



State of New Jersey
DEPARTMENT OF HEALTH
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Commissioner

March 2, 2021

TO: All Hospital Chief Executive Officers/Administrators

FROM: Maria Christensen, PhD, APN, NEA-BC 
Assistant Commissioner, Certificate of Need & Licensing

SUBJECT: Guidance for a Remotely Conducted 2021 Hospital Annual Meeting

Pursuant to N.J.S.A. 26:2H-12.50, a hospital licensed pursuant to N.J.A.C. 8:43G "shall, at least annually, conduct a public meeting to discuss issues relating to the operation of the hospital and concerns of the community with respect to the delivery of services at the hospital." Due to the COVID-19 Public Health Emergency, as declared by Governor Philip Murphy under Executive Order No. 103, and extended by Executive Order Nos. 119, 138, 151, 162, 171, 180, 186, 191, 200, 210, and 215, and the limits placed on public gatherings during the public health emergency, the Department of Health (Department) has received multiple inquiries from hospitals seeking guidance on whether they can satisfy their 2021 annual public meeting requirement by holding the meeting remotely. In response, the Department is issuing the following guidance:

A remote meeting satisfies the 2021 annual public meeting requirement set forth in N.J.S.A. 26:2H-12.50 if:

1. The meeting is convened within 60 days of the hospital submitting their annual audited financial statements to the Department;
2. Members of the public are provided with real time audio and video of the annual public meeting and are able to ask questions of the hospital participants required in paragraph 3 below;
3. The chief executive officer of the hospital, the chairman of the hospital's board of trustees, and at a minimum 25% of the members of the hospital's board of trustees are present at the meeting and are available to respond to questions and concerns from members of the public;

4. Audited financial statements, and, if applicable, the annual audited statement of operations or income with respect to system hospitals are made available to the members of the public in a digital format at the time of the meeting; and

5. Public notice of the meeting is provided:

i. At least 30 days prior to the date of the meeting, including the means to access the remote meeting, by posting notice on the hospital's Internet website and any other social media;

ii. To the Department of Health at least 30 days prior to the date of the meeting; and

iii. At least 14 days prior to the date of the meeting, including the means to access the remote meeting, by both:

a. Posting written notice in the hospital in a conspicuous location that is available to the public; and

b. Publishing the notice in a daily or weekly newspaper of general circulation in the service area of the hospital.

If you have any questions concerning this matter, please contact Maria Christensen
Certificate of Need and Healthcare Facility Licensure Program at
DOHCNLBHwaivers@doh.nj.gov.