

CHAPTER 43D

**STANDARDS FOR LICENSURE OF PEDIATRIC
COMMUNITY TRANSITIONAL HOMES**

Authority

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

Source and Effective Date

R.2009 d.161, effective April 16, 2009.
See: 41 N.J.R. 47(a), 41 N.J.R. 2104(a).

Chapter Expiration Date

In accordance with N.J.S.A. 52:14B-5.1b, Chapter 43D. Standards for Licensure of Pediatric Community Transitional Homes, expires on April 16, 2016. See: 43 N.J.R. 1203(a).

Chapter Historical Note

Chapter 43D, formerly Health Care Administration Board Bylaws, was adopted as R.1975 d.372, effective December 18, 1975. See: 8 N.J.R. 16(b). Chapter 43D was repealed by R.1994 d.497, effective October 3, 1994. See: 26 N.J.R. 1627(a), 26 N.J.R. 4046(b).

Chapter 43D, Standards for Licensure of Pediatric Community Transitional Homes, was adopted as new rules by R.2003 d.457, effective December 1, 2003. See: 35 N.J.R. 1016(a), 35 N.J.R. 5400(a).

Chapter 43D, Standards for Licensure of Pediatric Community Transitional Homes, was readopted as R.2009 d.161, effective April 16, 2009. As a part of R.2009 d.161, chapter Appendices A and B were adopted as new rules, effective May 18, 2009. See: Source and Effective Date. See, also, section annotations.

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APPENDIX A

APPENDIX B

SUBCHAPTER 1. DEFINITIONS AND
QUALIFICATIONS**8:43D-1.1 Scope**

The rules in this chapter pertain to all facilities which provide pediatric community transitional home services. These rules constitute the basis for the licensure of pediatric community transitional homes by the New Jersey Department of Health and Senior Services.

8:43D-1.2 Purpose

The purpose of these rules is to establish minimum licensure standards applicable to pediatric community transitional homes to promote a coordinated array of supportive personal and health care services, available 24 hours per day, to medically fragile children in a community living environment.

8:43D-1.3 Definitions

The following words and terms, when used in this chapter, shall have the following meanings, unless the context clearly indicates otherwise:

“Activities of daily living (ADL)” means the functions or tasks that are performed by the staff of the pediatric community transitional home, or by the resident either with or without supervision or assistance by staff. Activities of daily living include at least: mobility, transferring, walking, grooming, bathing, dressing and undressing, eating, and toileting.

“Administrator” means the person who is responsible for operating the facility on a day to day basis.

“Admission agreement” means a document developed by the facility and signed by both a facility representative and the resident or the resident’s responsible party prior to admission to the facility. This agreement clearly and in plain English describes all services to be provided to the resident, the cost of the services, additional services available and the cost of these, specification of the time interval in which charges will not be increased, admission and discharge criteria and discharge appeal mechanisms.

“Advanced practice nurse” means a person who holds a certification in accordance with section 8 or 9 of P.L. 1991, c.377 (N.J.S.A. 45:11-47 or 45:11-47).

“Application for New or Amended Acute Care Facility License (CN-7)” is the form, incorporated herein by reference and set forth at Appendix A, which a pediatric community transitional care home must complete and submit to the Department’s Office of Certificate of Need and Healthcare Facility Licensure in order to apply for a license prior to commencement of new or expanded services and which is available through the following methods:

1. A written request to the Office of Certificate of Need and Healthcare Facility Licensure;
2. Electronically at the Department’s Division of Health Facilities Evaluation and Licensing webpage at: <http://nj.gov/health/healthfacilities/forms.shtml>; and
3. Electronically at the Department’s “Forms” webpage at: <http://web.doh.state.nj.us/apps2/forms/>.

“Application for Waiver (CN-28)” is the form, incorporated herein by reference and set forth at Appendix B, which a facility must complete and submit to the Department in order to request a waiver of the rules established at N.J.A.C. 8:43D and which is available through the following methods:

1. A written request to the Office of Certificate of Need and Healthcare Facility Licensure;
2. Electronically at the Department’s Division of Health Facilities Evaluation and Licensing webpage at: <http://nj.gov/health/healthfacilities/forms.shtml>; and
3. Electronically at the Department’s “Forms” webpage at: <http://web.doh.state.nj.us/apps2/forms/>.

“Available” means, pertaining to equipment, present and ready for immediate use; pertaining to personnel, “available”