



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. PERSICILLI, RN, BSN, MA  
*Commissioner*

IN RE:

Somerset Woods Rehabilitation  
& Nursing Center  
(NJ Facility ID # NJ 18109)

EMERGENCY CURTAILMENT  
OF ADMISSIONS AND  
DIRECTED PLAN OF  
CORRECTION

TO: **Steven Schwimmer**  
Administrator  
Somerset Woods Rehabilitation  
& Nursing Center  
780 Old New Brunswick Road  
Somerset, NJ 08873

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, and 186.

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 the curtailment of admissions to Somerset Woods Rehabilitation & Nursing Center (Facility) and directs the following plan of correction:

**I. EMERGENCY CURTAILMENT OF ADMISSIONS 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 curtailment of all admissions to the facility. This emergency order and the directed plan of correction (DPOC) below are also issued based on the findings of the state surveyors during on-site surveys conducted on October 2, 2020 and October 6, 2020.

The facility shall be prohibited from accepting new admissions until further notice. This Order is effective immediately upon your notification. This emergency order shall remain in effect until the Department lifts the order.

**II. DIRECTED PLAN OF CORRECTION**

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 DIRECTS the following plan of correction. The facility shall:

- a. Retain the full-time, on-site services of an Administrative Consultant who is a Licensed Nursing Home Administrator to begin providing services to the facility no later than October 21, 2020. The facility shall provide the Department with the name and resume of the proposed Administrative Consultant by October 16, 2020. The resumes of the consultants shall be provided to [Donna.Koller@doh.nj.gov](mailto:Donna.Koller@doh.nj.gov), and [Lisa.King@doh.nj.gov](mailto:Lisa.King@doh.nj.gov). The Administrative Consultant shall be present in the facility for no less than 40 hours per week, with documented coverage of all shifts and weekends, until further notice from the Department. The Administrative Consultant shall:
  1. Assess the facility's compliance with all applicable state licensing standards and identify areas of non-compliance;
  2. Oversee the development, implementation and evaluation of corrective action plans;
  3. Develop and implement compliance management systems at the facility;
  4. Collaborate with facility leadership to ensure that operating procedures, systems and standards align with compliance requirements;

5. Ensure staff training needed to comply with applicable licensing standards; and,
6. Take other actions as may be necessary to ensure identification of compliance issues and implementation of timely corrective measures.

The facility should send weekly progress reports every Friday by 1:00 p.m. to [Donna.Koller@doh.nj.gov](mailto:Donna.Koller@doh.nj.gov). These weekly reports shall include timely status updates regarding:

1. Identified areas of non-compliance;
2. Corrective measures to address identified areas of non-compliance; and,
3. Status of corrective measures implementation.

In addition, the facility is directed to maintain timely communication with the Department, as may be required.

- b. Retain the full-time services of a Certified Infection Control Practitioner (ICP) consultant to begin providing services to the facility no later than October 21, 2020. The facility shall provide the Department with the name and resume of the consultant by October 16, 2020. You may contact the Association of Professionals in Infection Control and Epidemiology ([apic.org](http://apic.org)) to obtain the names of ICPs in your area. The facility shall provide the Department with the name and resume of the consultant. The resume should be sent to [Donna.Koller@doh.nj.gov](mailto:Donna.Koller@doh.nj.gov) and [Lisa.King@doh.nj.gov](mailto:Lisa.King@doh.nj.gov). The ICP consultant shall be on-site for no less than 40 hours per week, with documented coverage of all shifts and weekends, until further notice from the Department. The facility should send weekly reports every Friday by 1:00 p.m. to the Communicable Disease Services (CDS) Healthcare Associated Infections Coordinator, Jason Mehr, MPH, CIC, at [Jason.Mehr@doh.nj.gov](mailto:Jason.Mehr@doh.nj.gov) with a copy to [Donna.Koller@doh.nj.gov](mailto:Donna.Koller@doh.nj.gov). These weekly reports shall include timely updates regarding the outbreak investigation, identified cases (as defined by CDS) and the progress of infection prevention. In addition, the facility is directed to maintain timely communication with the Department as may be required by CDS staff, including both the facility's infection prevention team and the consultants.
- c. Immediately train all staff in the proper donning and doffing of personal protective equipment and infection control procedures and document the completion of the training.

The ICP and Administrator consultants 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 consultants shall be completely independent of Somerset Woods Rehabilitation & Nursing Center.

Under this curtailment order and DPOC, the facility shall comply with the applicable standards in N.J.A.C. 8:39-1 et seq. (Standards for Licensure of Long-Term Care Facilities) as modified by the operational waivers, the unwaived Medicare conditions of 42 C.F.R. 483.1 et seq. (Requirements for Long Term Care Facilities), and the conditions as modified by the Centers for Medicare & Medicaid Services 1135 blanket waivers and the New Jersey specific 1135 waivers.

This curtailment and DPOC shall remain in place until the facility is otherwise notified in writing by a representative of this Department. Please also be advised that Department staff will monitor facility compliance with this order to determine whether corrective measures are implemented by the facility in a timely fashion.

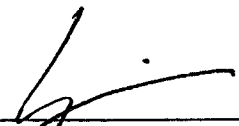
**RIGHT TO HEARING:**

Pursuant to N.J.S.A. 26:13-8(a)(2), the facility has the right to request a hearing regarding the Emergency Curtailment of Admissions 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 Curtailment of Admissions Order and Directed Plan of Correction, 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>.

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

Emergency Curtailment of Admissions Order

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MDJ:mdj

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Control #20038/Event ID #FMIR11

Enclosure

Via Regular Mail and E-Mail

([sschwimmer@somersetwoodsny.com](mailto:sschwimmer@somersetwoodsny.com)) ,

c. Nursing Home Administrators Licensing Board  
Frank Skrajewski, Long Term Care Licensing  
Donna Koller, Long Term Care Survey & Certification  
Pamela Lebak, Long Term Care Survey & Certification