

MEMORANDUM

Review of Application #2023.049 / NYSECON # 234061

TO: Director of Bureau of Certification Dena Holmes
FROM: Jeffrey Capitummino
DATE: December 4, 2024
SUBJECT: Application Review for Conifer Park Inc.

APPLICANT DETAILS

Applicant: Conifer Park Inc.
Application #: 2023.049
CON#: 234061
Purpose: Change in Ownership
County: Clinton, Monroe, Onondaga, Rensselaer, Schenectady, Warren

PROJECT SUMMARY

Conifer Park Inc. submitted a Certification Application requesting the New York State Office of Addiction Services and Supports' (OASAS) approval for a Change in Ownership affecting twelve Operating Certificates where services are provided across six counties.

The new proposed ownership will consist of nine individuals: Robert Meisner (25%), Michael Meisner (25%), Eliyahu Zev Kohn (25%), Joel Basch (10%), Yosef Rabinowitz (5%), Steven Berger (2.5%), Issac Greenfeld (2.5%), David Levitan (2.5%), and Daniel Turkel (2.5%).

According to the applicant, the current ownership structure, an Employee Stock Ownership Plan (ESOP) Trust, will sell all its shares to Upstate Recovery, LLC. Under the terms of the Stock Purchase Agreement, the ESOP Trust will sell its stock in Liberty to Upstate Recovery NY, LLC. Upstate Recovery LLC is owned by the same individuals seeking to acquire Conifer Park, Inc. Following the transaction's closing, the ESOP plan will terminate, and the ESOP Trust will receive the sale proceeds and continue until all the sale proceeds are distributed to its current members. After the conditions outlined in the Stock Purchase Agreement are completed, Upstate Recovery, LLC will transfer its ownership interests in Conifer Park, Inc. to the nine individuals listed above. These nine individuals will become the direct and sole owners of Arms Acres, Inc. The Stock Purchase Agreement refers to an administrative services agreement being entered into with GHR Group, LLC, and Conifer Park, Inc.

NEED

Program services are already in existence and according to the OASAS Client Data System, Conifer Park, Inc., has admitted 4,288 clients for SUD therapy throughout their care system since January 1, 2023, demonstrating the continued need for the services.

A request for final recommendation from the Clinton County Department of Health and Mental Hygiene was sent by the OASAS Bureau of Certification on April 10, 2024, but has not yet been received.

A request for final recommendation from the Monroe County Department of Health and Mental Hygiene was sent by the OASAS Bureau of Certification on April 10, 2024, but has not yet been received.

A request for final recommendation from the Onondaga County Department of Health and Mental Hygiene was sent by the OASAS Bureau of Certification on April 10, 2024, but has not yet been received.

A request for final recommendation from the Rensselaer County Department of Health and Mental Hygiene was sent by the OASAS Bureau of Certification on April 10, 2024, but has not yet been received.

A request for final recommendation from the Schenectady County Department of Health and Mental Hygiene was sent by the OASAS Bureau of Certification on April 10, 2024, but has not yet been received.

A request for final recommendation from the Warren County Department of Health and Mental Hygiene was sent by the OASAS Bureau of Certification on April 10, 2024, but has not yet been received.

OASAS' Central Regional Office's recommendation in support of this application was received on April 12, 2024.

OASAS' Hudson Regional Office's recommendation in support of this application was received on April 12, 2024, and noted "Provider's inpatient service is being monitored following the two patient deaths. A corrective action plan was submitted and approved on 3/28/24".

OASAS' Western Regional Office's recommendation in support of this application was received on April 12, 2024.

CHARACTER AND COMPETENCE

Conifer Park, Inc., established as a domestic business corporation in 1983, has been an OASAS-certified provider since 1995. They currently provide (12) OASAS-certified substance use disorder (SUD) services at twelve locations in New York State. Also, Joint Commission accredited Conifer provides SUD treatment with co-occurring medical and mental health services in their outpatient, opioid, inpatient (171 beds), and medically supervised withdrawal treatment services throughout the following counties: Clinton, Monroe, Onondaga, Rensselaer, Schenectady, and Warren. Conifer Park, Inc. holds twelve OASAS operating certificates.

