

Urban Recovery House, LLC Application #2022.084 / CON#220429

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New York State Office of Addiction Services and Supports Bureau of Certification (OASAS)

MEMORANDUM

TO: Dena Holmes

FROM: Jennifer Berg

DATE: April 18, 2023

SUBJECT: Application Review

Applicant: Urban Recovery House, LLC

Application #: 2022.084/ CON#224029

Purpose: Change in Ownership

County: Kings

Project Summary:

Urban Recovery House, LLC submitted a Certification Application requesting New York State Office of Addiction Services and Supports' (OASAS) approval for a Change in Ownership. This application is to remove Herman Johan Sorensen from the current ownership structure, add additional owners and redistribute the shares.

Need:

Urban Recovery House current operates Part 818 Inpatient Rehabilitation Services and Part 816.7 Medically Supervised Inpatient Withdrawal & Stabilization Services in Brooklyn, New York. Urban reported serving 1190 patients in their Part 816.7 program and 1072 patients in their Part 818 program in calendar year 2022, thus demonstrating the continued need for this service.

New York City Department of Health and Mental Hygiene continues to identify substance use disorder as a priority in their County Plan.

The applicant reached out to Community Board #6 via letter and email to inform them of their intensions and received acknowledgment on December 9, 2022. Also in November of 2022, additional community outreach was conducted in the form of letters providing updates and such intentions sent to area providers, program partners and the Brooklyn Borough President.

On April 17, 2023, OASAS received a positive recommendation from the New York City Department of Health and Mental Hygiene in support of this action.

As of the writing of this summary, a request for recommendation to OASAS Regional Office has been made, but not yet received.

Character and Competence:

Urban Recovery has been an OASAS-certified provider since 2018 and are established in their community. Upon the most recent review of their certified programs, they were found to be in substantial compliance and were issued three-year operating certificates for both programs.

With this Change of Ownership application, Calvin Nathan will remain and will add eight additional owners to create the new ownership structure as follows:

Calvin Nathan (10%) - Cal Nathan is an original managing owner of Urban Recovery and assists with the patient experience as well as digital marketing needs within the entity.

Joel Basch (16.66%) – Documentation submitted with this application demonstrates that Joel Basch meets the Substance Use Disorder experience required by OASAS. Joel is currently the Chief Operating Officer of Urban Recovery and Elev8 Center NY, which is also an OASAS-certified program. Joel has ownership stock in Elev8 NY, Recovery Center of Niagara, LLC and Surfpoint Recovery, LLC, also OASAS-certified programs which are newly established.

Yosef Rabinowitz (4.17%) has a background in real estate and has ownership stake in Elev8 NY, LLC, Recovery Center of Niagara, LLC and Surfpoint Recovery, LLC.

The remaining six owners, all have a background in real estate and also have ownership stake in Elev8 NY, LLC.

Eliezer Scheiner (20.83%)- also has known ownership in licensed Nursing Homes

David Levitan (4.17%)

Daniel Turkel (4.17%)

Issac Greenfeld (15%)

Teddy Lichtenstein (20.83%) – also has known ownership in licensed Nursing Homes

Steven Berger (4.17%)

Elev8 Center of New York, LLC is an OASAS-certified provider of Part 818 Inpatient Rehabilitation Services and Part 816.7 Medically Supervised Inpatient Withdrawal & Stabilization Services in New York City. Upon their most recent review the programs were found to be in compliance and were issued three-year and two-year operating certificates, respectively.

Overall Financial Condition of the Provider:

According to the most recent fiscal review completed by OASAS Fiscal Audit and Review Unit in August of 2022, the applicant was determined to be viable.

This action will not affect the current budget. OASAS Regional Office did not report any concerns with the existing budget.

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Adequacy:

Upon their most recent reviews, the locations of these services were determined to meet regulatory compliance.

Compliance:

Urban Recovery staffing and policies and procedures have previously been reviewed for regulatory compliance and are accepted by OASAS.

Continuity of Care:

Urban Recovery is an established provider in their community. They have working relationships with local providers and have referral networks in the local community for their patients. These partnerships will not be affected by the change in ownership.

Recommendation:

OASAS recommendation is to approve the request from Urban Recovery House, LLC for a Change in Ownership.

Effective Date: Upon Issuance

Attachments: PPD-6

LOCAL GOVERNMENTAL UNIT REVIEW REPORT

Applicant's Legal Name		Application No.			
Local Governmenta	Local Governmental Unit				
proposed actions the merits of the	n the certification action(s) submitted by the above applicant, you are requested to the provision of addiction disorder services in your jurisdiction. It is action(s). In completing the responses, use additional sheets as not rough responses is appreciated as incomplete replies will delay the processing	Your comments are important in evaluating ecessary. Your cooperation in providing			
1. Consistency of Program Description and Site Location with Local/OASAS Requirements	In the case of new providers and/or new services, is the program description requirements: ☐ Yes ☐ No ☐ Not Applicable Provide explanation				
2. Provider Operational Performance	Is the operational performance of this provider satisfactory? Yes No Regardless of the answer, provide a description of the operational performan				
3. Adequacy of Financial Plans	Is the financial plan in the proposal adequate and acceptable? Provide explanation below. Where applicable, please note any comments related to Medicaid policy and,	□ No □ Not Applicable /or reimbursement practices below.			
4. Consistency with Local Plans and Local/ Community Needs	Is the action consistent with local plans and/or does it meet community need Provide explanation below.	s? □ Yes □ No			
5. Provider Standing in the Community	Is there any known information regarding the provider's standing in the com Regardless of the answer, provide all known information below or on addition	•			

