

DEPARTMENT OF HEALTH & HUMAN SERVICES
Centers for Medicare & Medicaid Services
Jacob K. Javits Federal Building
26 Federal Plaza, Room 37-130
New York, New York 10278-0063



Northeast Division of Survey & Certification

IMPORTANT NOTICE - PLEASE READ CAREFULLY

May 26, 2022

Via Email: MSpiegel@woodlandbehavioral.com

Menachem Spiegel, Administrator
Woodland Behavioral and Nursing
Center 99 Mulford Road
Andover, NJ 07821-1279

RE: Notice of Involuntary Termination of Medicare Provider Agreement
Woodland Behavioral and Nursing Center - Involuntary Termination
Effective June 25, 2022

Dear Administrator:

CMS Certification No.: 31-5248

The Centers for Medicare & Medicaid Services (CMS) notified you, by letter dated February 9, 2022 of our intent to terminate **Woodland Behavioral and Nursing Center located at 99 Mulford Road Andover, NJ 07821-1279**. This letter is to notify you that after a careful review of the facts from the surveys and revisits dated February 15, 2022, February 28, 2022, April 8, 2022, April 28, 2022, and May 3, 2022 (LSC) by the New Jersey State Department of Health which shows continued non-compliance we have determined that Woodland Behavioral And Nursing Center no longer meets the requirements for participation as a skilled nursing facility in the Medicare program under Title XVIII of the Social Security Act. In accordance with Section 1819(h)(2)(C) of the Social Security Act ("the Act") and Title XIX of the Social Security Act. In accordance with Section 1919(h)(3)(D) of the Social Security Act ("the Act"), CMS will involuntarily terminate your Medicare provider agreement based on the failure to return to substantial compliance with Federal participation requirements for nursing homes participating in the Medicare and/or Medicaid program. This involuntary termination is effective **June 25, 2022**.

In accordance with Section 1819(h)(4) and 1919(h)(5) of the Social Security Act ("the Act"), CMS will involuntarily terminate your Medicare provider agreement based on the failure to remove Immediate Jeopardy and not be in substantial compliance with Federal participation requirements for nursing homes participating in the Medicare and/or Medicaid program. This involuntary termination is effective **June 25, 2022**.

The Medicare/Medicaid program will not make payment for covered services furnished to residents who were admitted to your facility on or after **June 25, 2022**. For Medicare/Medicaid

residents residing in your facility prior to **June 25, 2022**, payment for covered services may be made after the date of termination for up to 30 days to ensure residents are successfully relocated per 42 C.F.R. §489.55(a) and 42 C.F.R. §441.11.

Termination of your participation in the Medicare program will also result in termination of your Medicaid agreement. CMS is, therefore, forwarding a copy of this letter to the New Jersey State Department of Health. CMS is also sending a copy of this letter to your Medicare Administrative Contractor (MAC), Novitas Solutions. Please contact your MAC to make arrangements for filing a final cost report.

REINSTATEMENT AFTER TERMINATION

As a result of the serious nature and circumstances of the involuntary termination, should Woodland Behavioral and Nursing Center desire to re-enter the Medicare Program as a provider of Long Term Care services, Woodland Behavioral And Nursing Center must provide CMS with reasonable assurance of its capacity to maintain compliance with the Medicare requirements for certification, as provided in Section 1866(c)(1) of the Act and with 42 C.F.R §489.57. CMS will not initiate initial certification processes unless it determines: (1) the institution has submitted with its request for readmission sufficient justification to indicate that the reasons for termination no longer exist; (2) all of the applicable statutory and regulatory requirements are met; and (3) there is reasonable assurance for Medicare entities that the deficiencies that caused the termination will not recur.

PUBLIC NOTICE OF TERMINATION

In accordance with 42 CFR 489.53(d), CMS will publish a public notice prior to the termination and it will remain on the following website for six months:

<https://www.cms.gov/Medicare/Provider-Enrollment-and-Certification/SurveyCertificationGenInfo/Termination-Notices.html>

APPEAL RIGHTS

If you disagree with the determination to impose remedies made on the basis of noncompliance identified at the April 8, 2022, April 28, 2022, and May 3, 2022 (LSC) surveys and revisits end dates, you or your legal representative may request a hearing before an administrative law judge of the U.S. Department of Health and Human Services, Departmental Appeals Board (DAB). The appeal rights are set forth at 42 C.F.R. § 498.5 and the procedures for requesting a hearing are set forth at §498.40, et seq. You must file your hearing request electronically by using the DAB's Electronic Filing System (DAB E-File) at <https://dab.efile.hhs.gov/>, unless you obtain a waiver from the DAB (see DAB Civil Remedies Division Procedures, § 6(a)(i)(1)). Your appeal must be filed no later than 60 days from the date of receipt of this letter. If you elect to dispute deficiencies through the Informal Dispute Resolution (IDR) process (see the state letter accompanying the CMS Form-2567 for additional details and deadlines), this will not extend the 60-day period to file your appeal before the Departmental Appeals Board. Filing an appeal will not stop the imposition of any enforcement remedy. In addition, please email a copy of your request to Luz Sanchez, of my staff, via e-mail at Luz.Sanchez@cms.hhs.gov.

If you experience problems with, or have questions about DAB e-File, please contact e-File System Support at OSDABImmediateOffice@hhs.gov. If you have questions about using the DAB e-file System, please visit: https://dab.efile.hhs.gov/appeals/to_crd_instructions?locale=en.

If you have question regarding reimbursement, please contact your Medicare Administrative Contractor. If you have any questions regarding this matter, please contact Luz Sanchez, of my staff, at (212) 616-2325 or via e-mail at Luz.Sanchez@cms.hhs.gov.

Sincerely,

Heather A. Lang, Director
Centers for Medicare & Medicaid Services (CMS)
Center for Clinical Standards and Quality
Survey and Operations Group
Northeast Survey & Enforcement Division

Copies via e-mail to:

State Agency
State Medicaid Agency
MAC-Novitas
Solutions