



State of New Jersey
DEPARTMENT OF HEALTH

PO BOX 358
TRENTON, N.J. 08625-0358

www.nj.gov/health

PHILIP D. MURPHY
Governor

SHEILA Y. OLIVER
Lt. Governor

JUDITH M. PERSICILLI, RN, BSN, MA
Commissioner

In Re Licensure Violation:	:	
	:	
Llanfair House Care	:	CURTAILMENT OF
and Rehabilitation Center	:	ADMISSIONS ORDER,
(NJ Facility ID# NJ 61611)	:	DIRECTED PLAN OF
	:	CORRECTION
	:	

TO: John Hoffman, Administrator (JHoffman@llanfaircc.com.com)
Llanfair House Care and Rehabilitation Center
1140 Black Oak Ridge Road
Wayne, New Jersey 07470

Dear Mr. Hoffman:

On October 24, 2022, the Department of Health (hereinafter, "the Department") issued a verbal order curtailing all admissions to Llanfair House Care and Rehabilitation Center (hereinafter "Llanfair House"), excluding readmissions. Effective immediately, the Department orders that the October 24, 2022 curtailment is continued, and the Department is now ordering a Directed Plan of Correction (hereinafter "DPOC"), requiring Llanfair House to file weekly staffing reports with the Department demonstrating the facility's compliance with the staffing requirements of N.J.S.A. 30:13-18, N.J.A.C. 8:39-5.1(a) and 25.2.

These enforcement actions are being taken in accordance with the provisions set forth at N.J.A.C. 8:43E-2.4 (Plan of Correction), 3.1 (Enforcement Remedies Available), and 3.6 (Curtailment of Admissions) in response to serious staffing deficiencies observed by Department staff in Llanfair House during its on-site inspection.

The Health Care Facilities Planning Act (N.J.S.A. 26:2H-1 et seq.) (the Act) provides a statutory scheme designed to ensure that all health care facilities are of the highest quality. Pursuant to the Act and N.J.A.C. 8:43E-1.1 et seq., General Licensure Procedures and Standards Applicable to All Licensed Facilities, the Commissioner of Health is authorized to inspect all health care facilities and to enforce the Standards for Licensure of Long-Term Care Facilities set forth at N.J.A.C. 8:39-1.1 et seq.

LICENSURE VIOLATIONS:

Based on observation and interviews, it was determined at the recertification survey begun at Llanfair House in October of 2022 that the provider's non-compliance with one or more requirements of participation had caused, or was likely to cause, serious injury, harm, impairment, or death to residents.

The survey team determined that Llanfair House violated the staffing requirements of N.J.S.A. 30:13-18, N.J.A.C. 8:39-5.1(a) and 25.2. Survey staff determined that the facility was significantly deficient in nurse staffing for 32 shifts for the two weeks prior to the survey, particularly on the day shift for certified nurse aides (CNAs), for which on many days the facility was only meeting half of the required CNAs for that shift. Survey staff also substantiated that the facility failed to determine the sufficient staff numbers necessary to serve the resident population in the facility based on an average census and specific needs. Despite not assessing the facility's staffing needs and not meeting the State's minimum staffing requirements, the facility continued to admit new residents from September 25, 2022, through October 8, 2022. This failure to comply with State staffing requirements resulted in an Immediate Jeopardy (IJ) situation.

The facility was also cited for an IJ for failing to supervise a resident who had eloped on July 6, 2022, and was cited for an IJ for another resident who had dementia (BIMS of 0) and who had 11 falls over 6 months and sustained major injuries. There was no evaluation to determine the cause of the resident's falls and there were incomplete investigations to determine possible root causes. The facility also failed to update the care plan to prevent future falls and did not address the resident's individualized need or level of supervision. During survey team interviews with facility staff, it was revealed that staff have a difficult time supervising the residents because of the lack of staff. The facility was notified of the IJ for the elopement on October 20, 2022, and was notified of the IJ for the resident's falls on October 21, 2022. As of this date, the Survey team has not yet received an acceptable removal plan.

