



August 3, 2017

Re: Letter from Counsel regarding unauthorized services and practitioners

To Whom it May Concern:

When OASAS was created the NYS Legislature sought to ensure consistent quality of services and protection from unregulated persons or entities holding themselves out as offering specialized expertise or services to vulnerable persons and families. The current opioid crisis throughout the country has created opportunities for persons in recovery and others seeking professional status by which to be of service.

Unfortunately, it has also given rise to many who seek to exploit the pain and fear at the root of addiction by falsely representing their credentials, expertise, background, and connections with treatment programs, some also fraudulent, to further their own financial gain.

Section 32.05 of the mental hygiene law provides that no substance use disorder services may be established without the approval of the Commissioner. This means provision of addiction services, as defined by the Office, must also be approved by the Office. OASAS authority includes monitoring for these unauthorized services or unauthorized practitioners and taking actions to stop them and prevent them from harming potential patients and their families.

Authorized practitioners who are licensed in New York, credentialed or authorized by OASAS must uphold standards of conduct that include prohibitions against false representations of expertise, promoting personal gain or profit over the public good, and non-exploitation of service recipients in all phases of delivery of addiction services: prior to admission, during treatment and after discharge.

OASAS intends to use its statutory authority to regulate such services to identify and, wherever possible, bring unauthorized practitioners and services into compliance with state and federal laws.

Additional information may be found in LSB 2017-03 on the OASAS website:

<https://oasas.ny.gov/mis/bulletins/allbulletins.cfm>

Any information about unauthorized practitioners or services may be forwarded to OASAS counsel at: [oasas.sm.Legal@oasas.ny.us](mailto:oasas.sm.Legal@oasas.ny.us)

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