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

**M E M O R A N D U M**

**TO:** Dena Holmes  
**FROM:** Jeffrey Capitummino  
**DATE:** November 22, 2023  
**SUBJECT:** Application Review  
Applicant: Hudson River Healing Services LLC  
Application # CA: 2023.047 / NYSECON: 234059  
Purpose: New OASAS Provider / Part 822 Outpatient Services  
County: Dutchess

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**Project Summary:**

Hudson River Healing Services LLC submitted a Certification Application requesting the New York State Office of Addiction Services and Supports' (OASAS) approval to become a new OASAS Provider of Part 822 outpatient substance use disorder (SUD) services to be located at 391 Manchester Road, in Poughkeepsie, New York.

The applicant proposes to offer outpatient SUD services in partnership with Hudson River Housing (HRH), which, throughout its five facilities, offers emergency shelter placements and transitional and permanent low-cost housing for clients and their families. Also provided at HRH are youth, veteran, and elder care services. The proposed Part 822 outpatient will explicitly target these HRH recipients but will be available to all Dutchess County residents.

Hudson River Housing residents will now have a low-barrier, on-site option for outpatient SUD services with the added resource of clinical staff at their shelter during program hours, which will be Monday through Thursday, 8:30 a.m. to 9 p.m.; Friday, 8:30 a.m.-5:30 p.m.; Saturday and Sunday, 8:30 a.m.- 1 p.m.

**Need:**

In their 2023 County Plan, the Dutchess County Department of Behavioral & Community Health documented the goals of increasing access to outpatient behavioral health treatment provider services, particularly therapy for SUD and mental health co-occurring disorders.

Hudson River Healing Services reports that the deadly introduction of Fentanyl into the opioid epidemic and several other abusable substances has resulted in increased illicit drug overdoses, including an extreme increase in fatal overdoses, in Dutchess County.

Hudson River Healing Services has identified that over 85% of the 450 average yearly residents receiving services at the Hudson River Housing program, meet the criteria for a substance use disorder; furthermore, they report that 90% of this group suffer from a co-occurring mental health diagnosis. HRH discovered that only 15% of their clientele are compliant with therapy, with a recidivism rate of 92%. The applicant predicts better treatment outcomes as they will provide SUD therapy on-site where the HRH clientele resides and receive complimentary services.

HRHS plans to offer intensive outpatient (IOP) services, which they report are unavailable from local treatment providers. Clients meeting the criteria for this care schedule, determined by the OASAS Level of Care for Alcohol and Drug Treatment (LOCADTR), would attend group and individual SUD services for up to six days weekly.

On June 6, 2023, via email correspondence, applicant representative Chris Dennehy notified both Linda Woodbine, Network Director of Westchester Medical Center Addiction Services, and Steve Miccio, Chief Executive Officer (CEO) of People USA, a peer-run mental health organization located in Poughkeepsie, of the intent to establish an outpatient program at the existing shelter location. Both notifyees supported the applicant's proposal to provide SUD services within the HRH location. Also, on July 6, 2023, Andrew O'Grady, CEO of Mental Health America of Dutchess County, expressed support for this application in an email correspondence with applicant representative Chris Dennehy.

On July 24, 2023, Chris Dennehy notified the City of Poughkeepsie mayor's office with an email correspondence of the intention of Hudson River Healing Services to provide outpatient SUD services within the existing Hudson River Housing locations.

The Dutchess County Local Government Unit's (LGU) recommendation in support of this application was received on November 15, 2023.

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

**Character and Competence:**

Hudson River Healing Services became a Domestic Limited Liability Company on June 13, 2023, with a Governing Authority consisting of three members (shares of stock and voting rights in parenthesis):

Christa Hines (20%): Christa is a Certified Public Accountant (CPA), a board member at Day One Early Learning Community and the Child Care Council of Dutchess and Putnam County, and a member of the Dutchess County Community Development Advisory Committee. Christa has held various positions with Hudson River Housing since 1993: Finance Manager, Chief Accountant, Director of Finance, and Chief Financial Officer. In 2012, she was promoted to Associate Executive Director, assuming a role with a more clinical function, and eventually, in April of 2017, assumed the role of President and CEO of Hudson River Housing.

Rebeca Freyre (40%):, Rebecca is a Licensed Master Social Worker (LMSW) and Master CASAC with over ten years of experience in the human service and substance use disorder treatment field. Beginning in 2012, working as a CASAC for the Veritas Villa Foundation, an inpatient SUD rehab in Kerhonkson, NY and then for the Step One outpatient program from 2017 to 2019 as both a Primary Therapist and Intake Specialist, Rebecca left in 2019 to accept a position at Hudson River Housing (HRH) in the Salvation Army location as a Site Supervisor, then in 2022, Rebecca assumed her current role as Program Director for HRH/Salvation Army program.

