

ADOPTIONS SECTION

HEALTH

HEALTH SYSTEMS BRANCH

DIVISION OF CERTIFICATE OF NEED AND LICENSING

Notice of Readoption

Standards for Licensure of Pediatric Medical Day Care Facilities

Readoption: N.J.A.C. 8:43J

Authority: N.J.S.A. 26:2H-1 et seq., specifically, 26:2H-5.

Authorized By: Kaitlan Baston, MD, MSc, DFASAM, Acting Commissioner, Department of Health, with approval by the Health Care Administration Board.

Effective Date: September 12, 2023.

New Expiration Date: September 12, 2030.

Take notice that, pursuant to N.J.S.A. 52:14B-5.1, the Acting Commissioner (Commissioner) of the Department of Health (Department) hereby readopts without change, N.J.A.C. 8:43J, Standards for Licensure of Pediatric Medical Day Care Facilities, which was scheduled to expire on October 14, 2023.

N.J.A.C. 8:43J, Standards for Licensure of Pediatric Medical Day Care Facilities establishes standards for licensure of pediatric medical day care facilities. Subchapter 1, General Provisions, sets forth general provisions. Subchapter 2, Licensure Procedures, establishes ownership requirements. Subchapter 3, Administration, establishes standards applicable to licensees and facility administrators. Subchapter 4, Child Rights, establishes child rights. Subchapter 5, Child Assessment and

Interdisciplinary Plan of Care, establishes standards addressing child assessment and interdisciplinary plans of care. Subchapters 6 through 12 (General Services, Nursing Services, Medical Services, Pharmaceutical Services, Dietary Services, Developmental and Rehabilitation Services, and Social Work Services, respectively), establish standards addressing general, nursing, medical, pharmaceutical, dietary, developmental and rehabilitative, and social work services. Subchapter 13, Physical Plant Requirements, establishes physical plant standards. Subchapter 14, Medical Records, establishes standards addressing medical records. Subchapter 15, Infection Control, Sanitation and Housekeeping, establishes standards addressing infection control, sanitation, and housekeeping. Subchapter 16, Transportation Services, establishes standards addressing transportation services. Subchapter 17, Quality Improvement, establishes standards addressing facility quality improvement programs. The Department hereby readopts the chapter.

The Department adopted N.J.A.C 8:43J as new rules effective November 16, 2009 (operative April 1, 2010). See: 40 N.J.R. 6266(a), 41 N.J.R. 4212(a). In accordance with N.J.S.A. 52:14B-5.1.b, N.J.A.C. 8:43J was scheduled to expire on November 16, 2016. See: 43 N.J.R. 1203(a). N.J.A.C 8:43J was readopted with technical changes, effective October 14, 2016, and was scheduled to expire on October 14, 2023.

The Department is developing a rulemaking that would revise, update, and reorganize existing N.J.A.C. 8:43J, and anticipates filing this rulemaking with the Office of Administrative Law for processing in the ordinary course. However, this rulemaking

will not be ready for stakeholder comment and proposal before the expiration of N.J.A.C. 8:43J.

The Department has reviewed N.J.A.C. 8:43J and has determined that pending the finalization of the anticipated rulemaking described above, the existing chapter remains necessary, proper, reasonable, efficient, understandable, and responsive to the purposes for which the Department originally promulgated it, as amended and supplemented over time, and should be readopted. Therefore, pursuant to N.J.S.A. 52:14B-5.1.c(1), N.J.A.C. 8:43J is readopted and shall continue in effect for seven years.