

NIAGARA COUNTY COMMUNITY SERVICES BOARD
5467 UPPER MOUNTAIN ROAD, SUITE 200
LOCKPORT, NEW YORK 14094-1854

June 13, 2022

Mr. Keith McCarthy
Associate Commissioner
Office of Addiction Services and Supports
1450 Western Ave.
Albany, NY 12203-3526

RE: 2021.077 – Recovery Center of Niagara, LLC – New OASAS Provider – PART 818 and PART 816.7 Services

Dear Mr. McCarthy:

We are in receipt of a copy of correspondence, dated June 8, 2022, from Ann McCaffrey, President and CEO of Eastern Niagara Health System to your office. The letter calls into question the Niagara County Community Service Board's (CSB) process, decision, and integrity regarding the decision made on May 16, 2022 to recommend to OASAS supporting the above referenced project.

The letter alleges that the Board "ignored the concerns expressed" and "dismissed concerns". The letter also alleges that need for new services was not demonstrated.

We are writing to express to and assure you that the CSB takes its duties and responsibilities extremely seriously. Membership of the CSB is made up of dedicated volunteers deeply impacted by concerns related to mental health, substance use disorder and/or intellectual/developmental disabilities. It includes current or retired human service professionals and leaders, university professors, physicians and psychologists, and persons with lived experience as peers or family members.

At the May 16th meeting, the CSB allowed *all* members of the audience who were interested to provide comment and chose to not invoke a time limit to individual or organizations' statements. The Board even allowed a public comment prior to the business item's order on the agenda to ensure that an Eastern Niagara Board Member, who had a scheduling conflict, had opportunity to be heard.

The Board gathered and evaluated needs data, including from the Local Services Plan, monthly program reports from inpatient treatment providers, and data from Catholic Health's systems approved CONs presented to the NYS DOH Public Health & Health Planning Council meeting on April 5, 2022 (#212259C). That application states that "*the demand for inpatient treatment beds consistently exceeds available beds and that there was an increase in opioid overdoses and deaths during the COVID-19 pandemic.*" Additionally, the Board is aware of the intent for Eastern Niagara Hospital to close the Reflections Unit when a new hospital opens in 2023 which will result in the loss of 30 Inpatient beds in the Eastern Niagara community (approved CON #211234). Need is clearly and unconditionally supported including for those individuals who have co-occurring mental health concerns.

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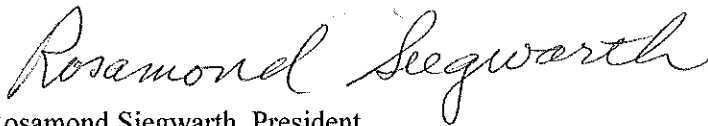
The CSB assessed and evaluated all information provided to the Board through Public Comment at the May 16, 2022 meeting and provided through a range of previous communications. At no time were comments ignored or dismissed as is alleged by Ms. McCaffrey. The Board through the Prior Consult and CON process has been evaluating the need for and merits of this project since Summer 2021 and has asked very detailed questions of the applicant.

Ms. McCaffrey suggests a lack of coordination with other local providers. The Board reviewed the application which includes outreach letters from the applicant to numerous local providers, including Eastern Niagara Hospital. A linkage agreement for referrals/services signed by representatives from Horizon Health Services and Horizon Village, the largest local substance use disorder providers in the area, was included. Ms. McCaffrey notes linkage agreements with NYC providers and raises the specter of Recovery Center of Niagara bringing "people from the 5 boroughs" into this community. However, information provided to the CSB explains that the linkage agreements are with NYC providers to transition local Niagara and Western NY residents back to this community for local services.

The Board, in a role call vote, unanimously voiced its support to recommend approval for the Recovery Center of Niagara's application as a new provider for Part 818 and Part 816.7 services (#2021.077).

The CSB recognizes and respects that New York State has established several steps for the review and certification of OASAS programs. We are not seeking to persuade any action that may be made by the upcoming June 16, 2022 Behavioral Health Services Advisory Council but are instead attempting to clarify any misperceptions that could arise from to Ms. McCaffrey's June 8th correspondence. The Community Services Board assures NYS OASAS and the Behavioral Health Services Advisory Council that the Board completed its assessment, review, and vote on the above noted application faithfully, responsibly, and ethically.

Respectfully submitted,



Rosamond Siegwarth, President

Cc: Senator Robert Ortt
Assemblyman Michael Norris
Mr. John Syracuse, Newfane Town Supervisor
Mr. Richard Abbott, Niagara County Legislator
Mr. David Godfrey, Niagara County Legislator
Mr. CJ Urlaub, President, Mount Saint Mary's Hospital
Ms. Ann Briody Petock, ENH Board Chair