Christopher Dennehy (40%): Christopher is a Licensed Clinical Social Worker (LCSW-R) and a Credentialed Alcoholism and Substance Abuse Counselor (CASAC). He has over 38 years of experience in the mental health and substance use disorder treatment field. Beginning as a Psychiatric Technician in an acute care inpatient mental health hospital and holding various positions throughout the years including SUD counselor, Senior Case Manager, Clinical Supervisor, Director of Training, Consultant, Clinical Director, and eventually in 2016 assumed the role of Executive Director of the Step One Program, a comprehensive outpatient OASAS licensed SUD program operating four locations throughout the Mid-Hudson region. In 2022, Christopher left the Step One program to focus on his private Psychotherapy practice which he began in 2003. Also, since 2006, he has served as an Adjunct Professor at Marist College: supervising Psychology students that are participating in mental health internships. The Bureau of Certification determined that Christopher has the OASAS required substance use disorder experience.

**Overall Financial Condition of the Provider:**

The proposed annual budget identifies revenues at \$1,950,105.93 and expenses at \$ 1,361,600.00 leaving a total of \$588,505.93 in profit. The OASAS Regional Office reviewed the applicants proposed budget and reports “no concerns”.

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

**Adequacy:**

On November 6, 2023, the OASAS Facility Evaluation and Inspection Unit (FEIU) reviewed and approved the proposed floor plan and also completed a State Environmental Quality Review (SEQR), which determined this site did not require further environmental review.

**Compliance:**

The applicant submitted a staffing plan for the proposed Part 822 outpatient location, which meets regulatory requirements: one part-time Medical Director, one part-time Psychiatric Nurse Practitioner, one part-time Registered Nurse (Health Coordinator), one full-time Clinical Director, one full-time Licensed Clinical Social Worker, two full-time Licensed Mental Health Counselors, three full-time Credentialed Alcoholism and Substance Abuse Counselors, and one full-time Certified Recovery Peer Advocate.

Policies and Procedures were reviewed for regulatory compliance and are acceptable to OASAS.

**Continuity of Care:**

Hudson River Healing Services will offer a comprehensive approach to client care for all required services. They plan to provide in-person and telehealth services consisting of individual and group counseling sessions for patients and their significant others, admission assessments, gambling screenings, treatment planning, aftercare planning, psychiatric evaluation, medication management, including medication-assisted treatment (MAT), trauma-informed education, counseling for substance use/co-occurring disorders, continuing care, and peer support services. To assure consistent access to services not provided on-site, HRHS plans to refer local programs such as the Mid-Hudson Regional Hospital for all client Medical needs, Detoxification, Inpatient SUD Rehabilitation, and emergency Mental Health Services. For Opioid replacement services (Methadone), they will refer directly to the Lexington Recovery Center, a local Opioid Treatment Program.

**Recommendation:**

OASAS recommendation is to Approve the request from Hudson River Healing Services LLC for a New OASAS Provider of Part 822 Outpatient Services with the following contingencies:

- Verification of the hiring of sufficient staff to meet regulatory requirements
- OASAS inspection and approval of the completed facility
- 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:

