
NEW JERSEY BOARD OF HEALTH
HEALTH CARE ADMINISTRATION BOARD

September 19, 2024

Oral sworn testimony in the
above-captioned matter taken via Zoom
videoconference before LISA F. PENROD, Certified
Court Reporter (XIO1753) and Registered Professional
Reporter, on the above date, commencing at 9:15
a.m., there being present:

1 A P P E A R A N C E S:

2 MICHAEL BAKER - Chair

 KIMBERLY JENKINS

3 ELLSWORTH HAVENS

 MANUEL PAULINO

4

 PATRICK BARNHART

5 STEPHANIE MOZGAI

6 LYNN CERTO - Presenter

 DONNA BETSCH

7 LISSETTE SANTIAGO

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1 MR. BAKER: I'll call the meeting to
2 order.

3 Lissette, would you read the public
4 notice and then go right into taking roll. Thank
5 you.

6 MS. SANTIAGO-RIVERA: Yes.

7 Good morning. This is the formal
8 meeting of the Health Care Administration Board.

9 Adequate notice of this meeting has
10 been published in accordance with the provisions of
11 the New Jersey Open Public Meetings Act including,
12 but not limited to, N.J.S.A. 10:4-9.1, 10:4-9.3 and
13 10:4-10.

14 Notice was sent to the secretary of
15 state who posted the notice in a public place.
16 Notice was also provided electronically on the
17 department's website and forwarded to two New Jersey
18 newspapers.

19 I will now call the roll.

20 Ms. Jenkins.

21 MS. JENKINS: Here.

22 MS. SANTIAGO-RIVERA: Mr. Paulino.

23 Mr. Havens.

24 MR. HAVENS: Here.

25 MS. SANTIAGO-RIVERA: Ms. Roberts.

1 Mr. Baker.

2 MR. BAKER: Here.

3 MS. SANTIAGO-RIVERA: We have three
4 members of the board present which does constitute a
5 quorum.

6 MR. BAKER: Fantastic.

7 First item of business is the approval
8 of the minutes from our June 20th meeting. Did
9 anyone have any corrections to the minutes?

10 Okay. would someone like to move
11 adoption, approval of the minutes?

12 MR. HAVENS: I so move.

13 MS. JENKINS: I'll second.

14 MR. BAKER: Thank you.

15 Please call the roll.

16 MS. SANTIAGO-RIVERA: Ms. Jenkins.

17 MS. JENKINS: Yes.

18 MS. SANTIAGO-RIVERA: Mr. Paulino.

19 MR. PAULINO: Yes.

20 MS. SANTIAGO-RIVERA: Mr. Havens.

21 MR. HAVENS: Yes.

22 MS. SANTIAGO-RIVERA: Ms. Roberts.

23 Mr. Baker.

24 MR. BAKER: Yes.

25 MS. JENKINS: I just want to correct

1 -- oh, I'm sorry. Go ahead.

2 MS. SANTIAGO-RIVERA: We have four
3 yeses. Motion carries.

4 MS. JENKINS: If you just want to
5 correct, it looks like Manny joined, for the roll.

6 MS. SANTIAGO-RIVERA: Yes. Thank you.

7 MR. PAULINO: Yes. Good morning.

8 MR. BAKER: Good morning, Manny.

9 Item number 4, it's really long so I'm
10 not going to read the title right now, but whoever's
11 going to make the motion can read that title. We'll
12 go to Ms. Certo right now.

13 MS. JENKINS: Mike, did you want me to
14 give commissioner's update?

15 MR. BAKER: I'm sorry. I'm ahead of
16 myself, Kim.

17 MS. JENKINS: First, I want to welcome
18 Donna Betsch. She's a new member, staff of the
19 department and she's going to be running the HCA
20 meetings in the near future so I wanted to give her
21 a big welcome.

22 The department is celebrating the 60th
23 anniversary of the newborn screening program this
24 month.

25 Babies born in New Jersey are screened

1 for 61 different disorders by the department's
2 newborn screening lab, and the early dissection and
3 treatment of disorders on the newborn screening
4 panel help to prevent life-long disabilities,
5 intellectual and developmental disabilities and
6 life-threatening infections. So this is a great
7 milestone for this essential program.

8 And just an additional reminder again
9 about ticks and mosquitos. They still are very
10 active in the fall months. Just the best protection
11 is to wear bug spray, wear protective clothing and
12 just do regular tick checks after you're out in
13 nature.

