



State of New Jersey
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To: CEOs and Administrators of all facilities licensed by the Department pursuant to the Health Care Facilities Planning Act, (HCFPA) N.J.S.A. 26:2H-1 et seq.

From: Michael J. Kennedy, J.D. *MSK*
Executive Director, Division of Certificate of Need and Licensing

Date: April 15, 2024

Re: Guidance Memorandum
Notification to the Department of Reportable Events according to N.J.A.C. 8:43E-10.11 Reporting Requirements Unrelated to the Patient Safety Act

The purpose of the memo is to provide guidance and clarification regarding the reporting of events that are unrelated to or not covered by the Patient Safety Act¹. The current administrative regulation governing these reporting requirements is found at N.J.A.C. 8:43E-10.11. When this subchapter was adopted, the Department of Health (Department) could not accept reports by any means other than telephone, facsimile, or e-mail. Accordingly, N.J.A.C. 8:43E-10.11(b) states that “[t]he Department anticipates the development of an Internet web-based electronic reporting system but shall, in the interim, require facilities to submit the notice required pursuant to (a) above by means of telephone, facsimile, or e-mail, or a combination thereof.”

The electronic reporting system presaged at N.J.A.C. 8:43E-10.11(b)1, NOVI Survey, has been developed and is currently in operation. The Department can be notified of reportable events at <https://www.nj.gov/health/healthfacilities/>, under the tab: Submit a Reportable Event.

Presently, facilities can report events through NOVI Survey and fax and phone calls. This leads to duplication of reporting and to the use of manual processes which complicate and make the system of tracking and investigating reportable events unnecessarily complicated. The Department has determined to limit the means of notification of reportable events to ameliorate this situation. As of the date of this guidance memo, the Department is requiring that the covered events only be reported telephonically or by using NOVI Survey. The methods of facsimile and e-mail reporting should be discontinued.

¹ The Patient Safety Act can be found at N.J.S.A. 26:2H-12.23 through 12.25.

Lastly, this guidance memorandum does not affect a facility's duty to report to the appropriate police authorities all criminal acts or potentially criminal acts that occur within a facility and pose a danger to the life or safety of patients or residents, employees, medical staff or members of the public present in the facility, as per N.J.A.C. 8:43E-10.11(a).

Should you have any questions or concerns regarding this matter, please contact Michael Kennedy at Michael.Kennedy@doh.nj.gov or Kara Morris at Kara.Morris@doh.nj.gov.