



State of New Jersey
DEPARTMENT OF HEALTH

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Governor

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Lt. Governor

JUDITH M. PERSICILLI, RN, BSN, MA
Commissioner

March 22, 2023

VIA ELECTRONIC & FIRST CLASS MAIL

Zvi Klein
Member
AristaCare at Cherry Hill, LLC
245 Birchwood Avenue
Cranford, New Jersey 07016

Re: AristaCare at Cherry Hill
Request for Extension of Time
CN ER# 120606-04-02
Total Project Cost: \$300,000
Expiration Date: April 12, 2023

Dear Mr. Klein:

Please be advised that the Department of Health (Department) is approving AristaCare at Cherry Hill's Expedited Review Certificate of Need (ERCN) application for an extension of time to implement five licensed long-term care (LTC) beds that the facility acquired from the former Pitman Manor, which was located in Gloucester County. AristaCare at Cherry Hill, which is located in Camden County, acquired the beds through Transfer of Ownership approved on October 5, 2012. An ERCN approval was issued by the Department on April 12, 2013, for the relocation of the five licensed LTC beds from Pitman Manor to AristaCare at Cherry Hill, with an expiration date of April 12, 2018. AristaCare at Cherry Hill's 2013 CN approval expired without LTC beds being implemented. AristaCare at Cherry Hill's current ERCN application, submitted on July 18, 2022, pursuant to N.J.A.C. 8:33-5.1(a)6, requested an extension of time for CN ER# 120606-04-02.

The Department has reviewed your current application, which requests an extension of time to implement the five relocated licensed beds. Although AristaCare at Cherry Hill should have filed an ERCN for an extension of time prior to the April 12, 2018 expiration date, the Department has determined to exercise its discretion to accept this ERCN although it is technically out of time. In accordance with your request, this certificate of need is now extended to April 12, 2023. It is expected that this project will be fully implemented on or before the extension expiration date provided.

The decision to approve AristaCare at Cherry Hill's extension application is based on a review of the documents submitted. The reason stated for the need for an extension of time was "significant delays with the additional physical plant implementation" for the facility expansion project which did not receive a certificate of occupancy from the local township until April 12, 2021. Your current submission also confirmed that financing remains in place for this project and will be sufficient to cover any increases in project costs, and the local zoning and building approvals for the project are also in place.

In response to your current submission, including documentation that the project can be completed by the new expiration date, the Department is granting this extension of time to April 12, 2023.

Please be advised that this approval is limited to the proposal 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 in N.J.A.C. 8:33-3.9. However, in accordance with N.J.A.C. 8:33-3.9(a) 1-3, a change of cost of an approved certificate of need is exempt from certificate of need review but 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 a license for the beds/services 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 beds/services 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 New Jersey 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 the applicant to represent that the Department has made any findings or determination relative to the use of any specific property.

Please be advised that services may not commence until a license has been issued by the Certificate of Need and Healthcare Facility Licensure Program to operate this facility. A survey by Department staff will be required prior to commencing services.

The Department looks forward to working with the applicant to provide a high quality of care to the Long Term Care residents. If you have any questions concerning this Certificate of Need approval, please do not hesitate to contact Michael J. Kennedy, Executive Director, Division of Certificate of Need and Licensing at Michael.Kennedy@doh.nj.gov.

Sincerely,

Robin C. Ford

Robin C. Ford, MS
Deputy Commissioner
Health Systems
NJ Department of Health

cc: Stefanie J. Mozgai, DOH (Electronic mail)
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