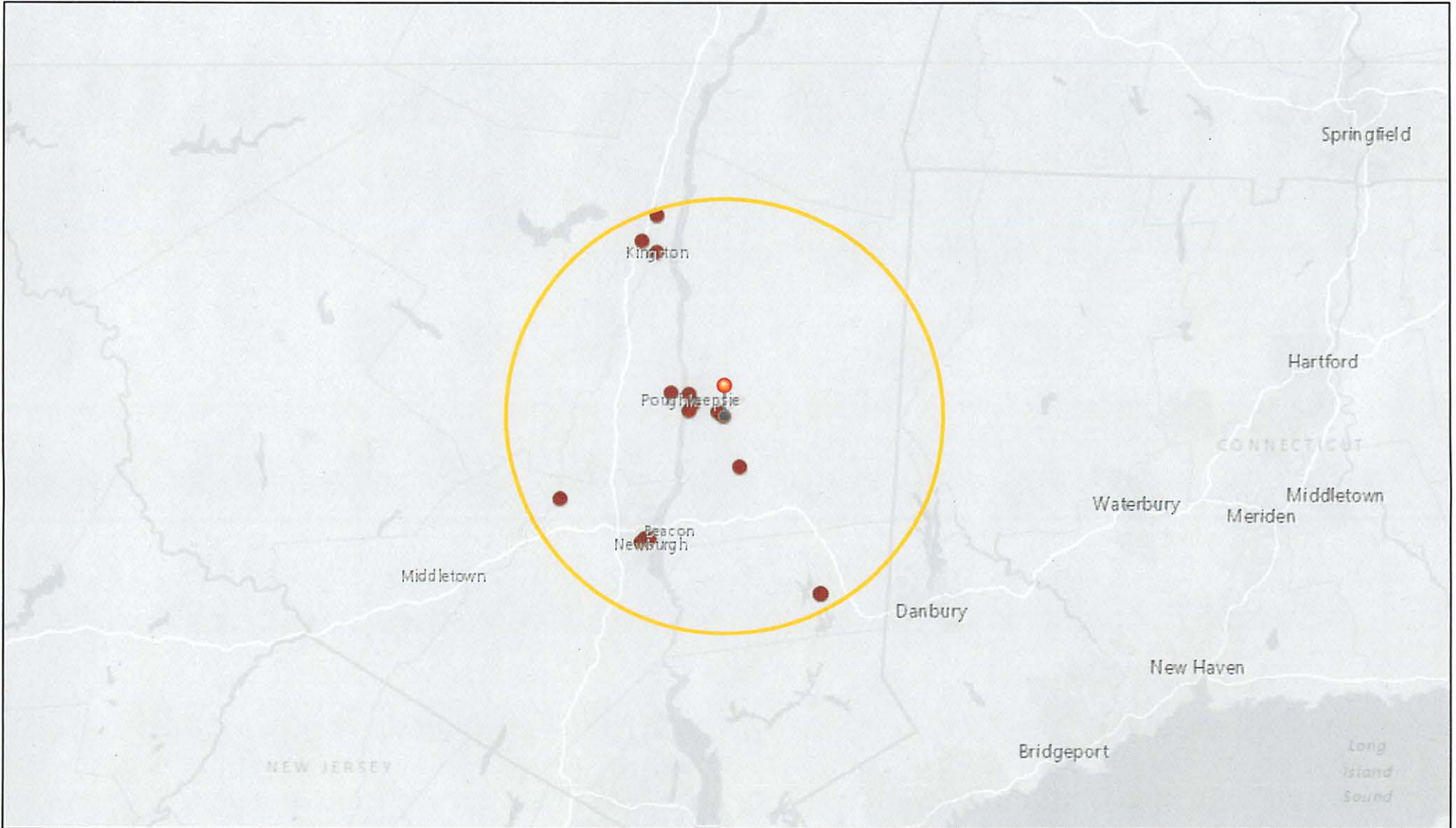
Attachments: LGU recommendation, Map

**NEW YORK STATE OFFICE OF ADDICTION SERVICES AND SUPPORTS**  
**LOCAL GOVERNMENTAL UNIT REVIEW REPORT**  
**(Addiction Disorder Services Certification Actions)**

Applicant's Legal Name Hudson River Healing Services LLC	Application No. NYSECON #234059
Local Governmental Unit Dutchess County	
<p>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. <b>Your cooperation in providing complete and thorough responses is appreciated as incomplete replies will delay the processing of this application.</b></p>	
<b>1.</b>	<p>In the case of new providers and/or new services, is the program description and site location consistent with local/OASAS requirements: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Not Applicable Provide explanation below.</p> <p>The Dutchess County LGU is in agreement with the service delivery model and is especially excited to see that the services can be offered directly to individuals experiencing housing insecurity.</p>
<b>2.</b>	<p>Is the operational performance of this provider satisfactory? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Not Applicable  Regardless of the answer, provide a description of the operational performance of the provider below.</p> <p>Although this is a new provider, meetings held with the individuals who will be running the service have a great deal of experience in the field and appear to have an operational model that will be successful.</p>
<b>3.</b>	<p>Is the financial plan in the proposal adequate and acceptable? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Not Applicable  Provide explanation below.</p> <p>The provider is not requesting funding from the LGU.</p> <p>Where applicable, please note any comments related to Medicaid policy and/or reimbursement practices below.</p>
<b>4.</b>	<p>Is the action consistent with local plans and/or does it meet community needs? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No  Provide explanation below.</p> <p>The model is consistent with the local service plan outlining low barrier, person centered access to substance use treatment.</p>
<b>5.</b>	<p>Is there any known information regarding the provider's standing in the community? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Not Applicable  Regardless of the answer, provide all known information below or on additional sheets attached to this report.</p> <p>While this is a new agency, the individual providers the LGU has met with are known to this writer. I have no concerns regarding their standing in the community.</p>

