



State of New Jersey
DEPARTMENT OF HEALTH
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Commissioner

March 18, 2021

VIA U.S. FIRST CLASS & ELECTRONIC MAIL

Brian Finestein
Chief Executive Officer
Prime Healthcare Services – Saint Clare’s, LLC
25 Pocono Road
Denville, N.J. 07834

Re: Relocation of Mobile Intensive Care Unit
CN# ER 2021-01233-14
Total Project Cost: \$677,040
Expiration Date: March 18, 2026

Dear Mr. Finestein:

Please be advised that the Department of Health (Department) is approving the application of Prime Healthcare Services – Saint Clare’s, LLC (Prime Saint Clare’s) on behalf of St. Clare’s / Denville Campus, a licensed mobile intensive care unit (MICU) provider, submitted on January 4, 2021, for the relocation of operations of the existing MICU services for the cities of Passaic and Clifton, New Jersey from Hackensack University Medical Center (HUMC) to St. Clare’s / Denville Campus. This application is being approved at a total project cost of \$677,040 for existing vehicles and staff being transferred from the MICU service area currently covered by HUMC for the cities of Passaic and Clifton. St. Clare’s / Denville Campus intends to provide services to this service area from a MICU vehicle located at or near St. Mary’s General Hospital in Passaic.

Because this matter concerns the relocation of a service from one licensed facility to another facility in the same planning region, it is subject to the expedited certificate of need (ERCN) review process pursuant to N.J.A.C. 8:33-5.1(a)11.¹ Therefore, the Department has taken into consideration the applicable regulations for the services subject to ERCN review (i.e., N.J.A.C. 8:33-5.3), and finds that Prime St. Clare’s - Denville Campus has provided an appropriate project description. The project description includes information as to the total project cost, operating costs and

¹ N.J.A.C. 8:33-1.3 defines "Planning region" as "the county(ies) where (a) facility(ies), service(s), or bed(s) subject to CN is located and/or proposed to be located, in accordance with the approved CN, and contiguous counties". Because Passaic and Morris counties are contiguous, they are by definition located in the same planning region.

revenues, services affected, equipment involved, source of funds, utilization statistics, and justification for the proposed project (N.J.A.C. 8:33-5.3(a)(1)); assurance that all residents of the area, particularly the medically underserved, will have access to services because the service location (i.e. the cities of Passaic and Clifton) will not change by virtue of this relocation (N.J.A.C. 8:33-5.3(a)(2)); and documentation that it will meet appropriate licensing and construction standards (N.J.A.C. 8:33-5.3(a)(3)(i)). In addition, Saint Clare’s – Denville Campus has demonstrated a track record of substantial compliance with the Department’s licensing standards (N.J.A.C. 8:33-5.3(a)(3)(ii)).

This application has also been considered pursuant to the specific ERCN requirements found at N.J.A.C. 8:33-5.4(a)2, for the relocation of an entire service from one licensed facility to another located within the same planning region. N.J.A.C. 8:33-5.4(a)2 requires these types of transactions to meet the following applicable requirements of N.J.A.C. 8:33-3.4(a)3, which the Department has determined the applicant to have met:

- The relocation shall take place within the same planning region where the sending facility is located. This transaction meets this condition as Passaic and Morris counties are contiguous and therefore part of the same planning region.
- The receiving facility shall already hold a license for the service proposed for relocation. This transaction meets this condition as St. Clare’s - Denville Campus is already licensed by the Department to provide MICU services.
- The relocation shall not have an adverse impact on the ability of the population currently being served in the sending facility's service area to access the same type of service as those proposed for relocation. This transaction meets this condition because the actual service area, i.e. the cities of Passaic and Clifton, is not changing. Therefore, the population currently receiving MICU services in Passaic and Clifton from HUMC will continue to have access to MICU services when the service is transferred to St. Clare’s and, as a result, will not be adversely impacted by this service relocation.
- The relocation shall not reduce access by the medically underserved and shall address the criteria set forth at N.J.A.C. 8:33-4.10(a). This transaction meets this condition because the actual service area, i.e. the cities of Passaic and Clifton, is not changing. Therefore, access to MICU services by the medically underserved in Passaic and Clifton will remain unchanged and will not be reduced.
- The relocation shall not have an adverse impact on quality of care at either the sending or receiving facility. This transaction meets this condition as the relocation of MICU services from HUMC to St. Clare’s - Denville Campus will not impact the quality of care at either

facility. The removal of the service from HUMC will not have an impact on the quality of care at the facility, and St. Clare’s - Denville Campus has demonstrated that ability to competently provide MICU services.

- The relocation shall not violate a condition of a prior certificate of need approved for the establishment of the beds or services. This transaction meets this condition as there is no prior CN condition affected by this transfer.

Please be advised that this approval is limited to the application as presented and reviewed. The application, related correspondence and any completeness questions and responses are incorporated and made a part of this approval. An additional review by the Department may be necessary if there is any change in scope, as defined at N.J.A.C. 8:33-3.9. However, a change in cost of an approved certificate of need is exempt from certificate of need review subject to the following:

1. The applicant shall file a signed certification as to the final total project cost expended for the project at the time of the application for licensure for the service with the Certificate of Need and Healthcare Facility Licensure Program.
2. Where the actual total project cost exceeds the certificate of need approved total project cost and is greater than \$1,000,000, the applicant shall remit the additional certificate of need application fee due to the Certificate of Need and Healthcare Facility Licensure Program. The required additional fee shall be 0.25 percent of the total project cost in excess of the certificate of need approved total project cost.
3. The Department will not issue a license for the service until the additional fee is remitted in full.

The Department, in approving this application, has relied solely on the facts and information presented. The Department has not undertaken an independent investigation of such information. If material facts have not been disclosed or have been misrepresented as part of this application, the Department may take appropriate administrative regulatory action to rescind the approval or refer the matter to the Office of the N.J. Attorney General.

Any approval granted by this Department relates to certificate of need and/or licensing requirements only and does not imply acceptance by a reimbursing entity. This letter is not intended as an approval of any arrangement affecting reimbursement or any remuneration involving claims for health care services.

This approval is not intended to preempt in any way any municipality's authority to regulate land use within its borders and shall not be used by you to represent that the Department has made any findings or determinations relative to the use of any specific property.

Finally, please be advised that this relocated service may not commence until:

1. A transfer of ownership from HUMC to St. Clare's – Denville Campus has been approved by the Department's Division of Certificate of Need and Licensing; and
2. A license has been issued by the Department's Office of Emergency Medical Services to operate MICU vehicles.

The Department looks forward to working with the applicant to provide high quality of care to the residents of Passaic and Clifton. If you have any questions concerning this certificate of need approval, please do not hesitate to contact Ms. Maria Christensen or Ms. Felicia Harris, Division of Certificate of Need and Licensing, at (609) 292-6552.

Sincerely,



Marcela Ospina Maziarz, MPA
Deputy Commissioner
Health Systems

cc: Maria Christensen, DOH (Electronic mail)
Felicia Harris, DOH (Electronic mail)
Jeff Kasko, DOH (Electronic mail)
Eric Hicken, DOH (Electronic mail)
Margaret Keavney, Keavney & Streger, LLC (Electronic mail)
Intake Unit (Electronic mail)