6.	In answering this question, the following should be taken into consideration:			
	(a) the location is suitable for an Addiction Disorder Treatment Program;(b) the accessibility of public transportation and adequate parking; and(c) any other notable observations.			
	Please describe your assessment of the circumstances noted.			
Program Location				
	Please check one box.			
	☐ LGU has visited the proposed location. Date of Visit: ☐ LGU has not visited, but has sufficient personal knowledge to attest to its suitability.			
	□ N/A − Please explain, for example, N/A may be appropriate in applications that involve relocation within an existing building. However, factors such as capacity increase, even in an existing building, would not be appropriate for an "N/A" response.			
	Are you aware of any community issues with other programs operated by this provider, or in the case of relocation, this			
7. Current Status	program's current location? (i.e., any issues around loitering, public safety, etc.) ☐ Yes ☐ No Please describe any issues.			
of Existing				
Programs				
8.	Please describe your knowledge of the applicant's outreach to the local community (e.g., Community Service Boards,			
0.	Community Boards, Planning Boards, Neighborhood Coalitions, other local municipalities). Please summarize your knowledge of community input, including any existing or likely community concerns, as well as any recommendations.			
	Milowieuge of community input, including any existing of fixely community concerns, as well as any recommendations.			
Community				
Response				
9.	Provide additional comments.			
5.	Provide additional comments.			
Other Comments				
10	Construe of A the first I CU Official			
10. LGU	☐ Approve ☐ Disapprove ☐ Disap			
Recommendation	□ Approve □ Disapprove 4/17/23			

New York State Office of Addiction Services and Supports Bureau of Certification (OASAS)

MEMORANDUM

TO:

Dena Holmes

FROM:

Michele Woods

DATE:

April 12, 2023

SUBJECT:

Application Review

Applicant:

Ocean Recovery East, LLC d/b/a Ascendant New York

Application #:

2022-083

NYSECON#:

224028

Purpose:

Change in Ownership

County:

New York

Project Summary:

Ocean Recovery East, LLC d/b/a Ascendant New York (Ocean Recovery) is requesting Office of Addiction Services and Supports' (OASAS) approval for a change in ownership of their Part 816 Medically Supervised Withdrawal Treatment Service, Part 818 Inpatient Rehabilitation Treatment Service and Part 822 Outpatient Treatment Service located at 113 East 60th Street, New York, NY 10022.

Current ownership consists of Paul Schwartz holding 51% of shares, Kathleen Tunney holding 17% of shares, John Crepsac holding 15% of shares and Kevin Cullen holding 17% of shares.

Kathleen Tunney will retire and step down as a shareholder, and John Crepsac has applied for ownership of another program, creating a conflict of interest. Kevin Cullen was terminated from his position with the company due to malfeasance and forfeited his share of ownership shortly after Ocean Recovery became certified as a provider of OASAS services.

In place of Kevin Cullen, Kathleen Tunny and John Crepsac, Ocean Recovery is requesting the reappropriation of their shares to the current Chief Executive Officer Tzvi Heber and Chief Compliance Officer Shari Noonan.

New ownership will be 66% Paul Schwartz, 33% Tzvi Heber, and 1% Shari Noonan.

Tzvi Heber has demonstrated that he meets the required SUD experience.

Membership Interest Redemption Agreements (MIRA) for Kathleen Tunney and John Crepsac were included with the submission as well as an Amended and Restated Company Agreement of Ocean Recovery East, LLC. A MIRA was not included for Kevin Cullen as he is lost to contact.

City of New York Community Board 8 submitted their acknowledgment of the change in ownership on November 22, 2022.

Need:

The New York City Department of Health and Mental Hygiene continues to identify substance use disorder services as a priority as evidenced in their county plan. Continued need for services was verified by the OASAS Certification Bureau.

The Certification Bureau received the New York City Department of Health and Mental Hygiene's Local Governmental Unit Review Recommendation (PPD-6) on March 3, 2023, signed by Nilova Saha, recommending approval.

OASAS New York City Regional Office submitted a recommendation to support this application on March 22, 2023.

Character and Competence:

Ocean Recovery East, LLC d/b/a Ascendant New York became established as an OASAS certified provider in July 2018.

The provider holds three operating certificates:

 Certificate Number: 230412220 - Outpatient Service (822) with Telehealth Designation (with ancillary withdrawal services) located at 113 East 60th Street, New York, NY 10022-1939.

Most recent recertification review in April 2022 resulted in a conditional compliance and was issued a one-year operating certificate based on their fiscal viability score.

• Certificate Number: 2241012243 – Inpatient Rehabilitation Services (818) located 113 East 60th Street, New York, NY 10022-1939.

Most recent recertification review in October 2021 resulted in a substantial compliance and was issued a three-year operating certificate.

• Certificate Number: 221212126 – Medically Supervised Inpatient Withdrawal and Stabilization Service located 113 East 60th Street, New York, NY 10022-1939.

Most recent recertification review in December 2019 resulted in a substantial compliance and was issued a three-year operating certificate.

Overall Financial Condition of the Provider:

There will be no changes in the operating budget.

The OASAS Fiscal Audit and Review Unit (FARU) has determined that Ocean Recovery East, LLC d/b/a Ascendant New York is fiscally viable through February 2024.

Adequacy:

Treatment Services will remain in currently OASAS certified space.

Compliance:

The provider acknowledges the utilization of policies and procedures which have previously been reviewed for all three levels of care and are accepted by OASAS. All current staffing positions will remain the same.

Continuity of Care:

Ocean Recovery East, LLC is an established provider in the community and will continue to utilize existing linkages to ensure a continuum of care.

Recommendation:

The OASAS recommendation is to approve Ocean Recovery East, LLC d/b/a Ascendant New York's request to change percentages in ownership from 51% Paul Schwartz, 17% Kathleen Tunney, 15%, John Crepsac and 17% Kevin Cullen to 66% Paul Schwartz, 33% Tzvi Heber, and 1% Shari Noonan.

