

CHAPTER 43J

STANDARDS FOR LICENSURE OF PEDIATRIC MEDICAL DAY CARE FACILITIES

Authority

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

Source and Effective Date

R.2009 d.345, effective November 16, 2009 (operative April 1, 2010).
See: 40 N.J.R. 6266(a), 41 N.J.R. 4212(a).

Chapter Expiration Date

Chapter 43J, Standards for Licensure of Pediatric Medical Day Care Facilities, expires on November 16, 2014.

Chapter Historical Note

Chapter 43J, Standards for Licensure of Pediatric Medical Day Care Facilities, was adopted as new rules by R.2009 d.345, effective November 16, 2009 (operative April 1, 2010). See: Source and Effective Date.

CHAPTER TABLE OF CONTENTS

SUBCHAPTER 1. GENERAL PROVISIONS

- 8:43J-1.1 Purpose and scope
- 8:43J-1.2 Definitions

SUBCHAPTER 2. LICENSURE PROCEDURES

- 8:43J-2.1 Licensee
- 8:43J-2.2 Licensure application procedures and requirements
- 8:43J-2.3 License
- 8:43J-2.4 Fees
- 8:43J-2.5 Requirement for criminal background investigation
- 8:43J-2.6 Facility standards
- 8:43J-2.7 Surveys
- 8:43J-2.8 License renewal
- 8:43J-2.9 Surrender of license
- 8:43J-2.10 Action against a licensee
- 8:43J-2.11 Hearings
- 8:43J-2.12 Transfer of ownership
- 8:43J-2.13 Waiver of licensing standards
- 8:43J-2.14 Duty to update information

SUBCHAPTER 3. ADMINISTRATION

- 8:43J-3.1 Appointment of the administrator
- 8:43J-3.2 Qualifications of the administrator of a pediatric medical day care facility
- 8:43J-3.3 Responsibilities of the administrator
- 8:43J-3.4 Administrative policies and procedures
- 8:43J-3.5 Childcare policies and procedures
- 8:43J-3.6 Mandatory notification
- 8:43J-3.7 Financial arrangements
- 8:43J-3.8 Denial of admission
- 8:43J-3.9 Involuntary discharge
- 8:43J-3.10 Interpretation services
- 8:43J-3.11 Notification of parent
- 8:43J-3.12 General record policies
- 8:43J-3.13 Required documents

SUBCHAPTER 4. CHILD RIGHTS

- 8:43J-4.1 Policies and procedures regarding the rights of children
- 8:43J-4.2 Rights of each child

SUBCHAPTER 5. CHILD ASSESSMENT AND INTERDISCIPLINARY PLAN OF CARE

- 8:43J-5.1 Pre-admission assessment
- 8:43J-5.2 Admission procedure
- 8:43J-5.3 Initial assessment and initial plan of care
- 8:43J-5.4 Development and implementation of interdisciplinary plan of care and discharge planning

SUBCHAPTER 6. GENERAL SERVICES

- 8:43J-6.1 General services provided
- 8:43J-6.2 General staffing requirements
- 8:43J-6.3 Personnel

SUBCHAPTER 7. NURSING SERVICES

- 8:43J-7.1 Designation of nursing director
- 8:43J-7.2 Qualifications of nursing director
- 8:43J-7.3 Responsibilities of the nursing director
- 8:43J-7.4 Qualifications of nursing staff
- 8:43J-7.5 Provision of nursing services
- 8:43J-7.6 Responsibilities of licensed nursing personnel

SUBCHAPTER 8. MEDICAL SERVICES

- 8:43J-8.1 Provision of medical services
- 8:43J-8.2 Designation of a medical director
- 8:43J-8.3 Medical director's responsibilities
- 8:43J-8.4 Role of primary health care providers
- 8:43J-8.5 Medical equipment
- 8:43J-8.6 Agreement with emergency medical providers
- 8:43J-8.7 Medical emergencies

SUBCHAPTER 9. PHARMACEUTICAL SERVICES

- 8:43J-9.1 Designation and responsibilities of consultant pharmacist
- 8:43J-9.2 Medication administration policies and procedures
- 8:43J-9.3 Pharmacy reporting policies and procedures
- 8:43J-9.4 Pharmacy control policies and procedures

SUBCHAPTER 10. DIETARY SERVICES

- 8:43J-10.1 General requirements for dietary services
- 8:43J-10.2 Qualifications of the dietitian
- 8:43J-10.3 Qualifications of the food service supervisor
- 8:43J-10.4 Administrator's responsibilities for dietary services

SUBCHAPTER 11. DEVELOPMENTAL AND REHABILITATION SERVICES

- 8:43J-11.1 Developmental services
- 8:43J-11.2 Rehabilitation services
- 8:43J-11.3 Rehabilitation supplies and equipment