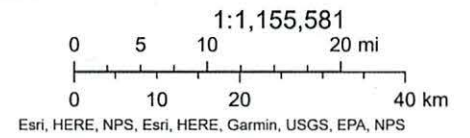
<p>6.</p> <p><b>Program Location</b></p>	<p>In answering this question, the following should be taken into consideration:</p> <ul style="list-style-type: none"> <li>(a) the location is suitable for an Addiction Disorder Treatment Program;</li> <li>(b) the accessibility of public transportation and adequate parking; and</li> <li>(c) any other notable observations.</li> </ul> <p>Please describe your assessment of the circumstances noted.</p> <p>It is very difficult to find a provider that is willing to delivery services 7 days per week. This alone is a tremendous offering to our community. Easy access to services presented to individuals who are expereincing homelessness in the shelters is a tremendous low barrier option for indiviudal that will increase use of the service.</p>		
	<p>Please check one box.</p> <p><input checked="" type="checkbox"/> LGU has visited the proposed location. <span style="float: right;">Date of Visit: <u>6/2023</u></span></p> <p><input type="checkbox"/> LGU has not visited, but has sufficient personal knowledge to attest to its suitability.</p> <p><input type="checkbox"/> 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.</p>		
<p>7.</p> <p><b>Current Status of Existing Programs</b></p>	<p>Are you aware of any community issues with other programs operated by this provider, or in the case of relocation, this program’s current location? (i.e., any issues around loitering, public safety, etc.) <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>Please describe any issues.</p>		
<p>8.</p> <p><b>Community Response</b></p>	<p>Please describe your knowledge of the applicant’s outreach to the local community (e.g., Community Service Boards, 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.</p> <p>The provider has reached out to many of our local community providers.</p>		
<p>9.</p> <p><b>Other Comments</b></p>	<p>Provide additional comments.</p>		
<p>10.</p> <p><b>LGU Recommendation</b></p>	<p><input checked="" type="checkbox"/> Approve <input type="checkbox"/> Disapprove</p>	<p>Signature of Authorized LGU Official</p> <p><i>J. [Signature]</i></p>	<p>Date</p> <p>11/15/2023</p>

# ArcGIS Web Map



11/21/2023, 3:55:58 PM

● 5. Outpatient: Outpatient Clinic



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

**M E M O R A N D U M**

**TO:** Dena Holmes

**FROM:** Jeffrey Capitulo

**DATE:** November 27, 2023

**SUBJECT:** Application Review  
Applicant: Acacia Network, Inc., as Sponsor, Out of the Darkness, Inc., as Operator  
Application # CA: 2023.024 / NYSECON: 234030  
Purpose: New OASAS Provider / Part 822 Residential Reintegration  
County: Monroe

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**Project Summary:**

Acacia Network, Inc., as Sponsor, Out of the Darkness, Inc., as Operator, submitted a Certification Application requesting the New York State Office of Addiction Services and Supports' (OASAS) approval to become a New OASAS Provider of Part 822 residential reintegration services located at 169 St. Bridgets Drive, Rochester, NY 10465. The applicant seeks to accredit their existing program into an OASAS-certified residential program for only the reintegration element of care. While accepting female clientele statewide without regard to race or ethnic background, they will continue to focus on culturally competent services aimed at the minority population, specifically the Monroe County Latino/Hispanic community.

Since 2009, Out of the Darkness has been a non-OASAS certified program in downtown Rochester, assisting women in need by helping them prepare for community reentry. By providing a safe and structured environment for underserved minority women coming out of the criminal justice system who have a substance use disorder history, the applicant has worked to ensure their clients are "comforted and encouraged as they heal, recover, and develop the necessary skills and attitudes to succeed in life." Out of the Darkness recently became affiliated with and will be sponsored by the Acacia Network, Inc. of New York City. Upon OASAS approval, the program intends to be certified with fourteen congregate care beds.

**Need:**

The Monroe County Office of Mental Health, in their 2023 County Plan, listed housing sustainability as a need, identifying it as a continued "challenge" for their community members who are struggling with substance use disorder.



The applicant reports that of the currently existing programs available in Rochester, many do not include components of cultural competency, have translator services, or employ bilingual staff representative of their targeted community. For this reason, Out of Darkness, with its diverse, culturally competent resources, feels they are uniquely positioned to address the needs of minority women recently released from incarceration. The applicant has reported contact with existing OASAS residential program providers, including Catholic Charities Jones House, Barrington House, East House, and Unity House, all reporting wait lists for client accommodation.

Based on reported contacts with existing OASAS residential program providers, Out of the Darkness believes there is a shortage of culturally competent reintegration programs to meet community needs, resulting in wait lists for occupancy. Out Of The Darkness reports that this need is aptly demonstrated regularly within their program; for example, their fourteen beds are occupied, resulting in prospective new clients experiencing wait times of approximately 30-60 days.

Out Of The Darkness has submitted substantial community outreach alerting them of their intentions to become an OASAS-certified Provider. Among those notified were Corinda Crossdale, the Monroe County Deputy for Human Services, on June 15, 2022, and Rochester City Mayor Malik Evans on June 13, 2022; both reportedly expressed support. In addition, the applicant's Senior Administrator, Elizabeth Smith, and CEO Sonia Rodriguez reached out to local OASAS residential providers to discuss their prospective OASAS Certification on October 25, 2022, and October 26, 2022. OASAS providers included in this outreach were East House, Catholic Charities Liberty Manor/Barrington House/Jones House, Unity Hospital/GREECE Behavioral Health, The Jennifer House, and The Steppingstone Supportive Living Program at the Rochester YWCA.

