



State of New Jersey  
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TO: Facility Administrators  
New Jersey Nursing Homes

FROM: Robin Ford, Deputy Commissioner  
Health Systems Branch  
New Jersey Department of Health

DATE: December 5, 2023

**SUBJECT: Nursing Home Financial Reporting – Public Law (P.L.)  
2021, chapter 457 (N.J.S.A. 26:2H-46.3)**

The purpose of this memorandum is to remind all nursing homes, as defined in N.J.S.A. 26:2H-29, licensed to operate in New Jersey of financial reporting requirements, pursuant to P.L. 2021, chapter 457 (N.J.S.A. 26:2H-46.3).

**N.J.S.A. 26:2H-46.3, Review of reporting requirements; standardization, consolidation of reporting requirements:**

Pursuant to P.L. 2021, chapter 457, subsection b(1) (N.J.S.A. 26:2H-46.3), all licensed nursing homes, whether non-profit or for-profit, must post to their internet websites and annually update the following information, and provide to the Department a direct link to the internet website page where that information is posted:

- Annual owner-certified financial statements, which for non-profit nursing homes can be a copy of their most recent Internal Revenue Service (IRS) Form 990, along with all schedules and supporting documentation required to be submitted to the IRS in conjunction with Form 990; and
- Most recent cost report submitted to the federal Centers for Medicare and Medicaid Services (CMS).

Please note that nursing homes that are part of a health care system may post financial statements and CMS cost reports that aggregate the financial data across all nursing homes that are a part of that health care system. Additionally, relative to continued financial reporting compliance, all nursing homes must ensure annual owner-certified financial statements and CMS

cost reports are kept current on their internet websites, which means annually updating the required postings with the most currently available owner-certified financial statements and CMS cost reports.

### **Compliance Oversight & Submission Process**

On an annual basis but no later than November 1<sup>st</sup> of each year, all nursing homes must ensure that all required financial information is publicly posted to their internet websites, that a direct website link is submitted to the Department via email at [Financial.Reports@doh.nj.gov](mailto:Financial.Reports@doh.nj.gov), and that the information is maintained on an ongoing basis on the nursing homes' internet websites. Thereafter, the Department will ensure all website links received from nursing homes are also available on the Department's website.

Moreover, should the direct website link to this information change, the nursing home must immediately submit an updated website link to the Department.

### **Enforcement Remedies**

If a facility fails to comply with the above statutory mandates, then the Department may initiate an enforcement action against the facility, pursuant to N.J.S.A. 26:2H-13 and 14. Specifically, as outlined in the Department's rules, N.J.A.C. 8:43E, violations of the above statutory requirements may result in a monetary penalty, among other enforcement actions against the facility.

The Department appreciates your time and attention to this matter. Should you have any questions about the contents of this memorandum, or requirements under P.L. 2021, chapter 457(N.J.S.A. 26:2H-46.3), please feel free to reach out to the Department at the above email address. Thank you.

Cc: Deborah Hartel, Deputy Commissioner, Integrated Health  
Stefanie Mozgai, Assistant Commissioner, Division of Certificate Need and Licensing  
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