Attachment – LGU Recommendation (PPD-6)

LOCAL GOVERNMENTAL UNIT REVIEW REPORT

Applicant's Legal Na	ame	Application No.
Ocean Recovery	East, LLC d/b/a Ascendant NY	NYSE CON: 224028 CA #:2022-083
Local Governmenta	Unit	
NYC Departmen	t of Health and Mental Hygiene	
proposed actions the merits of the	the certification action(s) submitted by the above applicant, you are requerelative to the provision of addiction disorder services in your jurisdiction. action(s). In completing the responses, use additional sheets as not rough responses is appreciated as incomplete replies will delay the processing the	Your comments are important in evaluating ecessary. Your cooperation in providing
a company	In the case of new providers and/or new services, is the program description	and site location consistent with local/OASAS
Consistency of	requirements: Yes No Not Applicable Provide explanation	en below.
Program Description and Site Location with Local/OASAS Requirements	Ocean Recovery East, LLC d/b/a Ascendant NY proposes to cha ownership being 66% Paul Schwartz, 33% Tzvi Herber and 1 % would be affected by this change. The Provider meets standards on-site access to buprenorphine, harm reduction education and Community Board to apprise them of this change.	Shari Noonan. No services or staffing of providing a full array of MAT with
2. Provider Operational Performance	Is the operational performance of this provider satisfactory? Yes Now Regardless of the answer, provide a description of the operational performance of this provide of the operational performance of this provider satisfactory?	ce of the provider below ed provider and the Department can
3.	Is the financial plan in the proposal adequate and acceptable?	☐ No ☑ Not Applicable
	Provide explanation below. Ocean Recovery East, LLC d/b/a Ascendant NY is not an allocation only look at the information provided in the application.	ted provider and the Department can
Adequacy of Financial Plans	Where applicable, please note any comments related to Medicaid policy and	or reimbursement practices below.
4.	Is the action consistent with local plans and/or does it meet community need	s? 🗹 Yes 🔲 No
Consistency with	Provide explanation below.	•
Local Plans and Local/ Community Needs	This program is located on the Upper Easts Side of Manhattan, Central Harlem, and several neighborhoods in the Bronx with the unintentional drug poisoning (overdose) deaths by neighborhood	highest overdose death rates of
5. Provider Standing in the Community	Is there any known information regarding the provider's standing in the com Regardless of the answer, provide all known information below or on additio Since 2018,Ocean Recovery East, LLC d/b/a Ascendant NY has detox services in an environment that is peaceful, comfortable at frequently by participants and family members.	nal sheets attached to this report. provided safe, medically supervised

5.	In answering this question, the following should be taken into consideration:	
	 (a) the location is suitable for an Addiction Disorder Treatment Program; (b) the accessibility of public transportation and adequate parking; and (c) any other notable observations. 	
	Please describe your assessment of the circumstances noted.	
Program Location		
	Please check one box.	
	LGU has visited the proposed location. Date of Visit: LGU has not visited, but has sufficient personal knowledge to attest to its suitability.	
	N/A – Please explain, for example, N/A may be appropriate in applications that involve relocation building. However, factors such as capacity increase, even in an existing building, would not "N/A" response.	
	This is change in ownership and no change to currently certified program location.	Jack hot
		2 1
		6 . I
7. Current Status of	Are you aware of any community issues with other programs operated by this provider, or in the program's current location? (i.e., any issues around loitering, public safety, etc.) Yes No Please describe any issues. There are no known issues.	case of relocation, this
Existing		
Programs		
8.	Please describe your knowledge of the applicant's outreach to the local community (e.g., Com	
	Community Boards, Planning Boards, Neighborhood Coalitions, other local municipalities). knowledge of community input, including any existing or likely community concerns, as well as any	
	The Provider included in their application an email dated 11/22/22 from Community acknowledging the change in ownership.	Board #8
Community Response	abknowledging the change in exhibiting.	
пезропае		
9.	Provide additional comments.	
	N/A	
Other Comments		2
10.	Signature of Authorized IGII Official	Date
LGU Recommendation	Approve Disapprove	3/3/23

New York State Office of Addiction Services and Supports Bureau of Certification (OASAS)

MEMORANDUM

TO:

Dena Holmes

FROM:

Michele Woods

DATE:

April 12, 2023

SUBJECT:

Application Review

Applicant:

A.R.E.B.A. Casriel, Inc. d/b/a Addiction Care

Interventions

Application #:

2022-093

NYSECON#:

224042

Purpose:

Change in Ownership

County:

Brooklyn

Project Summary:

A.R.E.B.A Casriel, Inc. d/b/a Addiction Care Interventions (ACI) is requesting Office of Addiction Services and Supports (OASAS) approval for a change in ownership of it's Part 816.7 Medically Supervised Inpatient Withdrawal and Stabilization Service, Part 818 Inpatient Rehabilitation Service, both located at 589 Rockaway Avenue, Brooklyn, and their Part 822 Outpatient Treatment Service located at 255 West 36th Street, New York, NY.

Current ownership consists of Aaron Wolcowitz and Joel Zupnick, each holding 45% of the shares, and Hawa Jalloh holding 10% of the shares.

Ownership composition will change to Aaron Wolcowitz and Joel Zupnick each holding 40% of the shares and Hawa Jalloh holding 10% of the shares. Yuliya Vaynrub, a LCSW-R, will obtain 10% of the shares.

Hawa Jalloh has the OASAS required substance use disorder (SUD) experience.

Yuliya Vaynrub is a mental health professional with years of experience in the field. Her addition to the governing body will bring expertise in treating individuals with co-occurring disorders to the board.

An Amended and Restated Shareholders Agreement with the addition of Yuliya Vaynrub and the redistribution of shares was included with the submission.

New York City Brooklyn Community Board #16 acknowledged notification of the change in ownership on October 25, 2022.

New York City Manhattan Community Board #4 acknowledged notification of the change in ownership on October 26, 2022.

Need:

The New York City Department of Health and Mental Hygiene continues to identify substance use disorder services as a priority as evidenced in their county plan. Continued need for services was verified by the OASAS Certification Bureau.