1. Operating Certificate #10018, Inpatient Rehabilitation Services (171 beds), Glenville, NY.
2. Operating Certificate #11437, Medically Supervised Withdrawal and Stabilization Services, Glenville, NY. (co-located services)

OASAS issued Conifer Park to cease admissions for this service on March 3, 2024, following two patient deaths that occurred within 10 days of each other. A corrective action plan was submitted to OASAS on March 13, 2024. OASAS acknowledged progress related to the corrective action and authorized limited admissions and is closely monitoring the programs.

3. Operating Certificate # 12065, Opioid Treatment Program, Troy, NY. In good standing with OASAS
4. Operating Certificate #12135, Opioid Treatment Program, Schenectady, NY. In good standing with OASAS.
5. Operating Certificate #10732, Opioid Treatment Program, Plattsburgh, NY. In good standing with OASAS.

6. Operating Certificate #11944, Opioid Treatment Program, Liverpool, NY. In good standing with OASAS.
7. Operating Certificate # 10738, Outpatient Services, Troy, NY. In good standing with OASAS.
8. Operating Certificate # 10731, Outpatient Services, Rochester, NY. In good standing with OASAS.
9. Operating Certificate # 10730, Outpatient Services, Schenectady, NY. In good standing with OASAS.
10. Operating Certificate # 10729, Outpatient Services, Glens Falls, NY. In good standing with OASAS.
11. Operating Certificate # 10732, Outpatient Services, Plattsburgh, NY. In good standing with OASAS.
12. Operating Certificate # 10733, Outpatient Services, Liverpool, NY. In good standing with OASAS.

The prospective individual owners have ownership interest in several OASAS-certified entities:

Yosef Rabinowitz:

Elev8 Center of New York, LLC (3.75%)

Two Operating Certificates in good standing:

- New York County: OC# 251112151 - Level of care: Part 818 Inpatient Rehabilitation Services
- Niagara County: OC# 250312153 - Level of care: Part 816.7 Medically Supervised Inpatient Withdrawal & Stabilization Services

Recovery Center of Niagara, LLC (40%)

Two Operating Certificates in good standing:

- Niagara County: OC# 260712351 - Level of care: Part 816.7 Medically Supervised Inpatient Withdrawal & Stabilization Services
- Niagara County: OC# 260712350 - Level of care: Part 818 Inpatient Rehabilitation Services

Steven Berger:

Elev8 Center of New York, LLC (3.75%)

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Urban Recovery House LLC (4.17%)

Two Operating Certificates in good standing:

- Kings County: OC# 251112175 - Level of care: Part 816.7 Medically Supervised Inpatient Withdrawal & Stabilization Service
- Kings County: OC# 251212163 - Level of care: Part 818 Inpatient Rehabilitation Services

Issac Greenfeld:

Urban Recovery House LLC (15%)

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Joel Basch:

Surfpoint Recovery, LLC (40%)

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The prospective individual owners have ownership interest in several OASAS-certified entities:

Yosef Rabinowitz:

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- Niagara County: OC# 260712351 - Level of care: Part 816.7 Medically Supervised Inpatient Withdrawal & Stabilization Services
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- New York County: OC# 251112151 - Level of care: Part 818 Inpatient Rehabilitation Services
- Niagara County: OC# 250312153 - Level of care: Part 816.7 Medically Supervised Inpatient Withdrawal & Stabilization Services

Joel Basch is also the Chief Operating Officer of Elev8 Center of New York and meets the OASAS required experience in substance use disorder services.

OVERALL FINANCIAL CONDITION OF THE PROVIDER

OASAS' Fiscal Audit and Review Unit completed a fiscal viability review on February 21, 2024, and determined that Conifer Park, Inc. is fiscally viable.

