

## New Jersey: Designated ‘Health Care Facilities’ to Submit Daily Reports on Capacity, Supplies

By James M. McDonnell

March 29, 2020

New Jersey Governor Phil Murphy has signed an Executive Order directing “health care facilities” designated by the Office of Emergency Management (OEM) to submit reports on capacity and supplies by 10:00 a.m. each day.

The Governor signed [Executive Order 111](#) on March 28, 2020. It is the tenth EO he has signed since the onset of the coronavirus (COVID-19) crisis. EO 111 goes into effect immediately.

### Coverage; Scope of OEM Authority

While EO 111 does not identify the facilities that must submit daily reports, it states that licensed acute care hospitals, long-term care facilities, hospital systems (including specialty hospitals), and emergency modular field treatment facilities may be included in the designations.

EO 111 gives the OEM the discretion to determine what constitutes a “health care facility” under applicable state statutes. Accordingly, facilities not previously covered under the state’s definition may receive OEM designations and, upon any such designation, will be required to provide the daily reports.

The EO does not specify the information to be submitted, but the OEM is expected to request information on bed capacity and availability of supplies, including personal protective equipment, ventilators, and other items necessary to treat COVID-19 patients. The OEM will establish a process for collection of the data.

In addition, EO 111 authorizes OEM to disseminate the data collected from facilities as it deems necessary during the state of emergency. The data collection and dissemination will enable OEM to allocate the resources necessary to respond to the COVID-19 pandemic throughout New Jersey.

### Violations

The failure of a facility that receives an OEM designation and request for data to furnish the requested information by 10:00 a.m. daily could result in a disorderly persons offense for violation of EO 111. Penalties for such violations include up to six months in jail and a \$1,000 fine.

\*\*\*

Jackson Lewis attorneys will keep you apprised of developments in New Jersey’s COVID-19 response that affects your business. Please contact a Jackson Lewis attorney with any questions.

©2020 Jackson Lewis P.C. This material is provided for informational purposes only. It is not intended to constitute legal advice nor does it create a client-lawyer relationship between Jackson Lewis and any recipient. Recipients should consult with counsel before taking any actions based on the information contained within this material. This material may be considered attorney advertising in some jurisdictions. Prior results do not guarantee a similar outcome.

Focused on labor and employment law since 1958, Jackson Lewis P.C.’s 950+ attorneys located in major cities nationwide consistently identify and respond to new ways workplace law intersects business. We help employers develop proactive strategies, strong policies and business-oriented solutions to cultivate high-functioning workforces that are engaged, stable and diverse, and share our clients’ goals to emphasize inclusivity and respect for the contribution of every employee. For more information, visit <https://www.jacksonlewis.com>.

### Meet the Author



James M. McDonnell

Principal  
Berkeley Heights 908-795-5208  
Email

---

©2020 Jackson Lewis P.C. All rights reserved. Attorney Advertising. Prior results do not guarantee a similar outcome. No client-lawyer relationship has been established by the posting or viewing of information on this website.

\*The National Operations Center serves as the firm's central administration hub and houses the firm's Facilities, Finance, Human Resources and Technology departments.