The New York City Department of Health and Mental Hygiene submitted a recommendation to support the change in ownership on February 15, 2023, signed by Nilova Saha, Senior Director of Substance Use Care, Bureau of Alcohol and Drug Use Prevention, Care and Treatment.

OASAS New York City Regional Office submitted a recommendation to support this application on March 15, 2023.

Character and Competence:

ACI has been established as a proprietary corporation and has been providing substance use disorder services for more than 40 years.

ACI holds three OASAS operating certificates.

Certificate Number: 221011447 – Part 818 Inpatient Rehabilitation Service with Telehealth Designation located at 589 Rockaway Avenue, Brooklyn, NY 11212.

Most recent recertification in January 2023 resulted in a partial compliance and was issued a two-year operating certificate.

Certificate Number: 230710643 - Part 822 Outpatient Service with Telehealth Designation (with ancillary withdrawal services) located at 255 West 36th Street, New York, NY 10018

Most recent recertification review in July 2022 resulted in a conditional compliance and was issued a one-year operating certificate based on their fiscal viability score.

Certificate Number: 241211439 – Part 816.7 Medically Supervised Inpatient Withdrawal and Stabilization Services with Telehealth Designation located at 589 Rockaway Avenue, Brooklyn, NY 11212

Most recent recertification review in November 2022 resulted in a partial compliance and was issued a two-year operating certificate.

Overall Financial Condition of the Provider:

The OASAS Fiscal Audit and Review Unit (FARU) has determined that ACI is fiscally viable through September 2023.

There will be no changes in the current operating budget.

Adequacy:

Treatment Services will remain in OASAS certified space.

Compliance:

ACI acknowledges the utilization of policies and procedures which have previously been reviewed for all three levels of care and are accepted by OASAS. All current staffing positions will remain the same.

Continuity of Care:

ACI is an established provider in the community and will continue to utilize existing linkages to ensure a continuum of care.

Recommendation:

The OASAS recommendation is to approve the change in ownership percentages from Aaron Wolcowitz and Joel Zupnick, each holding 45% of the shares, and Hawa Jalloh holding 10% of the shares to Aaron Wolcowitz and Joel Zupnick each holding 40% of the shares, Hawa Jalloh holding 10% of the shares, and Yuliya Vaynrub acquiring 10% of the shares.

Attachment – LGU Recommendation (PPD-6)

LOCAL GOVERNMENTAL UNIT REVIEW REPORT

Applicant's Legal Name Application No.				
A.R.E.B.A Casri	el, Inc. d/b/a Addiction Care Interventions (ACI)	NYSE CON: 224	042 CA #:2022-093	
Local Governmenta	l Unit			
NYC Departmen	nt of Health and Mental Hygiene			
In conjunction with the certification action(s) submitted by the above applicant, you are requested to review and provide comments on the proposed actions relative to the provision of addiction disorder services in your jurisdiction. Your comments are important in evaluating the merits of the action(s). In completing the responses, use additional sheets as necessary. Your cooperation in providing complete and thorough responses is appreciated as incomplete replies will delay the processing of this application.				
Consistency of	In the case of new providers and/or new services, is the program description requirements: Yes No Not Applicable Provide explanation		tent with local/OASAS	
Program Description and Site Location with Local/OASAS Requirements	A.R.E.B.ACasriel, Inc. dba Addiction Care Interventions (ACI) is of its three OASAS licensed programs located at 589 Rockaway Yuliya Vaynrub, as a 10% owner. The other shares will continue J. Wolcowitz at 40%, Joel Zupnick at 40% and Hawa Jalloh at 10 including buprenorphine and distributes Naloxone.	Ave. Brooklyn NY, to be held by the c	11212 by adding urrent owners Aron	
2. Provider Operational Performance	Is the operational performance of this provider satisfactory? Yes No Regardless of the answer, provide a description of the operational performan This is not an allocated provider and the Department can only go application. The information appears to indicate that operational satisfactory	ce of the provider belo by the information	provided on the	
			· .	
3.	Is the financial plan in the proposal adequate and acceptable? Provide explanation below. This is not an allocated provider and the Department can only located application. This information appears to be acceptable.	No Not App		
Adequacy of Financial Plans	Where applicable, please note any comments related to Medicaid policy and/No change reported by the applicant. Commercial (Managed Car	or reimbursement prace) insurances will	ctices below. De accepted	
4.	Is the action consistent with local plans and/or does it meet community needs	s? Ves	in	
Consistency with Local Plans and Local/ Community Needs	Provide explanation below. In 2021, there were 2,668 overdose deaths in NYC, compared wideaths. The rate of overdose death increased to 39.4 per 100,00 with 31.6 per 100,000 in 2020. For the fifth year in a row, fentany involved in overdose deaths, present in 80% of overdose deaths Data Brief published in 2022, In Brooklyn, a total of unintentional with a rate of 34%.	ith 2,103 in 2020, a 00 NYC residents in /I was the most cor in 2021. According drug poisoning dea	in increase of 565 in 2021, compared inmon substance to the NYC Epi inaths was 651, 31 %	
5. Provider Standing in the Community	Is there any known information regarding the provider's standing in the common Regardless of the answer, provide all known information below or on addition For over 40 years, the applicant has been providing substance us standings in the community.	al sheets attached to t	his report.	

