



State of New Jersey
DEPARTMENT OF HEALTH

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www.nj.gov/health

PHILIP D. MURPHY
Governor

TAHESHA L. WAY
Lt. Governor

KAITLAN BASTON, MD, MSc, DFASAM
Acting Commissioner

In Re Licensure Violation:

Carewell Health Medical Center
(NJ Facility ID# 10704)

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REVISED SECOND AMENDED DIRECTED
PLAN OF CORRECTION

TO: Paige Dworak, FACHE, President and Chief Executive Officer
Carewell Health Medical Center
300 Central Avenue
East Orange, NJ 07018

Effective immediately, the Department of Health (Department) is ordering a revised second amended Directed Plan of Correction (DPOC) to Carewell Health Medical Center (“the Medical Center” or “Carewell Health”). The Department is amending the Directed Plan of Correction issued to Carewell Health on February 1, 2024, and amended Directed Plan of Correction issued on February 21, 2024, to require Carewell Health to retain the services of a consultant administrator and to inform emergency medical services and other hospitals in the area not to send patients who are in need of Designated Primary Stroke Center services to the Medical Center. The requirements of the revised second amended directed plan of correction are set forth in greater detail below.

By way of background, on February 1, 2024, the Department issued a DPOC requiring Carewell Health to file weekly staffing reports with the Department to demonstrate compliance with the requirements for staffing its radiology and computerized tomography (CT) scan departments, and the Medical Center was also required to participate in weekly status conference calls with the Department to discuss the staffing reports. The DPOC also required the Medical Center to immediately file the hospital’s protocol for meeting patients’ needs in a timely manner, as required by N.J.A.C. 8:43G-12.7(h). On February 21, 2024, the Department issued an amended directed plan of correction requiring Carewell to submit a plan for the transfer of any patients who require radiological and CT scan services to a local area hospital, including a plan for transport of such patients, and to require Carewell to increase the submission of staffing plans from weekly to daily.

These enforcement actions were taken in accordance with the provisions set forth at N.J.A.C. 8:43E-2.4 (Plan of Correction) and 3.1 (Enforcement Remedies Available), after Staff from the Department's Health Facility Survey and Field Operations (HFS&FO or Survey) were on-site at Carewell Health and found significant deficiencies in the facility’s ability to provide radiological services to patients in accordance with N.J.A.C. 8:43G-7A.3(a)(3) and N.J.A.C. 8:43G-12.7(w).

LICENSURE VIOLATIONS:

The Department has received credible evidence of continued deficient staffing practices at Carewell Health, a stroke designated hospital. Specifically, Department surveyors were able to confirm that there were no CT scan services available on February 17, 2024, from 8:00 p.m. to 12:00 a.m. Interviews with the Medical Center's radiology director and quality director revealed that neither director was aware of the gap in radiology services, when CT staff scheduled did not complete the assigned shift. The Medical Center has had ongoing staffing issues pertaining to CT services since December 25, 2023, and pertaining to X-ray services since January 24, 2024.

Pursuant to N.J.A.C. 8:43G-7A.3(a)(3), hospitals designated as primary stroke centers are required to provide "[n]euro-imaging services capability that is available 24 hours a day, seven days a week, such that imaging shall be performed within 25 minutes following order entry. Such studies shall be interpreted by a board-certified radiologist, board-certified neurologist or residents who interpret such studies as part of their training in an Accreditation Council of Graduate Medical Education-approved radiology training program with concurrence by a board-certified radiologist or board-certified neurologist within 20 minutes of study completion." Furthermore, N.J.A.C. 8:43G-7A.3(a)(3)(i) provides that "[n]euro-imaging services shall, at a minimum, include computerized tomography scanning or magnetic resonance imaging, as well as interpretation of the imaging."

Additionally, N.J.A.C. 8:43G-12.7(w) requires a hospital to provide radiology services for emergency needs in its the emergency department 24 hours a day. N.J.A.C. 8:43G-28.10(c) provides that, "[i]f provided by the hospital, computer tomography shall be available within one hour at all times, when deemed appropriate in the judgement of the radiologist, unless the machinery is temporarily disabled or in use."

REVISED SECOND AMENDED DIRECTED PLAN OF CORRECTION:

The Department is ordering Carewell Health to retain the services of a consultant administrator and to notify emergency medical services and other hospitals in the area not to send patients who are in need of Designated Primary Stroke Center services to the Medical Center.

Consultant:

The facility must retain the part-time, on-site services of a Consultant Administrator who shall be approved in advance by the Department. The facility shall provide the name and resume of the proposed Administrator Consultant by submitting the name and resume to Kim.Hansen@doh.nj.gov, Gene.Rosenblum@doh.nj.gov, and Lisa.King@doh.nj.gov by close of business on February 27, 2024. The Administrator Consultant shall be present in the facility for no less than 20 hours per week, until further notice from the Department. The approved Consultant Administrator shall be retained no later than the close of business, February 29, 2024. The consultant shall have no previous or current ties to the facility's principals, management and/or employers or other related individuals of any kind, including, but not limited to employment, business, or personal ties.

The Administrator Consultant will:

Carewell Health Medical Center
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Assess the facility's compliance with all applicable state licensing standards for staffing of radiological services, and identify areas of non-compliance.

Collaborate with facility leadership to ensure that the hospital's operating procedure systems and standards for scheduling of radiological staffing and communication within the Radiology Department align with compliance requirements.

Ensure staff training needed to comply with applicable staffing licensing standards and hospital policies.

Develop and implement compliance management systems at the facility to ensure adequate radiological staffing.

Take other actions as necessary to ensure the identification of compliance issues, and implementation of timely corrective measures in relation to staffing of the Radiology Department.

Designated Primary Stroke Services:

Carewell Health must notify area emergency medical services and area hospitals that it is unable to provide the full services of a Designated Primary Stroke Center at this time and therefore emergency medical services and area hospitals should not send patients to the Medical Center who are in need of Designated Primary Stroke Center services.

This second amended DPOC shall remain in place until the hospital is otherwise notified in writing by a representative of this Department. Department staff will monitor facility compliance with this order to confirm compliance with the DPOC. Failure to comply with these and any other applicable requirements, as set forth in pertinent rules and regulations, may result in the imposition of penalties or other enforcement remedies.

Thank you for your attention to this important matter and for your anticipated cooperation. If you have any questions concerning this order, please contact Lisa King, Office of Program Compliance, at Lisa.King@doh.nj.gov.

Sincerely,



Gene Rosenblum, Director
Office of Program Compliance
Division of Certificate of Need and Licensing

GR:jlm:nj

DATE: February 23, 2024
FACSIMILE 973-989-3122

Carewell Health Medical Center
Notice of Revised Second Amended Directed Plan of Correction
February 23, 2024

E-MAIL: paige.dworak@carewellhealth.org and clay.mcclain@carewellhealth.org

REGULAR AND

CERTIFIED MAIL:

RETURN RECEIPT REQUESTED

Control # AX24005

- c. Stefanie Mozgai
- Pamela Lebak
- Kimberly Hansen
- Michael Kennedy
- Gene Rosenblum
- Lisa King