On March 28 and April 26, 2022, Elizabeth Smith from Out Of The Darkness participated in the Rochester Consortium of Alcohol and Substance Abuse Services (CASAS). During the CASAS Region II Residential Provider Committee Meeting on April 26, Elizabeth discussed the applicant's services and OASAS certification intent. The applicant reports "no concerns" from local substance use providers in the Rochester area.

On November 6, 2023, OASAS received a completed Local Governmental Unit Review Report from the Monroe County Office of Mental Health indicating support for this application.

OASAS Bureau of Certification received a completed Regional Office Review Report on November 15, 2023, indicating support for this application.

**Character and Competence:**

Out of the Darkness, Inc. was established in 2012 as a non-profit organization to support successful reentry into community living for women facing behavioral and addiction problems. Their board consists of nine members, one of whom, Federico Perez, MS, has previous supervisory experience with Hunts Point Multi-Service, Inc., an OASAS-certified Opioid Treatment Program (OTP) in the Bronx. Federico meets the prerequisite OASAS criteria for substance use disorder experienced qualifying board members.

**Overall Financial Condition of the Provider:**

The proposed operating budget identifies \$590,457 in revenue and \$590,457 in expenses, resulting in a balanced budget. As this is a sponsorship with the ACACIA Network, the OASAS Regional Office has no concerns with the fiscal viability of the applicant.

**Adequacy:**

The OASAS Facility Evaluation and Inspection Unit (FEIU) completed a State Environmental Quality Review that determined the proposed site did not require further environmental review; also, a Floor Plan Review was done, which determined the space was adequate.

On April 26, 2023, the OASAS FEIU concluded its facility inspection, which revealed that the existing program space complied with OASAS regulations.

**Compliance:**

Proposed staffing meets regulatory requirements and includes a full-time Program Director, one full-time Credentialed Alcohol and Substance Abuse Counselor (CASAC), and three full-time and one part-time Counseling Aide(s); appropriate staff will provide coverage at Out of the Darkness's Residential Reintegration program 24 hours a day/seven days a week.

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

**Continuity of Care:**

Out Of The Darkness, Inc. reports long-standing, cooperative relationships with local/county social service and criminal justice agencies. Also, they describe ongoing and existing linkages with Rochester area hospitals like Strong Memorial and Highland for primary care (medical) needs, medication management, and detoxification, with plans to formalize Memorandums of Understandings once they become OASAS-certified.

**Recommendation:**

OASAS recommendation is to approve the request from Acacia Network, Inc., as Sponsor, Out of the Darkness, Inc., as Operator to become a New OASAS Provider of Part 820 Reintegration 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:

