



State of New Jersey  
DEPARTMENT OF HEALTH

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[www.nj.gov/health](http://www.nj.gov/health)

PHILIP D. MURPHY  
*Governor*

SHEILA Y. OLIVER  
*Lt. Governor*

JUDITH M. PERSICHILLI, RN, BSN, MA  
*Commissioner*

IN RE:	:	
	:	
Open MRI Imaging of Rochelle Park	:	EMERGENCY
(NJ Facility ID # NJ23475)	:	CLOSURE ORDER
	:	

TO: Stephen Conte, Jr.  
 Administrator  
 251 Rochelle Avenue  
 Rochelle Park, NJ 07662  
 (sconte30@yahoo.com)

Pursuant to Executive Order 103, Governor Philip D. Murphy declared that the spread of COVID-19, which is a novel coronavirus, within New Jersey constitutes an imminent public health hazard that threatens and presently endangers the health, safety, and welfare of the residents of one or more municipalities or counties of the State. As such, Governor Murphy declared the existence of a Public Health Emergency, pursuant to the Emergency Health Powers Act, N.J.S.A. 26:13-1 to -31, and a State of Emergency, pursuant to the Disaster Control Act, N.J.S.A. App.A:9-45 & App. A:9-47. These emergency declarations were thereafter continued by Executive Orders No. 119, 138, 151, 162, 171, 181, 186, 191 and 200.

Under the declared health emergency, the Commissioner is empowered, pursuant to N.J.S.A. 26:13-12, to "[t]ake all reasonable and necessary measures to prevent the transmission of infectious disease or exposure to toxins or chemicals and apply proper controls and treatment for infectious disease or exposure to toxins or chemicals".

Pursuant to this authority, the Department of Health (Department), hereby orders Open MRI Imaging of Rochelle Park (Facility) to cease the provision of patient services as follows:

## **EMERGENCY CLOSURE ORDER**

Pursuant to the above-referenced authority, in order to slow the spread of COVID-19 in the community and protect vulnerable populations from contracting the virus, the Commissioner of the Department of Health hereby ORDERS the closure of the MRI Facility. Specifically, the Facility is ORDERED to cease performing procedures or providing any other patient services for the MRI facility only and not the Vestibular Diagnostics practice. This emergency order is issued based on the findings on November 20, 2020 through November 24, 2020 that, *inter alia*, outside the facility social distancing of patients is not being enforced; there is no COVID-19 signage on front door into the facility; staff is not being screened before entering the building; there is no staff screening log for November 23, 2020 and November 24, 2020; on November 20, 2020 two patients walked into the facility to use the restroom without being screened; on November 20, 2020 two staff members behind the registration desk were not wearing masks when survey entered the building; the doctor performing COVID-19 testing in a x-ray room did not change gloves or perform hand hygiene between patient testing; the pulse oximeter placed on each patient is not being cleaned or disinfected between patients; a staff member performing the rapid testing (running the test not swabbing) is directly next to the doctor performing the COVID swabbing; a staff running the rapid testing was in street clothes and not wearing appropriate Personal Protective Equipment (PPE); there are no COVID-19 policies; there are no documented educational instruction regarding COVID-19 for staff; there are no personnel files for the staff performing the testing because they are part of the medical practice and not the Imaging center; MRI imaging patients and COVID-19 testing patients are entering through the same entry and not being segregated; there is no Infection Control Plan or Program; there is no Infection Control Committee formed; there are no Governing Body Minutes for last two quarters; and there are no personnel files on site.

The Facility shall be prohibited from performing any procedures or providing any other patient services in the MRI facility until further notice. This Order is effective immediately upon your notification. This emergency order shall remain in effect until the Facility is otherwise notified in writing by a representative of this Department.

### **RIGHT TO HEARING:**

Pursuant to N.J.S.A. 26:13-8(a)(2), the Facility has the right to request a hearing regarding the Emergency Closure Order before the New Jersey Superior Court.

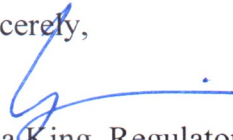
### **OTHER REMEDIES:**

Failure to comply with this Emergency Order may result in the imposition of penalties and/or other applicable remedies.

Thank you for your attention to this important matter and for your anticipated cooperation. If you have any questions regarding this Emergency Closure Order, please contact Lisa King in the Office of Program Compliance at [Lisa.King@doh.nj.gov](mailto:Lisa.King@doh.nj.gov). For other questions, please contact the New Jersey Coronavirus and Poison Center Hotline at (800) 222-1222. For COVID-19 updates, please

continue to check the Department's website for routinely updated information at <https://www.nj.gov/health/cd/topics/ncov.shtml>.

Sincerely,



Lisa King, Regulatory Officer  
Office of Program Compliance  
Division of Certificate of Need and Licensing  
New Jersey Department of Health

MDJ:mdj

November 25, 2020

Control # AX20049

Via Certified, Regular Mail, facsimile ((201) 291-1619)  
and E-Mail (sconte30@yahoo.com.)

- c. Lisa King
- Denise Gorski-Galla
- Lisa Kiernan
- Anna Sousa
- Charlene Valenta