14 That's the update for today.

15 MR. BAKER: Have there been reports of
16 West Nile or other mosquito borne moving up the
17 state?

18 MS. JENKINS: We have had a few.

19 MR. BAKER: All right. Thank you.

20 Now, Ms. Certo, you are up.

21 MS. CERTO: Good morning, Mr. Baker
22 and other members of the board. My name is Lynn
23 Certo. I'm a regulatory officer with the Department
24 of Health, Division of Certificate of Need and
25 Licensing.

1 I'm here today to present the notice
2 of proposal for the readoption of social isolation
3 prevention definitions and regulations.

4 The provisions are found in N.J.A.C.
5 8:36, 8:37, 8:39 and 8:43.

6 This proposal affects several facility
7 types, including assisted living residences,
8 comprehensive personal care homes, assisted living
9 programs, dementia care homes, long-term care
10 facilities, and other residential health care
11 facilities.

12 By way of background, Public Law 2020,
13 Chapter 113 approved on October 23rd, 2020, directed
14 the Department of Health to specially adopt the
15 rules establishing standards for the prevention of
16 social isolation of residents of long-term care
17 facilities which would be effective upon filing and
18 for one year thereafter.

19 On September 23rd, 2023, to implement
20 its rule-making obligations pursuant to the act, the
21 department filed with the Office of Administrative
22 Law a notice of special adoption of amendments and
23 new rules, which will expire September 23rd, 2024.

24 Therefore, the department proposes to
25 readopt the specially adopted new rules and

1 amendments because the rules would continue to have
2 a positive effect on the well-being on the residents
3 of long-term care facilities by ensuring that
4 residents do not experience social isolation, even
5 if another, God forbid, event like the COVID-19
6 pandemic occurs.

7 Filing this notice of proposal to
8 readopt the specially adopted amendments and new
9 rules before their expiration operates to extend
10 their expiration date by 180 days, to March 20th,
11 2025, and the department will be providing a 60-day
12 comment period for this notice of proposal.

13 Does the board have any questions?

14 MR. BAKER: Hearing none, is there
15 anyone in the public who would like to be heard?
16 Now's your time.

17 Our friends from the hospital
18 association, did you want to say something?

19 MS. EDELSTEIN: Good morning,
20 Mr. Chair. This is Theresa Edelstein.

21 No, we don't have any comments this
22 morning. Thank you.

23 MR. BAKER: Thank you. We'll close
24 the public portion.

25 would anyone like to move the

1 approval, the notice?

2 MR. HAVENS: Okay. Here we go.

3 Thanks, Mike.

4 MR. BAKER: You're welcome.

5 MR. HAVENS: Okay. I propose the
6 readoption of the rules codified at N.J.A.C.
7 8:36-1.3 and 13, 8:37-1.2 and 10, 8:39-1.2 and 39A.
8 And I correct, I think the original one was 13A
9 also.

10 MR. BAKER: Correct.

11 MR. HAVENS: Correct.

12 And 8:43-1.3 and 17.

13 MR. BAKER: Is there a second?

14 MS. JENKINS: I'll second.

15 MR. BAKER: Thank you.

16 Any further comments?

17 Hearing none, Lissette.

18 MS. SANTIAGO-RIVERA: Ms. Jenkins.

19 MS. JENKINS: Yes.

20 MS. SANTIAGO-RIVERA: Mr. Paulino.

21 MR. PAULINO: Yes.

22 MS. SANTIAGO-RIVERA: Mr. Havens.

23 MR. HAVENS: Yes.

24 MS. SANTIAGO-RIVERA: Ms. Roberts.

25 Mr. Baker.

1 MR. BAKER: Yes.

2 MS. SANTIAGO-RIVERA: We have four
3 yeses. Motion carries.

4 MR. BAKER: Thank you very much.
5 I don't think there's any other
6 business.

7 I do have a question for our friends
8 at the department. I often get asked when's the
9 right time to get my flu shot or my COVID update and
10 some people say get it in September, some say
11 October.

12 Does the department have any guidance?

13 MS. JENKINS: I believe we've been
14 saying September and October are the prime times to
15 get your flu shot and your COVID shot. So, and I
16 believe that the new COVID shot did roll out so it
17 is available now, I do believe.

18 MR. BAKER: Great. Thank you.

19 I have nothing else. I'll make a
20 motion to adjourn. All in favor.

21 THE BOARD: Aye.

22 MR. BAKER: All right. See you all
23 next month.

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I, LISA PENROD, a Certified Court Reporter (XIO1753), Registered Professional Reporter and Notary Public of the State of New Jersey, do hereby certify the foregoing to be a true and accurate transcript of my original stenographic notes taken at the time and place hereinbefore set forth.



LISA PENROD, CCR#XIO1753

REGISTERED PROFESSIONAL REPORTER

Dated: September 26, 2024

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