D.	in answering this question, the follow	wing should be taken into consideration:	}
•	• •	an Addiction Disorder Treatment Program; ransportation and adequate parking; and tions.	
	Please describe your assessment of t	the circumstances noted.	
	The program is accessible by page Ave. The bus line is B60.	public transportation. By subway- the 3 and 4 line stop	s at Rockaway
Program Location		·	
	Please check one box.		
	LGU has visited the proposed loc LGU has not visited, but has suffi	cation. Date of Visit:icient personal knowledge to attest to its suitability.	
	N/A - Please explain, for exam	ple, N/A may be appropriate in applications that involve relocations that involve relocations that involve relocations are sufficiently increase, even in an existing building, would not	
	"N/A" response.	- -	be appropriate for an
	NA-change in ownership status	s and no change in program location	
•			
7. Current Status of	program's current location? (i.e., any Please describe any issues.	sues with other programs operated by this provider, or in the issues around loitering, public safety, etc.) Yes No	case of relocation, this
Existing. Programs	There are no known issues to t	he DOHMH.	
	Olege describe years he made to a f	the section of a subsection at the least section of	
8.	Community Boards, Planning Boar knowledge of community input, inclu Letters were sent to Ms. Viola [the applicant's outreach to the local community (e.g., Comids, Neighborhood Coalitions, other local municipalities). Puding any existing or likely community concerns, as well as any roll. Greene, District Manager, Brooklyn Community Bo	ease summarize your commendations. ard 16 and Mr.
Community	Jesse Bodine, District Manager of the intention of ACI to seek a	r, Manhattan Community Board 4, on October 24, 202 approval from OASAS to change the ownership of AC	2, notifying them I by adding Yuliya
Response	Vaynrub, LCSW to the existing	ownership. The applicant has provided documentation of the applicant's ownership	n from Community
•	Boald# To alld #4 acknowledgi	ng receiving notification of the applicant - s ownershi	p change.
9.	Provide additional comments. N/A		
. Lea			
Other Comments	·		
		•	
10. LGU	☑ Approve ☐ Disapprove		Date
Recommendation		Mil Lach	2/15/23

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New York State Office of Addiction Services and Supports **Bureau of Certification (OASAS)**

MEMORANDUM

TO:

Dena Holmes

Director, Bureau of Certification

FROM:

Jeffrey Capitummino

DATE:

March 10, 2023

SUBJECT:

Application Review

Applicant:

Success Counseling Services, Inc.

Application #: 2022.075 / CON# 224016

Purpose:

Change in Ownership

County:

Bronx County

Project Summary:

Success Counseling Services, Inc. submitted a Certification Application requesting New York State Office of Addiction Services and Supports' (OASAS) approval for a Change in Ownership affecting Operating Certificate#11032 located at 139 West 168th Street Bronx, NY,10452. This request will remove Larry Fruit from the ownership structure, transferring his ten percent to existing owner, Yehoshua (Josh) Greenfeld.

Need:

According to the OASAS Client Data System, over the past two years, Success Counseling Services, Inc. has admitted nearly 800 individuals, thus demonstrating the continued need for this service. The NYC Department of Health and Mental Hygiene continues to cite the need for substance use disorder services (SUD) as a priority in their 2021 County Plan.

Success Counseling Services, Inc. is a Part 822 OASAS Outpatient program that serves the people of the Highbridge area of the Bronx, as well as the South Bronx. Success Counseling offers Telehealth services, direct care in Spanish, and Medication Assisted Treatment (MAT).

A formal letter informing the Bronx Community Board #4 on the proposed action was sent by CEO Josh Greenfeld on November 1, 2022, via both certified mail and email. On November 15, 2022, The Bronx Community Board #4 emailed acknowledgment of Mr. Greenfeld's correspondence.

NYC Department of Health and Mental Hygiene's recommendation in support of this application was received by OASAS Bureau of Certification on February 3, 2023

OASAS' New York City Regional Office's recommendation in support of this application was received on February 27, 2023

Character and Competence:

Success Counseling Services, Inc. was established as a for-profit corporation in 1997 to provide chemical dependence treatment services. Success Counseling holds one operating certificate in good standing with OASAS. Upon their most recent review in November 2022, they received partial compliance and were issued a 2-year certification.

Upon the approval of Success Counseling's request for change of ownership, the ownership structure, with the corresponding shares of company stock in parenthesis, will be: Josh Greenfeld (34%), Marvin Rubin (24%), Joel Landau (24%), & Zvi Klein (18%).

No other changes to the ownership structure were requested; however, Success Counseling will retain Larry Fruit as a consultant, providing continued but limited guidance on issues where his experience can be utilized. He will no longer be considered an employee or shareholder, as the Board determined the funding used for Mr. Fruit's previous salary will be utilized for clinical staffing.

Josh Greenfeld has been with Success Counseling Services since 2019. Beginning in a managerial capacity and transitioning into his current role as Success Counseling's CEO, Mr. Greenfeld has demonstrated that he meets OASAS requirements for substance use disorder (SUD) experience.

Overall Financial Condition of the Provider:

OASAS' Fiscal Audit and Review Unit completed a fiscal viability review on December 28, 2022 and determined Success Counseling Services is fiscally viable.

Adequacy:

The lease for the space this program occupies was reviewed and found to contain the required OASAS right to re-entry language.

Compliance:

There will be no changes to the location, services provided, budget, staffing, or policies & procedures as a result of this application. The existing staff meets regulatory requirements, and the policies & procedures previously reviewed are being utilized in their program.

Continuity of Care:

Success Counseling is an established community provider of SUD services, including medication assisted treatment. They have agreements with agencies who provide support to patients during their course of treatment. For example, they partner with both Vocational And Educational Services For Individuals With Disabilities (VESID) and Employment Program for Recovered Alcoholics (EPRA) to link their clientele with vocational & educational services. Success also identifies an active, strong relationship with Argus Community which has provided all patient HIV testing & follow-up for many years now.

In addition to group and individual counseling, counselors and peer advocates assist clients with maintaining health insurance coverage, establishing a primary care provider, and obtaining critical communication devices such as government-funded cell phones.

Recommendation:

OASAS recommendation is to approve the request from Success Counseling Services, Inc. for a Change in Ownership.

