

**8:43F-1.6 Qualifications of dietitians**

Each dietitian at an adult day health care facility shall be registered or eligible for registration by the Commission on Dietetic Registration (Office on Dietetic Credentialing, 216 W. Jackson Boulevard—7th Floor, Chicago, Illinois 60606-6995).

**8:43F-1.7 Qualifications of the director of nursing services**

The director of nursing services at an adult day health care facility shall be a registered professional nurse who has at least one year of full-time, or full-time equivalent, experience in nursing supervision and/or nursing administration in a licensed health care facility.

**8:43F-1.8 Qualifications of food service supervisors**

(a) The food service supervisor at an adult day health care facility shall:

1. Be a dietitian; or
2. Be a graduate of a dietetic technician or dietetic assistant training program approved by the American Dietetic Association (Office on Dietetic Credentialing, 216 W. Jackson Boulevard—7th Floor, Chicago, Illinois 60606-6995); or
3. Be a graduate of a course approved by the State of New Jersey providing 90 or more hours of classroom instruction in food service supervision and have at least one year of full-time, or full-time equivalent, experience as a food service supervisor in a licensed health care facility, with consultation from a dietitian; or
4. Have training and experience in food service supervision and management in a military service equivalent to the programs listed in (a)2 or 3 above.

**8:43F-1.9 Qualifications of licensed practical nurses**

Each licensed practical nurse at an adult day health care facility shall be so licensed by the New Jersey State Board of Nursing.

**8:43F-1.10 Qualifications of the medical director**

The medical director of an adult day health care facility shall be a physician.

**8:43F-1.11 Qualifications of medical record practitioners**

(a) Each medical record practitioner at an adult day health care facility shall:

1. Be certified or eligible for certification as a registered record administrator (RRA) or an accredited record technician (ART) by the American Medical Record Association (American Medical Record Association, 875 North Michigan Avenue, Suite 1850, John Hancock Center, Chicago, Illinois 60611); or
2. Be a graduate of a program in medical record science accredited by the Committee on Allied Health

Education and Accreditation of the American Medical Association in collaboration with the Council on Education of the American Medical Record Association (American Medical Record Association, 875 North Michigan Avenue, Suite 1850, John Hancock Center, Chicago, Illinois 60611).

**8:43F-1.12 Qualifications of occupational therapists**

Each occupational therapist at an adult day health care facility shall be certified or eligible for certification as an occupational therapist, registered (OTR) by the American Occupational Therapy Association (American Occupational Therapy Association, 6000 Executive Boulevard, Rockville, Maryland 20852).

**8:43F-1.13 Qualifications of patient activities director**

(a) The patient activities director shall:

1. Be certified or eligible for certification as an activity director certified (ADC) by the National Certification Council for Activity Professionals (National Certification Council for Activity Professionals, 520 Stewart, Park Ridge, Illinois 60068); or
2. Be certified or eligible for certification as a certified therapeutic recreation specialist (CTRS) by the National Council for Therapeutic Recreation (National Council for Therapeutic Recreation, Inc., P.O. Box 479, Thiells, NY 10984-0479); or
3. Be certified or eligible for certification by the New Jersey State Board of Recreation Examiners (New Jersey State Board of Recreation Examiners, 101 South Broad Street, CN 814, Trenton, New Jersey 08625) as a recreation administrator or recreation supervisor; or
4. Have a baccalaureate degree from a college or university approved by a state department of education with a major in recreation, creative arts therapy, music therapy, therapeutic recreation, art, art education, psychology, sociology, or occupational therapy; or
5. Have a high school diploma and at least two years of full-time, or full-time equivalent, experience in patient activities in a licensed health care facility and have successfully completed an activities education program approved by the New Jersey State Department of Health.

Amended by R.1995 d.128, effective March 6, 1995.  
See: 26 N.J.R. 4532(a), 27 N.J.R. 939(a).

**8:43F-1.14 Qualifications of pharmacists**

Each pharmacist at an adult day health care facility shall be so registered by the New Jersey State Board of Pharmacy.