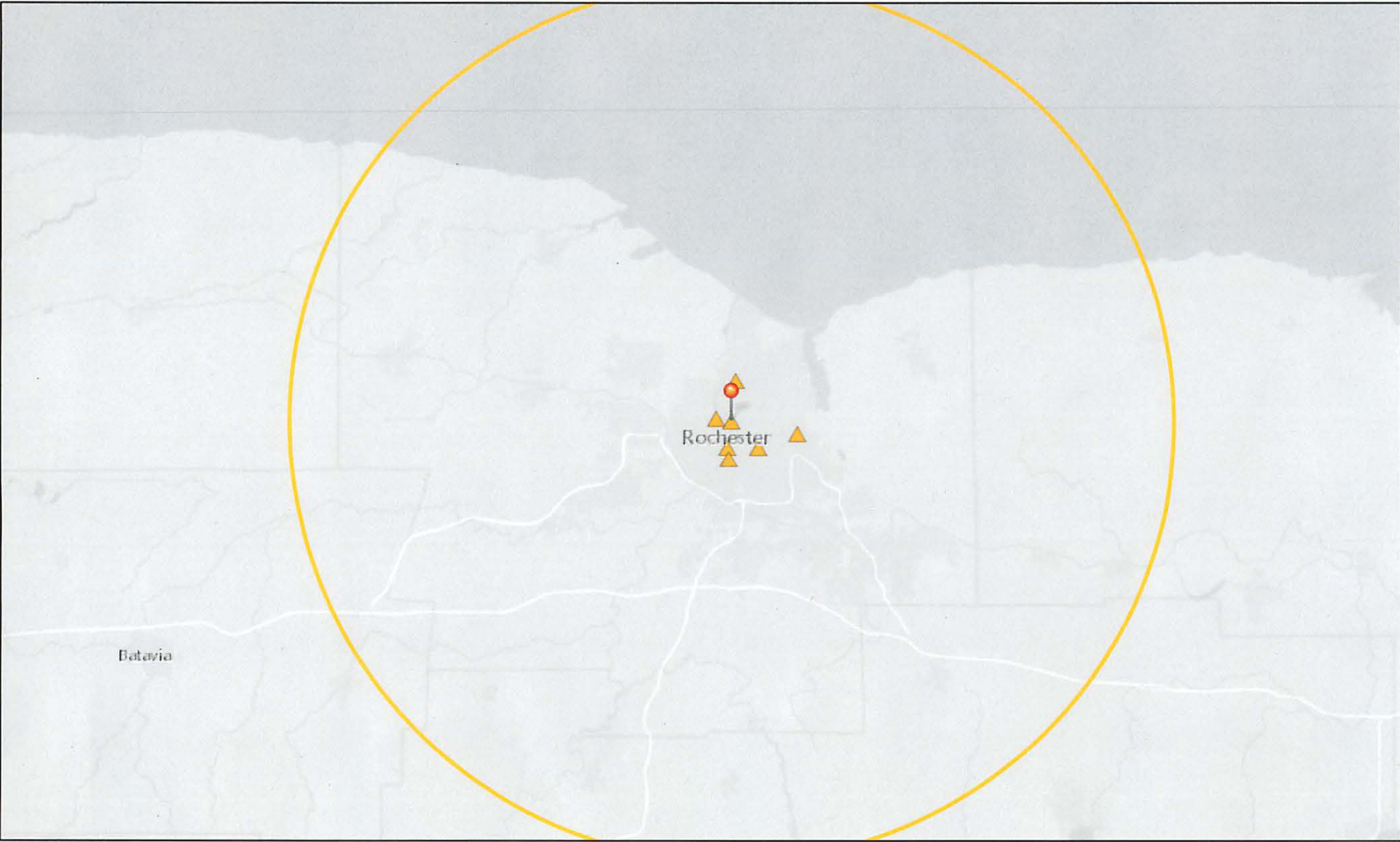
Attachments: LGU recommendation, maps

NEW YORK STATE OFFICE OF ADDICTION SERVICES AND SUPPORTS  
**LOCAL GOVERNMENTAL UNIT REVIEW REPORT**  
 (Addiction Disorder Services Certification Actions)

Applicant's Legal Name Out of the Darkness, Inc.	Application No.
Local Governmental Unit Monroe County	
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.	
<b>1.</b> Consistency of Program Description and Site Location with Local/OASAS Requirements	<p>In the case of new providers and/or new services, is the program description and site location consistent with local/OASAS requirements: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Not Applicable Provide explanation below.</p> <p>Per Out of the Darkness application and LGU understanding the building is located outside the main commercial core of downtown Rochester. There is public transportation and ample parking that is owned by the building. There are no other chemical dependence or social services in the near vicinity. Dr. Martin Luther King Jr. School No. 9 is less than a mile away around the corner. No concerns as long as the City of Rochester approved vendor.</p>
<b>2.</b> Provider Operational Performance	<p>Is the operational performance of this provider satisfactory? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Not Applicable          Regardless of the answer, provide a description of the operational performance of the provider below.</p> <p>The LGU has not received unsatisfactory information from Western Regional OASAS staff.</p>
<b>3.</b> Adequacy of Financial Plans	<p>Is the financial plan in the proposal adequate and acceptable? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Not Applicable          Provide explanation below.</p> <p>No concerns... The state rate increase should be helpful going forward; however, staffing may be a concern giving the staffing shortage.</p> <p>Where applicable, please note any comments related to Medicaid policy and/or reimbursement practices below.</p>
<b>4.</b> Consistency with Local Plans and Local/Community Needs	<p>Is the action consistent with local plans and/or does it meet community needs? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No          Provide explanation below.</p> <p>Monroe County has experienced increase opioid and other substance and unhoused individuals struggling with addiction. We need treatment services for</p>
<b>5.</b> Provider Standing in the Community	<p>Is there any known information regarding the provider's standing in the community? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Not Applicable          Regardless of the answer, provide all known information below or on additional sheets attached to this report.</p> <p>No, this program is needed in the community especially the Latino/Hispanic population.</p>

