

Expiration date on license to operate hospital at Westwood site of the former Pascack Valley Hospital passes, but an appeal is being prepared

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The expiration date of the license to operate a hospital at the site of the former Pascack Valley Hospital in Westwood passed on Monday with no resolution of its future.

But Hackensack University Medical Center is preparing to appeal last week's decision by state Health Commissioner Heather Howard denying its request for an extension of the license. Howard gave Hackensack 45 days — until Feb. 6 — to do so.

"We have not, as of yet, filed the appeal, but we are working diligently on doing so," said Nancy Radwin, a spokeswoman for the medical center, which hopes to open a 128-bed community hospital at the site.

Howard ruled that the state's Permit Extension Act of 2008 did not apply to the hospital license.

The two hospitals that oppose Pascack Valley's reopening said Howard's ruling "was the right decision when applying the law to the facts at hand."

A joint statement from Englewood Hospital and Medical Center and The Valley Hospital in Ridgewood said "HUMC is utilizing every legal and political maneuver possible to open a hospital that is not needed and will cause other hospitals in Bergen County to become financially unstable.

"Every decision made by the State of New Jersey and Department of Health has been consistent: there isn't a need for another acute care hospital in Bergen County," said the statement, issued on behalf of both by Englewood spokeswoman Maria Margiotta.

Hackensack took the opposite position.

"We believe the license has already been extended by operation of the law," Radwin said. "We are confident we will have the opportunity to go before the State Health Planning Board and state our case."

The health commissioner who approved the closure of Pascack Valley Hospital due to bankruptcy in 2007 allowed the hospital's license to remain inactive for two years — until Monday — so that a potential future buyer could reopen it.

Hackensack applied to the state Department of Health in July 2008 for a transfer of that license. A public hearing was held, and the application was due to go before the State Health Planning Board last summer, when Hackensack asked for a six-month delay in the process.

Once the State Health Planning Board votes on a recommendation, the health commissioner

decides whether to approve or reject an application.

The administration of Governor-elect Chris Christie is expected to view Hackensack's application favorably because of a campaign promise he made.

But the matter is not on the planning board's agenda.

If the license lapses, Hackensack cannot simply request permission to transfer it to a new owner. Instead, the medical center would have to wait for a "call" for applications to open a new hospital, and undergo a more thorough review.

Faced with the looming deadline, Hackensack requested confirmation from Howard earlier this month that the license would automatically be extended for a year based on the Permit Extension Act.

Then the medical center's attorneys filed suit in Superior Court in Hackensack, where a judge on Thursday dismissed the matter, saying it should proceed directly to the Appellate Division.

"The fight's not over," said Westwood Mayor John Birkner Jr.

The state Health Department declined comment because of potential future litigation.

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