility or health care provider's office shall be subject to audit at the discretion of the Commissioner by authorized representatives of the [New Jersey] Department [of Health and Senior Services].

(b) The [New Jersey] Department [of Health and Senior Services] shall evaluate completeness and timeliness of reporting as specified by this chapter. Records [which] **that the Department** shall [be] review[ed] shall include, but not be limited to: medical records, diagnostic tests, radiology, laboratory, and/or pathology reports, and discharge records.

(c) – (d) (No change.)

(e) At the conclusion of the audit or within 10 business days thereafter, the [New Jersey] Department [of Health and Senior Services] shall provide the health care facility or health care provider [with] a written summary of any factual findings used as a basis to determine that reporting has not been complete or timely. This notice shall set forth the proposed assessment of civil monetary penalties, setting forth the specific reasons for the action. Such notice shall be served on a facility or health care provider, or its, his or her registered agent in person or by certified mail.

(f) A health care facility or health care provider shall have 30 business days in which to correct all deficiencies in its reporting that were discovered during the audit.

1. If a health care facility or health care provider fails to correct deficiencies in its reporting that were discovered during the audit within 30 days, the [New Jersey] Department [of Health and Senior Services] will act as registrar and shall charge the health care facility or health care provider for all costs related to these services, including, but not limited to, the retrieval of case information and the cost of the audit. This fee shall be based upon the fair market value of such services.

2. All checks for fees for the Department's audit services shall be made payable to "Treasurer, State of New Jersey" and forwarded to:

New Jersey Commission on Spinal Cord Research

New Jersey Department of Health [and Senior Services]

225 East State Street, 2nd Floor West

PO Box 360

Trenton, New Jersey 08625-0360

Attn: Manager, New Jersey State Spinal Cord Registry