ADEQUACY

Conifer will maintain all their respective assets, as will Liberty Management of Metropolitan New York, Inc. (owner of the Arms Acres real estate and facility) and Liberty Management of the Capital District, Inc. (owner of the Conifer Park real estate and facility).

COMPLIANCE

According to the applicant, there will be no immediate changes to any of the service site locations, services provided, or operating budgets. Staffing patterns will remain unchanged.

CONTINUITY OF CARE

Conifer Park, Inc. is a private community provider of SUD services with inpatient and outpatient services to assist those whose lives are impacted by the disease of addiction. Program services include detoxification, Medication-Assisted Therapy, Psychiatric Services, Medical management, intake and referral services, Recovery Coaching, Fitness/Recreation, and aftercare planning. Services are provided to diverse populations using the latest innovations in evidence-based practices in a caring and respectful environment.

RECOMMENDATION

OASAS's recommendation is to approve the request from Conifer Park, Inc. for a Change in Ownership with the following contingencies:

- Copy of all current lease(s) for all certified locations between Liberty Management of the Capital District, Inc. and Conifer Park, Inc. signed by new owners, including the required OASAS right-to-reentry language.
- Submission of a copy of current and updated company by-laws.
- Submission of a copy of the fully executed Stock Purchase Agreement.
- Submission of documentation to demonstrate the transfer of ownership from Upstate Recovery, LLC, to the 9 individuals listed on the application.
- Final recommendation from the Local Government Unit (LGU) of the Clinton County Department of Health and Mental Hygiene.
- Final recommendation from the Local Government Unit (LGU) of the Monroe County Department of Health and Mental Hygiene.
- Final recommendation from the Local Government Unit (LGU) of the Onondaga County Department of Health and Mental Hygiene.

- Final recommendation from the Local Government Unit (LGU) of the Rensselaer County Department of Health and Mental Hygiene.
- Final recommendation from the Local Government Unit (LGU) of the Schenectady County Department of Health and Mental Hygiene.
- Final recommendation from the Local Government Unit (LGU) of the Warren County Department of Health and Mental Hygiene.
- Completion of required background check for prospective owner Joel Basch.
- OASAS review of the administrative services agreement between GHR, LLC and Conifer Park, Inc.

December 4, 2024 Update

On August 9, 2023, Conifer Park, Inc. applied for a Change in Ownership. This project was presented to the BHSAC previously, once on May 1, 2024, and again on June 26, 2024, at which time the committee members issued a favorable recommendation for approval. However, recently, on August 14, 2024, OASAS was contacted by the proposed new owners and requested an amendment to the certification application, removing four of the nine initially proposed new members. The four members to be removed are Steven Berger (2.5%), Issac Greenfeld (2.5%), David Levitan (2.5%), and Daniel Turkel (2.5%). The new ownership will consist of Robert Meisner (25%), Michael Meisner (25%), Eliyahu Zev Kohn (25%), Joel Basch (20%) and Yosef Rabinowitz (5%). A new draft stock purchase agreement was submitted for OASAS review on August 23, 2024. Applicable LGUs and OASAS Regional Offices were notified of the change and reported no concerns.

OASAS recommends approval with the following contingencies:

- Submission of a copy of the fully executed Stock Purchase Agreement.
- Submission of documentation to demonstrate the transfer of ownership from Upstate Recovery, LLC., to the five individuals listed on the application.

MEMORANDUM

Review of Application #2023.048/NYSECON#234060

TO: Director of Bureau of Certification Dena Holmes
FROM: Jeffrey Caputummino
DATE: December 4, 2024
SUBJECT: Application Review for Arms Acres, Inc.

APPLICANT DETAILS

Applicant: Arms Acres, Inc.
Application #: 2023.048 / NYSECON # 234060
Purpose: Change in Ownership
County: Bronx, Putnam, Queens

PROJECT SUMMARY

Arms Acres, Inc. submitted a Certification Application requesting the New York State Office of Addiction Services and Supports' (OASAS) approval for a Change in Ownership affecting six Operating Certificates where services are provided across three counties.