Attachments: PPD 6

LOCAL GOVERNMENTAL UNIT REVIEW REPORT

Applicant's Legal Name		Application No.	
Success Counseling Services, Inc.		224016	
Local Governmenta NYC Departmen	l Unit t of Health & Mental Hygeine		
In conjunction with the certification action(s) submitted by the above applicant, you are requested to review and provide comments on the proposed actions relative to the provision of addiction disorder services in your jurisdiction. Your comments are important in evaluating the merits of the action(s). In completing the responses, use additional sheets as necessary. Your cooperation in providing complete and thorough responses is appreciated as incomplete replies will delay the processing of this application.			
1. Consistency of Program	In the case of new providers and/or new services, is the program description requirements: Yes No Not Applicable Provide explanation	on below.	
Description and Site Location with Local/OASAS Requirements	This application is for a change in ownership status for Success existing OASAS licensed part 822 program. The program offers (buprenorphine and Naloxone) as part of their service delivery. L 10% of shares to current CEO Yehoshua Greenfeld. The shareh Greenfeld - 34%, Marvin Rubin - 24%, Joel Landau - 24% and Z	services to adults and offers MAT arry Fruit will transfer his remaining holders will then be: Yehoshua	
2. Provider Operational Performance	Is the operational performance of this provider satisfactory? Yes Not Applicable Regardless of the answer, provide a description of the operational performance of the provider below. This is not an allocated provider and the Department can only go by the information provided in the application, which appears to indicate that operational performance of this provider would be satisfactory.		
3.	Is the financial plan in the proposal adequate and acceptable? Yes	No ✓ Not Applicable	
Adequacy of Financial Plans	Provide explanation below. This is not an allocated provider and the Department can only lo application. The provider did not indicate any changes in their or Where applicable, please note any comments related to Medicaid policy and, N/A	perational budget.	
4.	Is the action consistent with local plans and/or does it meet community need	s? Yes No	
Consistency with Local Plans and Local/ Community Needs	Provide explanation below. Available NYC Epi-data indicates that 2,668 individuals died of a 2021, an increase of 78 percent since 2019 and 27 percent since race, poverty level, and neighborhood of residence. Residents of overdose death in 2021 (70.6 per 100,000 residents). The neighborhood death were Hunts Point-Mott Haven, Crotona-Tremont	drug overdose in NewYork City in e 2020, with evident disparities by age, the Bronx had the highest rate of borhoods with the highest rates of , and Highbridge-Morrisania.	
5. Provider Standing in the Community	Is there any known information regarding the provider's standing in the com Regardless of the answer, provide all known information below or on addition Success Counseling Services, Inc. has provided outatient treatm neighborhood for the past 23 years. The provider is in good stan communication and a relationship with Bronx Community Board	nal sheets attached to this report. nent services in the Highbridge dings in the community and maintains	

6.	In answering this question, the follow	ving should be taken into consideration:		
	(b) the accessibility of public to (c) any other notable observa-			
	Please describe your assessment of t	he circumstances noted.		
	5 at			
	3 to 120			
	•			
	a.			
Program				
Location				
				_
	Please check one box.			
	LGU has visited the proposed lo	cation. Date o	f Visit:	
		icient personal knowledge to attest to its s		
			ons that involve relocation within an existing	
	"N/A" response.	h as capacity increase, even in an existing	ng building, would not be appropriate for a	an
	8 92	and no change in program location	an.	
	NA-change in ownership status	s and no change in program location) I	
	17			
	, a			
	F-, 2			
7. Current Status of Existing Programs		issues around loitering, public safety, etc	nis provider, or in the case of relocation, the case of relocation of the case of relocation, the case of relocation of the case of relocation of the case of the	1IS
8.			ommunity (e.g., Community Service Board	
Community Response	knowledge of community input, inclu The applicant provided docume	uding any existing or likely community con entation of acknowledgement, date		ur
		(A) (2)		
9.	Provide additional comments.	60 T 12 H	. 0	
	N/A			
	۵			
Other Comments				
10.		Signature of Authorized LGU Official	Date	
10. LGU Recommendation	☐ Approve ☐ Disapprove	Signature of Authorized LGU Official	Date 2/2/23	

New York State Office of Addiction Services and Supports Bureau of Certification (OASAS)

MEMORANDUM

TO:

Dena Holmes, Director

Bureau of Certification

FROM:

Jeffrey Capitummino

DATE:

April 17, 2023

SUBJECT:

Application Review

Applicant:

Fusion Recovery Centers, LLC

Application #: 2022.094.0 / CON# 224043

Purpose:

New OASAS Provider / Part 822

County:

Albany

Project Summary:

Fusion Recovery Centers, LLC submitted a Certification Application requesting New York State Office of Addiction Services and Supports' (OASAS) approval to become a new OASAS Provider of Part 822 Outpatient treatment services located at 444 Broadway Menands, NY 12204.

Services will include group and individual counseling using tools such as motivational interviewing, cognitive behavioral therapy, and dialectical behavioral therapy. Client education will be focused on linkage with self-help services including Alcoholics Anonymous (AA). Narcotics Anonymous (NA), and Smart Recovery. Fusion will also offer the support of Certified Recovery Peer Advocates to assist clients with recovery goals. Supportive mental health services will include psychiatric evaluations with mental health medication management. Fusion's hours of operation will be Monday through Friday 8am to 9pm and Saturday 8am to 12pm.

Need:

The substance use disorder treatment resources in Albany County are numerous and diverse. Long-standing OASAS certified programs such as St. Peter's Addiction Recovery Center, The Addiction Care Center of Albany, Hope House, as well as the Opioid Treatment Programs (OTP's) at Whitney Young & Camino Nuevo, are attempting to satisfy the Capital Regions growing demand for quality, client-centered care. Despite this bevy of treatment resources Fusion believes what is lacking is a co-located, comprehensive outpatient continuum of care.