<p>6.</p> <p><b>Program Location</b></p>	<p>In answering this question, the following should be taken into consideration:</p> <ul style="list-style-type: none"> <li>(a) the location is suitable for an Addiction Disorder Treatment Program;</li> <li>(b) the accessibility of public transportation and adequate parking; and</li> <li>(c) any other notable observations.</li> </ul> <p>Please describe your assessment of the circumstances noted.</p> <p>Per Out of the Darkness application and LGU understanding the building is located outside the main commercial core of downtown Rochester. There is public transportation and ample parking that is owned by the building. There are no other chemical dependence or social services in the near vicinity. Dr. Martin Luther King Jr. School No. 9 is less than a mile away around the corner.</p> <hr/> <p>Please check one box.</p> <p><input checked="" type="checkbox"/> LGU has visited the proposed location. <span style="float: right;">Date of Visit: <u>Jan. 5, 2023</u></span></p> <p><input type="checkbox"/> LGU has not visited, but has sufficient personal knowledge to attest to its suitability.</p> <p><input type="checkbox"/> 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.</p>		
<p>7.</p> <p><b>Current Status of Existing Programs</b></p>	<p>Are you aware of any community issues with other programs operated by this provider, or in the case of relocation, this program’s current location? (i.e., any issues around loitering, public safety, etc.) <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>Please describe any issues.</p> <p>There are no SUD programs next to this location. The LGU has not received any feedback of concern regarding this program.</p>		
<p>8.</p> <p><b>Community Response</b></p>	<p>Please describe your knowledge of the applicant’s outreach to the local community (e.g., Community Service Boards, 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.</p> <p>This organization and the administration is known to the Greater Rochester Community. They have worked with establishing MOU with other SUD programs, and they are connected to community organizations and businesses.</p>		
<p>9.</p> <p><b>Other Comments</b></p>	<p>Provide additional comments.</p>		
<p>10.</p> <p><b>LGU Recommendation</b></p>	<p><input checked="" type="checkbox"/> Approve <input type="checkbox"/> Disapprove</p>	<p>Signature of Authorized LGU Official</p> <p><i>April Aycock</i></p>	<p>Date</p>

# ArcGIS Web Map



11/22/2023, 10:32:52 AM

▲ 3. Residential: 820 Residential Reintegration



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

**M E M O R A N D U M**

**TO:** Dena Holmes  
**FROM:** W. Braford Ellis  
**DATE:** 9/11/23  
**SUBJECT:** Application Review  
Applicant: Professional Counseling Services, Inc.  
Application #: CA 2023.038, CON 230490  
Purpose: Change in Ownership  
County: Onondaga

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**Project Summary:**

Professional Counseling Services, Inc. submitted a Certification Application requesting New York State Office of Addiction Services and Supports' (OASAS) approval for change in ownership. Operating certificate #12121 will be affected by this application.

The previous owner of Professional Counselling Services Inc., Darlene Angelicchio passed away unexpectedly on March 25<sup>th</sup>, 2022. She had retained 100% ownership and voting rights to Professional Counselling Services Inc. Three current employees Kristin Botwinick, Jefferey Mahar and Carolyn Morgan are proposing to purchase the business from her estate.

The plan, according to the applicant, is for the new owners to continue providing substance use disorder services with no changes to mission, services to patients, staffing or policy and procedures.

**Need:**

Professional Counseling Services, Inc. has been providing these services located at 5700 West Genesee Street, Camillus, New York in Onondaga County since their establishment on December 13, 2018. The applicant has stated that this Program has been of great service to the community and services should continue through the proposed change in ownership.

According to the OASAS Data Client System in 2022 the provider had a total of 200 admissions. The data also indicated that the current census as of June 2023 was approximately 96 clients.

The applicant met with the Town of Camillus Supervisor and provided information on the programs offered by the agency. The Town of Camillus Supervisor provided the agency a letter of support dated July 11, 2022, which was included in their application.

According to the Onondaga County Department of Health's 2023 Goals and Plans enhancing access to treatment and non-treatment services is one of the county goals. They also indicated goals to increase access to drug and alcohol "Harm reduction" supports and services in the community.

The Onondaga County Local Government Unit (LGU) recommendation in support of this application was received on August 31, 2023.

The Central Regional Office's recommendation in support of this application was received on September 9, 2023.

**Character and Competence:**

There will be no changes in the name, incorporation status, the location or services offered under the new ownership structure. A signed purchase agreement with the former owner's estate to purchase the 50 shares that comprise 100 percent ownership was completed on 7/26/23. The new ownership will consist of three owners, listed below is the breakdown of ownership, new roles within the company and experience for each individual. All three proposed owners meet the required experience within the substance use disorder treatment field.

- Kristin Botwinski will purchase 16.67 shares, which equates to 33.34 percent ownership and voting rights. Kristin Botwinski will become the new CEO. Kristin Botwinski has been with Professional Counseling Services for over 20 years and currently serves as the Clinical Director. Kristin Botwinck is a Licensed Clinical Social worker-R.
- Carolyn Morgan will purchase 16.67 shares, which equates to 33.34 percent ownership and voting rights. Carolyn Morgan will become the new CFO. Carolyn Morgan has been with Professional Counseling Services for 2 ½ years. Carolyn has three and half years working in the addictions field and holds a CASAC-Advanced credential.
- Jeff Mahar will purchase 16.66 shares, which equates to 33.32 percent in ownership and voting rights. Jeff Mahr will become the new COO. Jeff Mahr has been with Professional Counseling Services for 1 ½ years. Currently his role at the agency is that of Primary Counselor where he is conducting individual and group counseling. Prior to his employment at Professional Counseling Services, he had eight years working in the substance treatment field as a case manager and support staff. Jeffrey Mahar holds a Bachelor of Arts in Human Services and currently holds a CASAC-Trainee certification.