The proposed ownership structure will be composed of nine individuals, each with a specific percentage of ownership: Robert Meisner (25%), Michael Meisner (25%), Eliyahu Zev Kohn (25%), Joel Basch (10%), Yosef Rabinowitz (5%), Steven Berger (2.5%), Issac Greenfeld (2.5%), David Levitan (2.5%), and Daniel Turkel (2.5%).

According to the applicant, the current ownership structure, an Employee Stock Ownership Plan (ESOP) Trust, will sell all its shares to Upstate Recovery, LLC. Under the terms of the Stock Purchase Agreement, the ESOP Trust will sell its stock in Liberty to Upstate Recovery NY, LLC. Upstate Recovery LLC is owned by the same individuals seeking to acquire Arms Acres, Inc. Following the transaction's closing, the ESOP plan will terminate, and the ESOP Trust will receive the sale proceeds and continue until all the sale proceeds are distributed to its current members. After the conditions set forth in the Stock Purchase Agreement are completed, Upstate Recovery, LLC will transfer its ownership interests in Arms Acres to the nine individuals listed above. These nine individuals will become the direct and sole owners of Arms Acres, Inc. The Stock Purchase Agreement refers to an administrative services agreement being entered into with GHR Group, LLC, and Arms Acres, Inc.

NEED

Program services are already in existence and according to the OASAS Client Data System, Arms Acres, Inc. has admitted 4,040 clients for substance use disorder (SUD) therapy throughout its care system since January 1, 2023, demonstrating the continued need for the services.

The current CEO of Arms Acres, Patrice Wallace-Moore, emailed a formal letter informing the Queens Community Board #12 of the proposed action on July 19, 2023. On July 20, 2023, The Queens Community Board #12 emailed Arms Acres an acknowledgment of the proposed ownership change. Also, on July 20, 2023, Thais Mitchell, Director of Outpatient Operations and Quality for Arms Acres, Inc., was notified by Karla Cabrera, District Manager for the Bronx Community Board #7 of the applicants plan to change their ownership after email notification. There were no other formal acknowledgments of these changes received by any other community members in other affected counties.

A request for final recommendation from the NYC Department of Health and Mental Hygiene's was sent by the OASAS Bureau of Certification on April 10, 2024, but has not yet been received.

A request for final recommendation from the Putnam County Mental Health Services was sent by the OASAS Bureau of Certification on April 10, 2024, but has not yet been received.

A request for Recommendation from the OASAS' Hudson Regional Office was sent by the OASAS Bureau of Certification on April 10, 2024, but has not yet been received.

A request for Recommendation from the OASAS' New York City Regional Office was sent by the OASAS Bureau of Certification on April 10, 2024, but has not yet been received.

CHARACTER AND COMPETENCE

Arms Acres, Inc., registered with the Department of State as a domestic business corporation in 1982 and has been an OASAS-certified provider since that time. Arms Acres provides outpatient treatment services in the Bronx and Queens, as well as outpatient, opioid, inpatient (152 beds), and medically supervised withdrawal treatment services in Putnam County. Arms Acres holds six OASAS operating certificates:

Operating Certificate #10666, Outpatient Services, Carmel, NY. In good standing with OASAS.

Operating Certificate #11619, Outpatient Services, Bronx, NY. In good standing with OASAS.

Operating Certificate #10665, Outpatient Services, Jamaica, NY. In good standing with OASAS.

Operating Certificate #12074, Opioid Treatment Program, Carmel, NY. In good standing with OASAS.

Operating Certificate #10097, Inpatient Rehabilitation Services, Carmel. In good standing with OASAS.

Operating Certificate #11488, Medically Supervised Inpatient Withdrawal, Carmel. In good standing with OASAS.

The prospective individual owners below have ownership interest in OASAS-certified entities.

