

**CHAPTER 42C**  
**HOSPICE LICENSING STANDARDS**

**Authority**

N.J.S.A. 26:2H-12, 79, 80 and 81.

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R.2010 d.106, effective May 20, 2010.  
See: 42 N.J.R. 25(a), 42 N.J.R. 1192(b).

**Chapter Expiration Date**

Chapter 42C, Hospice Licensing Standards, expires on May 20, 2015.

**Chapter Historical Note**

Chapter 42C, Hospice Licensing Standards, was adopted as R.1999 d.192, effective June 21, 1999. See: 31 N.J.R. 321(a), 31 N.J.R. 1620(a).

Chapter 42C, Hospice Licensing Standards, was readopted as R.2004 d.469, effective November 22, 2004. See: 36 N.J.R. 2599(a), 36 N.J.R. 5677(a).

Chapter 42C, Hospice Licensing Standards, was readopted as R.2010 d.106, effective May 20, 2010. See: Source and Effective Date. See, also, section annotations.

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**SUBCHAPTER 1. GENERAL PROVISIONS**

**8:42C-1.1 Scope; purpose**

(a) The rules in this chapter pertain to all hospice care programs in the State of New Jersey.

(b) The purpose of this chapter is to assure the provision of high quality hospice services to the residents of New Jersey in a coordinated and cost-effective manner.

**8:42C-1.2 Definitions**

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

“Advanced Practice Nurse” or “APN” means an individual who is certified as an advanced practice nurse by the New Jersey Board of Nursing as established at N.J.S.A. 45:11-23.

“Available” means:

1. Pertaining to equipment, ready for immediate use; and
2. Pertaining to personnel, capable of being reached.

“Bereavement services” means counseling services provided before and after the patient’s death.

“Cleaning” means the removal by scrubbing and washing, as with hot water, soap or detergent, and vacuuming, of

infectious agents and/or organic matter from surfaces on which and in which infectious agents may find conditions for surviving or multiplying.

“Commissioner” means the New Jersey State Commissioner of the Department of Health and Senior Services, or his or her designee.

“Communicable disease” means an illness due to a specific infectious agent or its toxic products, which occurs through transmission of that agent or its products from a reservoir to a susceptible host.

“Community health nursing” means a synthesis of nursing practice and public health practice applied to promoting and preserving the health of populations.

“Conspicuously posted” means placed at a location within the facility accessible to and seen by patients and the public.

“Contamination” means the presence of an infectious or toxic agent in the air, on a body surface, or on or in clothes, bedding, instruments, dressings, or other inanimate articles or substances, including water, milk, and food.

“Core services” means nursing services, medical social services and counseling services routinely provided directly by hospice employees.

“Current” means up-to-date.

“Department” means the New Jersey State Department of Health and Senior Services.

“Director of Nursing” means a registered professional nurse who has at least one of the following qualifications:

1. A master’s degree in nursing or a health related field and two years combined public/community health nursing and progressive management experience in public health nursing; or
2. A bachelor of science degree in nursing or a health related field and three years combined public/community health nursing and progressive management experience in public health nursing.

“Disinfection” means the killing of infectious agents outside the body, or organisms transmitting such agents, by chemical and physical means, directly applied. The term “disinfection” includes concurrent disinfection; that is, the application of measures of disinfection as soon as possible after the discharge of infectious material from the body of an infected person, or after the soiling of articles with such infectious discharges, all personal contact with such discharges or articles being minimized prior to such disinfection.

The term “disinfection” also includes post disinfection, which is the application of measures of disinfection after the patient has ceased to be a source of infection.

“Documented” means written, signed, and dated.

“Drug administration” means a procedure in which a prescribed drug or biological is given to a patient by an authorized person in accordance with all laws and rules governing such procedures including all of the following: removing an individual dose from a previously dispensed, properly labeled container (including a unit dose container); verifying it with the prescriber’s orders; giving the individual dose to the patient; seeing that the patient takes it (if oral); and recording the name and strength of the drug, date and time of administration, dosage administered, method of administration, and signature of the person administering the drug.

“Full-time” means a time period established by the facility as a full working week, which is defined and specified within the facility’s policies and procedures.

“Hospice” means a program which is licensed by the New Jersey State Department of Health and Senior Services to provide palliative services to terminally ill patients in the patient’s home or place of residence, including medical, nursing, social work, volunteer and counseling services.

“Homemaker-home health aide” means a person who has completed a training program approved by the New Jersey Board of Nursing and who is so certified by that Board in accordance with N.J.S.A. 45:11-23 et seq. and N.J.A.C. 13:37.

“Hours of operation” means normal business hours, during which the agency is open for business.

“Interdisciplinary plan of care” means a written plan of care established for each individual admitted to a hospice program by the attending physician, the medical director or physician designee or APN and interdisciplinary team prior to providing care, including reviews and updates, at intervals specified in the plan.

“Job description” means written specifications developed for each position in the facility, containing the qualifications, duties, competencies, responsibilities, and accountability required of employees in that position.

“Licensed nursing personnel” (licensed nurse) means registered professional nurses and practical (vocational) nurses licensed by the New Jersey State Board of Nursing in accordance with N.J.S.A. 45:11-23 et seq. and N.J.A.C. 13:37.

“Licensed practical nurse” means a person who is so licensed by the New Jersey State Board of Nursing in accordance with N.J.S.A. 45:11-23 et seq. and N.J.A.C. 13:37.

“Medical director” means a licensed doctor of medicine or osteopathy who is designated by the hospice as having overall responsibility for the medical component of the hospice program of care.