Over the past five years, Professional Counseling Services has received partial or substantial compliance at their recertification reviews. Their most recent review was in September of 2022 of which they received partial compliance and were issued a two-year operating certificate.

**Overall Financial Condition of the Provider:**

According to the most recent fiscal review completed by OASAS Fiscal Audit and Review Unit on March 29, 2023, Professional Counseling Services Inc. is considered fiscally viable. There will be no changes to the budget based on this action.

**Adequacy:**

The new owners are not changing the location, floorplan or how the space is currently being utilized for treatment services. The current site had been inspected by FEIU and is compliant with the regulations to operate Part 822 Outpatient services.

**Compliance:**

There will be no changes to the staffing pattern as a result of this change in ownership application. The staffing currently consists of a Medical Director, Nurse Practitioner, Clinical Director, Utilization Review and Quality Assurance Officer, 4 full time clinicians, 2 part time clinicians and three support staff. The current staffing pattern was examined during the providers last review on 9/20/22. The current staffing program meets the OASAS staffing requirements to operate Part 822 Outpatient Services.

The new owners will be utilizing existing Policies and Procedures, which were last reviewed on 9/20/22 during the programs scheduled recertification review.

**Recommendation:**

OASAS recommendation is to approve the request from Professional Counseling Services, Inc. for a change in ownership with the following contingencies:

- Receipt of a copy of the fully executed Purchase Agreement.


Effective Date:

Attachments: PPD-6



**NEW YORK STATE OFFICE OF ADDICTION SERVICES AND SUPPORTS**  
**LOCAL GOVERNMENTAL UNIT REVIEW REPORT**  
**(Addiction Disorder Services Certification Actions)**

Applicant's Legal Name Professional Services Counseling	Application No. 234049
Local Governmental Unit Onondaga County	
<p>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.</p>	
<b>1.</b> Consistency of Program Description and Site Location with Local/OASAS Requirements	<p>In the case of new providers and/or new services, is the program description and site location consistent with local/OASAS requirements:    <input type="checkbox"/> Yes    <input type="checkbox"/> No    <input checked="" type="checkbox"/> Not Applicable    Provide explanation below.</p>
<b>2.</b> Provider Operational Performance	<p>Is the operational performance of this provider satisfactory? <input checked="" type="checkbox"/> Yes    <input type="checkbox"/> No    <input type="checkbox"/> Not Applicable  Regardless of the answer, provide a description of the operational performance of the provider below.</p>
<b>3.</b> Adequacy of Financial Plans	<p>Is the financial plan in the proposal adequate and acceptable?    <input checked="" type="checkbox"/> Yes    <input type="checkbox"/> No    <input type="checkbox"/> Not Applicable  Provide explanation below.</p> <p>Where applicable, please note any comments related to Medicaid policy and/or reimbursement practices below.</p>
<b>4.</b> Consistency with Local Plans and Local/Community Needs	<p>Is the action consistent with local plans and/or does it meet community needs?    <input checked="" type="checkbox"/> Yes    <input type="checkbox"/> No  Provide explanation below.</p>
<b>5.</b> Provider Standing in the Community	<p>Is there any known information regarding the provider's standing in the community? <input checked="" type="checkbox"/> Yes    <input type="checkbox"/> No    <input type="checkbox"/> Not Applicable  Regardless of the answer, provide all known information below or on additional sheets attached to this report.  Existing provider to continue existing services.</p>

<p>6.</p> <p><b>Program Location</b></p>	<p>In answering this question, the following should be taken into consideration:</p> <p>(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.</p> <p>Please describe your assessment of the circumstances noted.  Existing provider continuing existing services in existing locations.</p>		
<p>7.</p> <p><b>Current Status of Existing Programs</b></p>	<p>Please check one box.</p> <p><input type="checkbox"/> LGU has visited the proposed location. Date of Visit: _____</p> <p><input checked="" type="checkbox"/> LGU has not visited, but has sufficient personal knowledge to attest to its suitability.</p> <p><input type="checkbox"/> 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.</p>		
<p>8.</p> <p><b>Community Response</b></p>	<p>Are you aware of any community issues with other programs operated by this provider, or in the case of relocation, this program’s current location? (i.e., any issues around loitering, public safety, etc.) <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>Please describe any issues.</p>		
<p>9.</p> <p><b>Other Comments</b></p>	<p>Provide additional comments.</p>		
<p>10.</p> <p><b>LGU Recommendation</b></p>	<p><input checked="" type="checkbox"/> Approve <input type="checkbox"/> Disapprove</p>	<p>Signature of Authorized LGU Official</p> 	<p>Date</p> <p>8/29/23</p>