Yosef Rabinowitz:

Elev8 Center of New York, LLC (3.75%)

Two Operating Certificates in good standing:

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Urban Recovery House LLC (16.66% ownership stake)

Two Operating Certificates in good standing:

- Kings County: OC# 251112175 - Level of care: Part 816.7 Medically Supervised Inpatient Withdrawal & Stabilization Service
- Kings County: OC# 251212163 - Level of care: Part 818 Inpatient Rehabilitation Services

Elev8 Center of New York, LLC (15% ownership stake)

Two Operating Certificates in good standing:

- New York County: OC# 251112151 - Level of care: Part 818 Inpatient Rehabilitation Services
- Niagara County: OC# 250312153 - Level of care: Part 816.7 Medically Supervised Inpatient Withdrawal & Stabilization Services

Joel Basch is also the Chief Operating Officer of Elev8 Center of New York and meets the OASAS required experience in substance use disorder services.

OVERALL FINANCIAL CONDITION OF THE PROVIDER

OASAS' Fiscal Audit and Review Unit completed a fiscal viability review on March 19, 2024, and determined that Arms Acres, Inc. is fiscally viable.

ADEQUACY

Arms Acres will maintain all its respective assets, as will Liberty Management of Metropolitan New York, Inc. (owner of the Arms Acres real estate and facility) and Liberty Management of the Capital District, Inc. (owner of the Conifer Park real estate and facility).

COMPLIANCE

According to the applicant there will be no immediate changes to any of the service site locations, services provided, or operating budgets. Staffing patterns will remain unchanged.

CONTINUITY OF CARE

Arms Acres, Inc. is a private community provider of SUD services with inpatient and outpatient services to assist those negatively impacted by the disease of addiction. Program services include detoxification, Medication-Assisted Therapy, Psychiatric Services, Medication management, intake and referral services, Recovery Coaching, Fitness/Recreation, and aftercare planning.

RECOMMENDATION

OASAS's recommendation is to approve the request from Arms Acres, Inc. for a Change in Ownership with the following contingencies:

- Copy of all current lease(s) for all certified locations between Liberty Management of Metropolitan NY and Arms Acres Inc. signed by new owners, including the required OASAS right-to-reentry language.
- Submission of a copy of current and updated company by-laws.
- Submission of a copy of the fully executed Stock Purchase Agreement.
- Submission of documentation to demonstrate the transfer of ownership from Upstate Recovery, LLC., to the 9 individuals listed on the application.
- Final recommendation from the Local Government Unit (LGU) of the Putnam County Department of Health and Mental Hygiene.
- Final recommendation from the Local Government Unit (LGU) of the New York City (NYC) Department of Health and Mental Hygiene.
- Final recommendation from the OASAS New York City Regional Office.
- Final recommendation from the OASAS Lower Hudson Regional Office.
- Completion of required background check for prospective owner Joel Basch.
- OASAS review of the administrative services agreement between GHR, LLC and Arms Acres, Inc.

CONTINGENCIES

December 4, 2024, updated summary statement with contingency.

On August 9, 2023, Arms Acres, Inc. applied for a Change in Ownership. This project was presented to the BHSAC previously, once on May 1, 2024, and again on June 26, 2024, at which time the committee members issued a favorable recommendation for approval. However, recently, on August 14, 2024, OASAS was contacted by the proposed new owners and requested an amendment to the certification application, removing

four of the nine initially proposed new members. The four members to be removed are Steven Berger (2.5%), Issac Greenfeld (2.5%), David Levitan (2.5%), and Daniel Turkel (2.5%). The new ownership will consist of Robert Meisner (25%), Michael Meisner (25%), Eliyahu Zev Kohn (25%), Joel Basch (20%) and Yosef Rabinowitz (5%). A new draft stock purchase agreement was submitted for OASAS review on August 23, 2024. Applicable LGUs and OASAS Regional Offices were notified of the change and reported no concerns.

OASAS recommends approval with the following final remaining contingencies:

- Submission of a copy of the fully executed Stock Purchase Agreement.
- Submission of documentation to demonstrate the transfer of ownership from Upstate Recovery, LLC., to the five individuals listed on the application.