Fusion Recovery is seeking to become a new OASAS certified provider beginning with a Part 822 outpatient proposal and the vision of expanding their services at the new Menands site. In this submitted application, Fusion notes it's development plan with intentions to submit subsequent applications for outpatient Medically Supervised Detoxification/Outpatient, Intensive Outpatient, Day Rehabilitation, and an OTP; supporting prospective clients as they move throughout the continuum of care.

Historically, Fusion reports that treatment resources in this geographic region have been primarily targeted towards low-income clients, particularly, those utilizing Medicaid as a payor source. Fusion contends that although rare in other healthcare sectors, privately insured substance use disorder clients have limited choices in regard to treatment of their disease. This new Part 822 will provide an additional resource for a segment of the treatment population Fusion feels is underserved in the Capital Region.

In an already strained service delivery system, the COVID pandemic and the resulting strategies for preventing the spread of the virus has left more Americans in need of SUD services than ever before. The National Institute on Drug Abuse (NIDA) notes, "researchers have observed increases in substance use and drug overdoses in the United States since the COVID-19 pandemic was declared a national emergency in March 2020". The applicant reports the detrimental impact of COVID-19 on substance use in Albany County will likely require substantial SUD services that are also diverse, to adequately respond to the aftermath for years to come.

On August 18, 2022, Fusion Recovery met with the Albany County Community Service Board, including Commissioner Giordano, regarding the Menands program. Also, Fusion discussed their proposal with State Senator Michelle Hinchey on April 13, 2022; afterward, a letter in support of the project was issued. Additionally, on June 3, 2022, Fusion received a letter in support of this application from the Capital Region Chamber of Commerce, signed by Thomas J. O'Connor, Vice President of Government Relations.

The Albany County Local Government Unit's recommendation in support of this application was received on March 10, 2023.

The OASAS Hudson Regional Office submitted a recommendation to support this application on March 21, 2023.

Character and Competence:

Fusion Recovery Centers was established as a Domestic Limited Liability Company on 12/15/2021 with a Governing Authority consisting of three members (shares of stock and voting rights in parenthesis): Shlomo Weiss (75%) the CEO of Millin Associates, LLC, a revenue cycle management services and systems company helping Health & Human Services agencies achieve maximum efficiency while controlling operating costs; Adina Garber (10%) has considerable experience in acute care nursing with a strong background in detox for substance abuse clients. Mitchell Baumann (15%) President and a founding partner of Fusion Recovery Centers. Mr. Baumann has demonstrated to have the substance use disorder experience as required by OASAS. Mitchell has worked in the addiction field since 2007 and has developed extensive substance use disorder experience, having established several SUD programs in the State of Florida. Additionally, Mitchell currently holds a partial ownership interest in BriteLife Recovery, a SUD program with locations in Hanover, Pennsylvania and Hilton Head, South Carolina

Mr. Baumann also has 10% ownership stake in Windham Falls Recovery, LLC d/b/a BriteLife Recovery at Lexington, another new OASAS provider application that is pending.

Overall Financial Condition of the Provider:

The proposed annual budget identifies revenues at \$2,030,931.88 and expenses at \$615,244.75 leaving a total of \$1,415,687.13 in profit.

The OASAS Hudson Regional Office did not report concerns after review of the Fusion budget.

The applicant submitted the required documentation demonstrating available sufficient funding for the initial six-months, while the program gets underway.

Adequacy:

On January 31, 2023, The OASAS Facilities Evaluation and Inspection Unit completed a State Environmental Quality Review which determined that the proposed site, 444 Broadway Menands, NY, did not require further environmental review. Also, on that date, the completed Floor Plan Review was received which determined this site met regulatory requirements.

On February 2, 2023, The OASAS FEIU completed a Facilities Evaluation Report which found the proposed facility space to be in compliance.

An approved lease for this location was also submitted and contains the required OASAS right to re-entry language.

Compliance:

The applicant submitted a staffing plan for the proposed Menands outpatient location which meets regulatory requirements and includes:

- .25 FTE Medical Director
- .25 FTE Psychiatrist
- .25 FTE Clinical Director (LMSW)
- 1.0 FTE Registered Nurses
- 5.0 Full-time; either: CASAC(S)/LMSW(S)/LMHC Counselor(s)
- 1.0 Admin/Clerical

Policies and procedures have been reviewed for regulatory compliance and are accepted by OASAS.

Continuity of Care:

Fusion Recovery has a fully executed Memorandum of Understanding agreement with St. Peter's Addiction Recovery Center (SPARC), part of St. Peter's Healthcare Partners, for clients who present with a need for a higher level of care than outpatient substance abuse treatment. The services in their application they will be referring out to St. Peter's include detoxification, primary medical care, emergency medical care, and HIV antibody testing.

Recommendation:

OASAS recommendation is to approve the request from Fusion Recovery Centers, LLC to become a New OASAS Provider of Part 822 Outpatient Treatment Services with the following contingencies:

- Verification of the hiring of sufficient staff to meet regulatory requirements
- Copy of filing receipt from the NYS Department of State indicating that the amended Certificate of Incorporation/Articles of Organization, including the OASAS required language, have been filed.

Effective Date:

