



# EASTERN NIAGARA HOSPITAL

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June 8, 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:

I would like to provide an update to you regarding the Niagara County Community Services Board meeting that was held on May 16, 2022 and the Board's approval to advance the Recovery Center of Niagara, LLC application on to OASAS. The Deputy Director presented the Recovery Center's application to the Board and asserted that the Recovery Center will meet a need and enhance substance abuse services in Niagara County. Current providers in Niagara County disagree.

### **Niagara County Service Provider Concerns**

The Board ignored the concerns expressed at the meeting regarding the impact the Recovery Center's opening will have on existing substance abuse service providers in Niagara County. Leaders from **four** providers publicly spoke at the Board meeting and detailed disruption to the current service delivery system that is expected should the Recovery Center open. Leaders were present from the following Niagara County substance abuse providers:

- Northpointe Council - which operates a part 816 Detoxification Program
- Cazenovia Recovery Services - which operates residential substance abuse treatment and support services
- Eastern Niagara Hospital - which operates *Reflections*, a Part 818 Substance Use Inpatient Rehabilitation program
- Mount Saint Mary's Hospital - which operates *Clearview*, a Part 818 Substance Use Inpatient Rehabilitation Program

These providers expressed concerns that the anticipated opening of the Recovery Center will have a negative impact on existing services as a result of (1) the current staffing crisis, (2) lack of demonstrated need in the county, and (3) lack of coordination with current local providers.

These four current substance abuse providers expressed serious concerns regarding the far reaching impact that the Recovery Center's opening will have on the current service delivery system in Niagara County. Although dismissed by the Board, these concerns cannot be ignored by OASAS or the Behavioral Health Service Advisory Council. We implore both the Council and OASAS to further investigate these community issues and postpone approval of the Recovery Center until a plan for the proper integration of the Recovery Center's services into the existing network of community providers is in place.

Despite this lack of community provider engagement, the Recovery Center's application states that emergency services will be provided by Eastern Niagara Hospital. We write to inform OASAS and the Council that, in fact, no linkage agreement has ever been requested of ENH. Not only has no linkage agreement been proposed, but the Recovery Center's immediate opening could force the premature closure of ENH. Should ENH close prematurely, no nearby emergency department services will be accessible to detox patients who often require emergency medical services. Without coordinating the opening of the Recovery Center with ENH, the Recovery Center cannot rely on ENH to provide emergency room services to its detox patients.

In addition to the serious disruption to existing providers and services, serious inconsistencies with the Recovery Center's application warrant further review and discussion.

#### **New York City Linkage Agreements**

The Recovery Center's application includes three linkage agreements with Brooklyn and New York City providers, despite the fact that operator Donna Mae DiPola publicly stated at the May 16<sup>th</sup> Board meeting "we will not be taking patients from the 5 boroughs." It does not appear that the community has been fully informed on this topic. The existing substance abuse providers in Niagara County state there is not a need for additional Detox and Inpatient Rehabilitation beds for Niagara County residents as available beds are present at current facilities. Despite this, a for-profit provider from NYC expects to serve 1,000 patients with Detoxification and 600 patients with Inpatient Rehabilitation. It does not take long for one to deduce that NYC owners with NYC linkage agreements will be filling the beds in Newfane with NYC patients. If this is in fact the case, the community deserves to know and provide input.

Why is the legal name stated: "Elev8 Center New York LLC" with an address of 151 West 136 Street, New York, NY on the OASAS Service Provider Fiscal Viability Information Form included with the application submitted by Recovery Center of Niagara? This is inconsistent with the rest of the application.

ENH and other providers acknowledge there is an opioid crisis. However, the approval of a new for-profit provider with no coordination with existing providers and no plan to staff without impacting current services deserves pause. We request that the concerns of four well respected and long-established substance abuse service providers in Niagara County be given the due consideration required to adequately evaluate the Recovery Center's impact on the community, both positive and negative. In addition, we respectfully request that the Recovery Center of Niagara, LLC's application be removed from the June 16, 2022 Behavioral Health Services Council agenda so that coordination with existing providers can be properly demonstrated in order for the Recovery Center to ensure its staffing plan and opening will not force the closure of existing service providers.

We welcome the opportunity to discuss these matters further. Thank you for your consideration.

Sincerely,



Anne McCaffrey  
President and CEO

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