SUBCHAPTER 12. SOCIAL WORK SERVICES

- 8:43J-12.1 Qualifications of social workers
- 8:43J-12.2 Provision of social work services

SUBCHAPTER 13. PHYSICAL PLANT REQUIREMENTS

- 8:43J-13.1 Physical plant
- 8:43J-13.2 Functional service areas
- 8:43J-13.3 Toilet facilities
- 8:43J-13.4 Administration areas
- 8:43J-13.5 Employees' lounge
- 8:43J-13.6 Housekeeping services area
- 8:43J-13.7 Social work services area
- 8:43J-13.8 Child care areas
- 8:43J-13.9 Cribs and mats
- 8:43J-13.10 Outdoor play area

- 8:43J-13.11 Nursing services, pharmaceutical services and examination room or private treatment space
- 8:43J-13.12 Dietary service area
- 8:43J-13.13 Physical therapy service area
- 8:43J-13.14 Speech-language pathology services area
- 8:43J-13.15 Laundry service area
- 8:43J-13.16 Emergency plans and procedures

SUBCHAPTER 14. MEDICAL RECORDS

- 8:43J-14.1 Maintenance of medical records
- 8:43J-14.2 Assignment of responsibility
- 8:43J-14.3 Contents of medical records
- 8:43J-14.4 Medical records policies and procedures

SUBCHAPTER 15. INFECTION CONTROL, SANITATION AND HOUSEKEEPING

- 8:43J-15.1 Administrator's responsibilities for infection control
- 8:43J-15.2 Child immunization
- 8:43J-15.3 Infection control policies and procedures
- 8:43J-15.4 Employee Mantoux testing
- 8:43J-15.5 Employee health history and examinations
- 8:43J-15.6 Regulated medical waste
- 8:43J-15.7 Provision of housekeeping, sanitation and safety
- 8:43J-15.8 Housekeeping
- 8:43J-15.9 Pediatric medical day care facility environment

SUBCHAPTER 16. TRANSPORTATION SERVICES

- 8:43J-16.1 Transportation services
- 8:43J-16.2 Transportation staffing levels
- 8:43J-16.3 Security and accountability during transportation

SUBCHAPTER 17. QUALITY IMPROVEMENT

- 8:43J-17.1 Quality improvement program
- 8:43J-17.2 Use of restraints
- 8:43J-17.3 Staff development

SUBCHAPTER 1. GENERAL PROVISIONS

8:43J-1.1 Purpose and scope

(a) The purpose of this chapter is to establish licensure standards for pediatric medical day care facilities.

(b) A pediatric medical day care facility provides health care services to medically complex or technology-dependent children whose medical condition requires treatment and services beyond the scope provided by day care centers to children with special health care needs.

(c) A pediatric medical day care facility provides a comprehensive program of services designed to meet the medical, developmental, educational, nutritional, and psycho-social needs of the children served.

8:43J-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” means an individual certified by the New Jersey State Board of Nursing in accordance with N.J.S.A. 45:11-23 et seq.

“American Academy of Pediatrics” means the entity by that name for which the contact information is American Academy of Pediatrics, 141 Northwest Point Boulevard, Elk Grove Village, IL 60007-1098, (847) 434-4000, www.aap.org.

“American College of Emergency Physicians” means the entity by that name for which the contact information is American College of Emergency Physicians, P.O. Box 619911, Dallas, TX 75261-9911, (800) 798-1822, www.acep.org.

“American Dietetic Association” means the entity by that name for which the contact information is American Dietetic Association, 120 South Riverside Plaza, Suite 2000, Chicago, Illinois 60606-6995, (800) 877-1600, www.eatright.org.

“American Heart Association” means the entity by that name for which the contact information is American Heart Association National Center, 7272 Greenville Avenue, Dallas, TX 75231, (800) AHA-USA-1, www.americanheart.org.

“Child” means an individual aged birth through the last day prior to his or her sixth birthday.

“Child life specialist” means:

1. An individual who holds the Certified Child Life Specialist credential issued by the Child Life Council, Inc., which can be contacted at 11820 Parklawn Dr., Suite 240, Rockville, MD 20852-2529, (301) 881-7090, www.childlife.org; or

2. Until November 16, 2012, an individual who meets the educational eligibility requirements for certification as a Certified Child Life Specialist by the Child Life Council, Inc., and who has at least one year of full-time experience working with children in a health care or educational setting.

“Class III medical device” means a medical device that the FDA has categorized as “class III” as defined at 21 CFR 860.3.

“Consultant pharmacist” means a pharmacist who has formalized his or her training in pediatric pharmacy through:

1. One year of experience in the full-time practice of pharmacy in a licensed pediatric healthcare facility; and

2. At least 10 hours of continuing education in pediatric pharmacy in his or her last renewal cycle for licensure as a pharmacist.

“Daily census” means the number of children who, during any calendar day, receive services in a facility.

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