



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. PERSICHILLI, RN, BSN, MA  
Commissioner

IN RE: :  
 :  
 : EMERGENCY CLOSURE  
 ADULT DAY HEALTH SERVICES FACILITIES :  
 IN BERGEN COUNTY :

TO: Service List:  
 Administrators  
 Adult Day Health Services Facilities in Bergen County

Pursuant to Executive Order 103, Governor Philip D. Murphy declared the existence of a Public Health Emergency, pursuant to the Emergency Health Powers Act, N.J.S.A. 26:13-1 et seq., and a State of Emergency, pursuant to the Disaster Control Act, in the State of New Jersey for COVID-19, which is a novel coronavirus first identified in China, spread to multiple other countries, including the United States, and has been identified in New Jersey. Under the declared health emergency, the Department is empowered, pursuant to N.J.S.A. 26:13-8(a), “[to] close, direct and compel the evacuation of, or to decontaminate or cause to be decontaminated, any facility of which there is reasonable cause to believe that it may endanger the public health.”

Pursuant to Executive Order 103, the spread of COVID-19 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.

Pursuant to Executive Order 103, the Commissioner of the New Jersey Department of Health having the authority to promulgate rules is granted additional authority under Executive Order 103 to waive, suspend, or modify any existing rule where the enforcement of which would be detrimental to the public welfare during this emergency, notwithstanding the provisions of the Administrative Procedure Act or any law to the contrary for the duration of Executive Order 103, and any waiver, modification, or suspension shall be promulgated in accordance with N.J.S.A. App. A:9-45.

Pursuant to Executive Order 103, it shall be the duty of every person or entity in this State or doing business in this State to cooperate fully with the State Director of Emergency Management and the Commissioner of the Department of Health in all matters concerning this state of emergency.

Pursuant to N.J.A.C. 8:43F-1.1 et seq., adult day health services facilities provide specialized, integrated care to participants in order to assist them in reaching the functional levels of which they are capable, as well as to protect their health and safety. Pursuant to N.J.A.C. 8:43F-6.1, adult day health services facilities provide preventive, diagnostic, therapeutic, rehabilitative and habilitative services to participants who do not require 24-hour inpatient health care, and at a minimum, the facilities provide nursing, dietary, activities, pharmaceutical, and social work services directly in the facility.

Adult day health services facilities serve a population of older adults who are particularly vulnerable to COVID-19, and social distancing is a mitigation strategy against the rapid and widespread spread of COVID-19. Bergen County has the highest number of presumptive positive cases of COVID-19 in New Jersey. Accordingly, it has become necessary to take all steps necessary to mitigate the further spread of the virus, particularly to New Jersey's most vulnerable population.

### **EMERGENCY CLOSURE ORDER**

Pursuant to the above-referenced authority, the Department hereby issues this Emergency Closure Order as follows:

- Your adult day health services facility, located in Bergen County, New Jersey, shall close effective at close of business on March 19, 2020 and shall not provide services to participants on-site. It shall remain closed until further notice from the Department, to reduce the risk to a particularly vulnerable population of exposure to COVID-19, and to slow the spread and reduce the impact of the disease in Bergen County;
- The date and time the closure shall commence is at the facility's close of business on March 19, 2020;
- The terms and conditions of the closure are the following:
  - The facility shall remain closed, no services shall be provided on site, and program participants shall not be on the premises;
  - Physical access to the premises shall be limited as directed by State, county and local health authorities;
  - In coordination with the New Jersey Department of Human Services (DHS), the facility shall arrange for the provision of social work and other services to participants who require them pursuant to N.J.A.C. 8:43F-12.2, and shall assist the participants with obtaining offsite concrete services; for example, housing, shopping, clothing or referring to and/or developing support groups and educational programs for caregivers and participants and/or provide crisis intervention, in accordance with N.J.S.A. 45:15BB-1 et seq. and N.J.A.C. 13:44G-1.1 et seq. The

social work services shall also provide family outreach and coordinate with other community resources to ensure the continued delivery of services consistent with participants' care plans.

- Adult medical day health services providers may contact an individual's Medicaid Managed Care Organization if assistance is needed to coordinate or secure alternative services for the individual. Note that members should be advised to call the health plan phone number on their member ID card or their MLTSS care manager. The contacts provided below are provider contacts and are not equipped to take incoming member calls.

**Adult medical day health services providers in Bergen, Monmouth and Middlesex counties may contact:**

Aetna Better Health: Pam Persichilli (609-282-8203)

AmeriGroup: Linda Cruz (973-715-6672)

Horizon NJ Health: Ginny Rivera (809-682-9094 x81364)

UnitedHealth Community Plan: Wendy Zec (763-361-2171)

WellCare NJ: Lisa Knowles (973-494-6127)

Providers, if you cannot reach a Managed Care Organization for service coordination contact DHS regarding the facility's efforts to coordinate services at:

Geralyn D. Molinari

Director, Managed Provider Relations, Division of Medical Assistance and Health Services, Department of Human Services

Phone: (609) 588-3826

Cell: (609) -775-3668

[Geralyn.Molinari@dhs.state.nj.us](mailto:Geralyn.Molinari@dhs.state.nj.us)

The basis upon which the closure is justified is the significant spread of COVID-19 in Bergen County. These steps are necessary to protect the vulnerable population of adults at adult day health services facilities from the serious and life-threatening risks of contracting COVID-19, and to mitigate the fast spread of COVID-19 in Bergen County.

- This emergency order shall remain in effect until the Department lifts the order. The facility is further ordered to comply with any cleaning requirements imposed by the Department. Please confer with your local health officer for further actions that may be necessary.

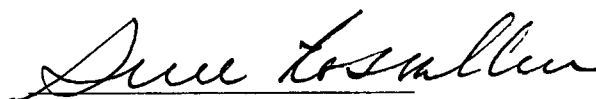
**RIGHT TO HEARING:**

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 Closure 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, please contact the NJ Coronavirus and Poison Center Hotline at 1-800-222-1222.



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

MDJ:mdj

DATE: March 18, 2020

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