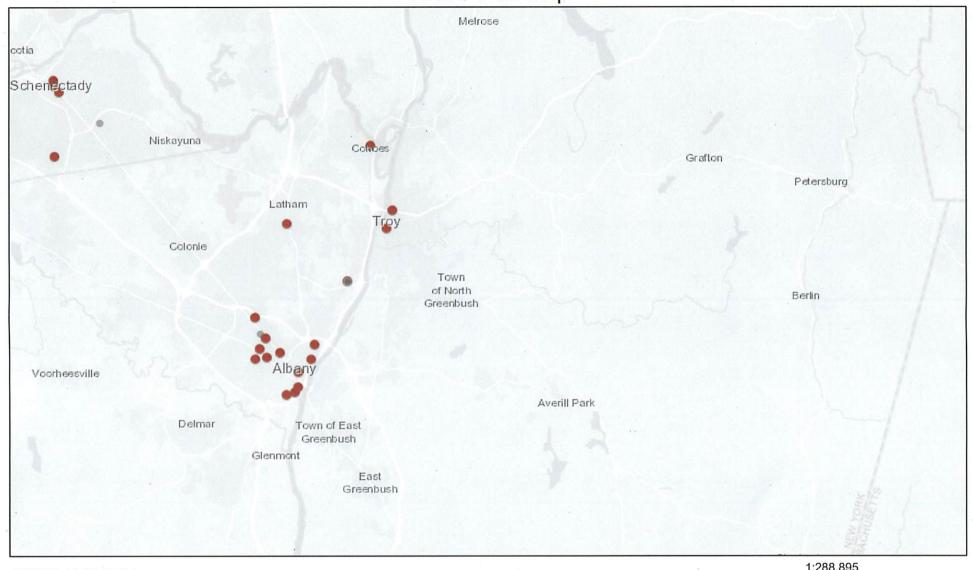
Attachments: LGU recommendation, maps

LOCAL GOVERNMENTAL UNIT REVIEW REPORT

Applicant's Legal Name Fusion Recovery Centers, LLC		Application No. # 224043			
	Local Governmental Unit OASAS Upper Hudson				
In conjunction with the certification action(s) submitted by the above applicant, you are requested to review and provide comments on the proposed actions relative to the provision of addiction disorder services in your jurisdiction. Your comments are important in evaluating the merits of the action(s). In completing the responses, use additional sheets as necessary. Your cooperation in providing complete and thorough responses is appreciated as incomplete replies will delay the processing of this application.					
1. Consistency of	In the case of new providers and/or new services, is the program description a requirements: Yes No Not Applicable Provide explanation				
Program Description and Site Location with Local/OASAS Requirements	The program description submitted by Fusion Recovery Centers, OASAS requirements and is generally consistent with local plann Department of Mental Health (ACDMH)/Local Governmental Unit to site location and has referred the provider back to the local juri site suitability.	ning needs. The Albany County t (LGU) takes no position with regard			
2 Provider	Is the operational performance of this provider satisfactory? Yes Nover Regardless of the answer, provide a description of the operational performance	ce of the provider below.			
Operational Performance	As Fusion Recovery Center, LLC is a new provider in the Albany care with no previous operational performance locally the ACDM upon and therefore cannot answer this question.	H/LGU has nothing to base an opinion			
3.	Provide explanation below.	No Not Applicable			
Adequacy of	The proposed financial plan submitted by Fusion Recovery Cente identifies a financial model mostly based upon on private insuran components.	er, LLC appears to be adequate and ce with some public assistance			
(Financial Plans	Where applicable, please note any comments related to Medicaid policy and/o The proposed business model appears to be focused primarily up				
4. Consistency with	Is the action consistent with local plans and/or does it meet community needs Provide explanation below. The proposed action is generally consistent with local planning ef				
Local Plans and Local/ Community Needs	to currently limited care and services for Albany County residents and Outpatient Rehabilitation Level Of Care.	to include Opioid Treatment Program			
5. Provider	Is there any known information regarding the provider's standing in the comm Regardless of the answer, provide all known information below or on addition	al sheets attached to this report.			
Standing in the Community	Although Fusion Recovery Center, LLC is new to Albany County of Community, they presented letters of support from the Village of M (District 46), and from the Capital Region Chamber of Commerce	lenands, from the NYS Senate			

6.	In answering this question, the following should be taken into consideration:			
	 (a) the location is suitable for an Addiction Disorder Treatment Program; (b) the accessibility of public transportation and adequate parking; and (c) any other notable observations. 			
	Please describe your assessment of the circumstances noted.			
	The Albany County Department of Mental Health (ACDMH)/Local Governmental Unit (LGU) takes no position with regard to site location and has referred the provider back to the local jurisdiction to assess and comment upon site suitability.			
Program Location				
	Please check one box.	Date of Visite		
	N/A - Please explain, for exar building. However, factors su "N/A" response.	fficient personal knowledge to attest to its suitability. mple, N/A may be appropriate in applications that involve related as capacity increase, even in an existing building, would in the capacity increase.	ocation within an existing not be appropriate for an	
	See above comment regarding	g site location.		
7. Current Status of Existing Programs	program's current location? (i.e., ar Please describe any issues.	issues with other programs operated by this provider, or in the hy issues around loitering, public safety, etc.) Yes No C does not operate any other programs in Albany Covided.		
8.	Please describe your knowledge (of the applicant's outreach to the local community (e.g., Co	mmunity Service Boards,	
	Community Boards, Planning Boa	ords, Neighborhood Coalitions, other local municipalities).	Please summarize your	
Community Response	knowledge of community input, including any existing or likely community concerns, as well as any recommendations. Fusion Recovery Centers, LLC maintained communication with ACDMH/LGU over an extended period of time. We believe that they did so as well with NYS OASAS. There was communication with the Addictions Sub-Committee of the Albany County Community Services Board who provided neutral comment/feedback and general support. ACDMH/LGU is not aware of any other community outreach, community input/feedback/concerns other that letters of support listed above.			
9.	Provide additional comments.	Calan Banasan Conton 110 was thereigh and the	annlicant	
Other Comments	The application prepared by Fusion Recovery Centers, LLC was thorough and the applicant was responsive to all requests. Although the applicant is an out-of-state entity they demonstrated an understanding of NYS, Albany County and local community regulations, expectations and needs. The applicant's proposal seeks to contribute to the local behavioral health system of care by expanding services, increasing options for services, and by investing in the lives and recovery of Albany County residents in need of addiction care and services.			
10.		Signature of Authorized LGU Official	Date / ,	
LGU Recommendation	✓ Approve Disapprove	Stephen Givrolano	3/10/23	

ArcGIS Web Map





- 5. Outpatient: Outpatient Clinic
- 5. Outpatient: Outpatient Clinic Additional Location