**8:43F-1.15 Qualifications of physical therapists**

Each physical therapist at an adult day health care facility shall be so licensed by the New Jersey State Board of Physical Therapy Examiners.

**8:43F-1.16 Qualifications of physicians**

Each physician at an adult day health care facility shall be licensed or authorized by the New Jersey State Board of Medical Examiners to practice medicine in the State of New Jersey.

**8:43F-1.17 Qualifications of registered professional nurses**

Each registered professional nurse at an adult day health care facility shall be so licensed by the New Jersey State Board of Nursing.

**8:43F-1.18 Qualifications of social workers**

Each social worker shall be certified or licensed by the New Jersey State Board of Social Work Examiners.

Amended by R.1995 d.128, effective March 6, 1995.  
See: 26 N.J.R. 4532(a), 27 N.J.R. 939(a).

**8:43F-1.19 Qualifications of speech-language pathologists**

Each speech-language pathologist at an adult day care health facility shall hold a current New Jersey license issued by the Audiology and Speech-Language Pathology Advisory Committee, Division of Consumer Affairs of the New Jersey State Department of Law and Public Safety.

**SUBCHAPTER 2. LICENSURE PROCEDURES****8:43F-2.1 Application for licensure**

(a) Any person, organization, or corporation desiring to operate an adult or pediatric day health care facility shall make application to the Commissioner for a license on forms prescribed by the Department. Such forms may be obtained from:

Director  
Licensing, Certification and Standards  
Division of Health Facilities Evaluation and Li-  
censing  
New Jersey State Department of Health  
CN 367  
Trenton, N.J. 08625

(b) The Department shall charge a nonrefundable fee of \$1,000 for the filing of an application for licensure and each annual renewal of an adult or pediatric day health care facility.

(c) The Department shall charge a nonrefundable fee of \$1,000 for the filing of an application to add services or program slots to an existing adult or pediatric day health care facility.

(d) The Department shall charge a nonrefundable fee of \$250.00 for the filing of an application to reduce services at an existing adult or pediatric day health care facility.

(e) The Department shall charge a nonrefundable fee of \$250.00 for the filing of an application for the relocation of an adult or pediatric day health care facility.

(f) The Department shall charge a nonrefundable fee of \$1,000 for the filing of an application for the transfer of ownership of an adult or pediatric day health care facility.

(g) Each applicant for a license to operate a facility shall make an appointment for a preliminary conference at the Department with the Licensing, Certification and Standards Program.

(h) All applicants shall demonstrate that they have the capacity to operate an adult or pediatric day health care facility in accordance with the rules in this chapter. An application for a license or change in service may be denied if the applicant cannot demonstrate that the premises, equipment, personnel, including principals and management, finances, rules and bylaws, and standards of health care are fit and adequate and that there is reasonable assurance that the health care facility will be operated in accordance with the standards required by these rules. The Department shall consider an applicant's prior history in operating a health care facility either in New Jersey or in other states in making this determination. Any evidence of licensure violations representing serious risk of harm to patients may be considered by the Department, as well as any record of criminal convictions representing a risk of harm to the safety or welfare of patients.

Recodified from 8:43F-2.2 and amended by R.1995 d.128, effective March 6, 1995.

See: 26 N.J.R. 4532(a), 27 N.J.R. 939(a).

Prior text at 8:43F-2.1, Certificate of Need, repealed.

Amended by R.1996 d.339, effective July 15, 1996.

See: 28 N.J.R. 2365(a), 28 N.J.R. 3556(a).

**8:43F-2.2 Newly constructed or expanded facilities**

(a) The application for license for a newly constructed or expanded facility shall, pursuant to N.J.A.C. 8:43F-23, include written approval of final construction of the physical plant by:

Health Facilities Construction Services  
Division of Health Facilities Evaluation  
New Jersey State Department of Health  
CN 367  
Trenton, N.J. 08625

(b) An on-site inspection of the construction of the physical plant shall be made by representatives of the Health Facilities Construction Services to verify that the building has been constructed in accordance with the architectural plans approved by the Department.