The factual findings are set forth in greater detail in the survey report which will be provided to the facility upon completion of the survey, which is incorporated herein by reference.

CURTAILMENT:

The Department hereby orders the continuation of curtailment of all admissions to Llanfair House, except readmissions. The current census of the facility is 105 residents, with two residents currently at the hospital.

Please be advised that N.J.A.C. 8:43E-3.4(a)(2) provides for a penalty of \$250 per day for each resident at the facility in violation of this curtailment order

DIRECTED PLAN OF CORRECTION:

The Department hereby directs Llanfair House to hire additional staff to meet the staffing requirements of N.J.S.A. 30:13-18, N.J.A.C. 8:39-5.1(a) and 25.2.

Llanfair House shall report to the Department by Friday, October 28, 2022, to confirm that the minimum staffing requirements have been met. The initial staffing report may be submitted via e-mail to Pam.Lebak@doh.nj.gov; Marie.Chapman@doh.nj.gov; and Lisa.King@doh.nj.gov. Every two weeks thereafter, Llanfair House shall provide the New Jersey Department of Health Long Term Care Assessment and Survey Program Nurse Staffing Reports via email to Pam.Lebak@doh.nj.gov and Marie.Chapman@doh.nj.gov.

Please be advised that this curtailment and DPOC shall remain in place until Llanfair House is otherwise notified in writing by the Department.

FORMAL HEARING:

Llanfair House is entitled to contest the curtailment, pursuant to N.J.S.A. 26:2H-14, by requesting a formal hearing at the Office of Administrative Law (OAL). Llanfair House may request a hearing to challenge any or all of the following: the factual survey findings and/or the curtailment. Llanfair House must advise this Department within 30 days of the date of this letter if it requests an OAL hearing regarding the curtailment.

Please forward your OAL hearing request to:

Attention: OAL Hearing Requests
Office of Legal and Regulatory Compliance, New Jersey Department of Health
P.O. Box 360
Trenton, New Jersey 08625-0360

Corporations are not permitted to represent themselves in OAL proceedings. Therefore, if Llanfair House is owned by a corporation, representation by counsel is required. In the event of an OAL hearing regarding the curtailment, Llanfair House is further required to submit a written response to each and every charge as specified in this notice, which shall accompany its written request for a hearing.

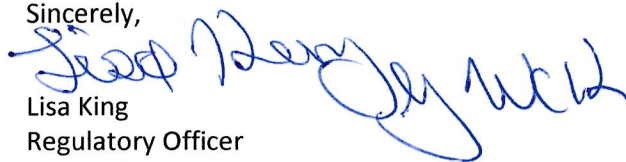
Due to the emergent situation and the immediate and serious risk of harm posed to the residents, please be advised that the Department will not hold the curtailment or the DPOC in abeyance during any appeal of the curtailment.

Please be advised that Department staff will monitor compliance with this notice to determine whether corrective measures are implemented by Llanfair House in a timely fashion. Failure to comply with these and any other applicable requirements, as set forth in pertinent rules and regulations, may result in the imposition of further enforcement remedies, including but not limited to, civil monetary penalties, and may include summary suspension and/or license revocation.

Please also be advised that you may be subject to other enforcement remedies in addition to this order.

Thank you for your attention to this important matter and for your anticipated cooperation. Should you have any questions concerning this order, please contact Lisa King, Office of Program Compliance at (609) 376-7751.

Sincerely,



Lisa King
Regulatory Officer
Office of Program Compliance
Division of Certificate of Need and Licensing

DATE: October 26, 2022
FACSIMILE
E-MAIL (JHoffman@Llanfaircc.com)
REGULAR AND CERTIFIED MAIL
RETURN RECEIPT REQUESTED
Control # X21047