

Department administrative rules at N.J.A.C. 8:33C-2.8 provide for a formula that is required to be used in the determination of the need for bassinets that must be utilized in the CN process. As the formula utilized obsolete data and is no longer collected, the Department determined in planning for the 2019 CN Call to utilize another formula developed by examining the occupancy and utilization numbers for bassinets from existing providers in each county. However, because existing rules at N.J.A.C. 8:33C-2.8 set forth a specific formula that must be used to determine the need for this service, the decision to utilize a different formula was made in error, and the Department did not complete the review process.

The Department is in the process of examining and reevaluating the rules and intends to develop new standards for determining the need for intermediate and intensive NICU bassinets. As this process cannot be completed in time to accommodate the January 2, 2024 scheduled call, the call is canceled.

Pursuant to N.J.A.C. 8:33-4.1(a), the next scheduled call for regionalized perinatal services and maternal and child health services will be January 2, 2025. The Department will continue to monitor the utilization and availability of regionalized perinatal services and maternal and child health services and, should the need arise, issue a future call for these services before January 2, 2025.

(a)

**THE COMMISSIONER**

**Notice of Cancellation of Certificate of Need Call for New Specialized Long-Term Care Beds for Pediatric Care**

Take notice that, in compliance with N.J.S.A. 26:2H-1 et seq., and N.J.A.C. 8:33-4.1(a)2, Kaitlan Baston, MD, MSc, DFASAM., Acting Commissioner, New Jersey Department of Health (Department), hereby publishes notice that the certificate of need (CN) call for applications for additional specialized pediatric long-term care beds, scheduled for January 2, 2024, is hereby canceled. The Department has determined that additional new specialized long-term care beds for pediatric care are not needed at this time.

On January 2, 2018, the Department issued a CN call for new specialized long-term care beds for pediatric care in the New Jersey Register at 50 N.J.R. 260(a). The Department conducted its review of the applications submitted and, on July 18, 2019, approved certificates of need for 17 specialized long-term care beds for pediatric care.

As of December 2023, 13 of the approved 17 specialized long-term care beds for pediatric care were implemented. Accordingly, it is necessary to cancel the call for specialized long-term care beds for pediatric care scheduled for January 2, 2024, to allow sufficient time for the implementation of these additional specialized long-term care beds for pediatric care.

The Department will continue to monitor the utilization and availability of specialized long-term care beds for pediatric care. Once all previous applications for new beds and services are implemented and should the need arise, the Department will issue a future call for these services. In accordance with N.J.A.C. 8:33-4.1(a), the next scheduled call for new specialized long-term care beds for pediatric care will be January 2, 2025.

(b)

**THE COMMISSIONER**

**Notice of Cancellation of Certificate of Need Call for New Specialized Long-Term Care Beds for Ventilator Care**

Take notice that, in compliance with N.J.S.A. 26:2H-1 et seq., and N.J.A.C. 8:33-4.1(a)2, Kaitlan Baston, MD, MSc, DFASAM, Acting Commissioner, New Jersey Department of Health (Department), hereby publishes notice that the certificate of need (CN) call for applications for additional specialized long-term care beds for ventilator care scheduled for January 2, 2024, is hereby canceled. The Department has determined that new specialized long-term care beds for ventilator care are not needed at this time.

On January 2, 2018, the Department issued a CN call for new specialized long term care beds for ventilator care in the New Jersey Register at 50 N.J.R. 260(c). Following the Department's review of the applications, on July 18, 2019, the Department approved certificate of need applications for 22 new specialized long-term care beds for ventilator care.

As of December 2023, six of the approved 22 specialized long-term care beds for ventilator care were implemented. Accordingly, it is necessary to cancel the CN call for new specialized long-term care beds for ventilator care scheduled for January 2, 2024, to allow sufficient time for the implementation of these additional specialized long-term care beds for ventilator care.

The Department will continue to monitor the utilization and availability of specialized long-term care beds for ventilator care, once the approved applications for new beds and services are implemented and, should the need arise, issue a future call for these services. In accordance with N.J.A.C. 8:33-4.1(a), the next scheduled call for new specialized long-term care beds for ventilator care will be January 2, 2025.

**LAW AND PUBLIC SAFETY**

(c)

**NEW JERSEY RACING COMMISSION**

**Notice of Receipt of Petition for Rulemaking The Pick (N)**

**N.J.A.C. 13:70-29.52**

Authority: N.J.S.A. 5:5-30.

Petitioner: John F. Heims, Esq., In-House Counsel, Monmouth Park Racetrack.

Take notice that on December 13, 2023, the New Jersey Racing Commission (Commission) received a petition for rulemaking from the above petitioner requesting that the Commission amend N.J.A.C. 13:70-29.52 to add a new subsection (p), which would allow the racing association, upon 48-hour notice to the Commission, to elect to pay out an entire Pick (N) pool, including the carryover, on a selected day in accordance with N.J.A.C. 13:70-29.52(l). The petitioner states that the purpose of the request for rulemaking is that the proposed change will allow the racetrack to remain competitive with out-of-State racetracks and to maximize handle and profits.

In accordance with N.J.A.C. 1:30-4.2 and 13:1D-1.3, the Commission will subsequently mail to the petitioner and file with the Office of Administrative Law, a notice of action on the petition.