MEMORANDUM

Review of Application #2024.007/CON# 2044077

TO: Director of Bureau of Certification Dena Holmes
FROM: Phillip Plessas
DATE: December 4, 2024
SUBJECT: Application Review for Never Alone, Inc.

APPLICANT DETAILS

Applicant: Never Alone, Inc.
Application #: 2024.007/CON# 2044077
Purpose: Change of Ownership
County: Ulster County

PROJECT SUMMARY

Never Alone, Inc. (Never Alone) submitted a Certification Application requesting New York State Office of Addiction Services and Supports' (OASAS) approval for a Change of Ownership affecting Operating Certificate #11630. Never Alone is an OASAS certified provider of Part 817 residential services for youth and serves the people of Ulster County, as well as other regions. Upon approval of Never Alone's request for change of ownership, the ownership structure will be a sole owner, Kirill Vesselov holding 100% of company stock.

Never Alone, Inc. was owned solely by Max E. Mauer who incorporated Never Alone, Inc. in 1991. After his passing in 2020, the four surviving heirs of Max E. Mauer sold 48 shares of Never Alone stock to Kirill Vesselov, without OASAS approval. A plan to sell the remaining 52 shares was interrupted due to one heir, Max V. Mauer, passing on January 23, 2024, leaving the transaction incomplete. The three remaining heirs, and the addition of a fourth (Max R. Mauer, son of Max V. Mauer) plan to complete the sale upon OASAS approval for the remaining shares to Kirill Vesselov. It is noted that Kirill Vesselov is owner of Haven Health Management. The current relationship between Never Alone and Haven Health Management has been unclear to OASAS as Never Alone is currently listed on the Haven Health Management webpage as a provider.

NEED

According to OASAS Client Data System, Never Alone has a certified capacity of 22. The current census as of November 8, 2024, is 12. Since this time last year, Never Alone has had 69 admissions. Between October 2022 and October 2024, the average daily census was 6.29 with an average length of stay at 4 months.

Although the utilization rate is low, The Ulster County LGU continues to cite the need for substance use disorder services (SUD) as a priority in their 2024 County Plan and noted "adolescent SUD clinical services are inadequate in our community", and recommended approval on August 21, 2024. On September 27, 2024 the OASAS Regional Office recommended approval of this action.

CHARACTER AND COMPETENCE

Never Alone was established as a for-profit business corporation by founder Max E. Mauer in 1991 to provide chemical dependence treatment services for youth. Never Alone holds one operating certificate #11630, currently in good standing with OASAS. The most recently completed recertification review was in August 2022. The program is subject to another review in 2025.

Kirill Vesselov is the proposed sole owner of Never Alone and meets the OASAS required experience in substance use disorder (SUD) specifically, through his documented experience of operating SUD treatment facilities in other States where he participated in programmatic oversight and monitoring, employee/personnel management, and executive level meetings with staff responsible for daily program operations. He also holds a qualifying human services degree. He has performed these duties and continues to do so in the following licensed facilities, of which he has reported ownership interest in:

State of Florida:

- Haven Health Management, LLC certified to provide:
 - The Haven, Residential Treatment Facility
 - The Recovery Team, Residential Treatment Facility
- The Haven Detox, LLC certified to provide:
 - Intensive Inpatient
 - Inpatient Detoxification
 - Residential, Level 1
- The Recovery Team, Inc. certified to provide:
 - Residential, Level 1
 - Day or Night Treatment with Community Housing
 - Outpatient Treatment,

State of New Jersey:

- The Haven Detox of New Jersey, LLC is certified to provide Residential Substance Abuse Treatment.

State of Massachusetts:

- The Haven New England is certified to provide Community Crisis Stabilization Services.
- Haven Detox MA is certified to provide 24 Hour Diversionary Withdrawal Management and Clinical Stabilization Services
- Newton Wellness Group, LLC is certified to provide Counseling Day Treatment.

State of Indiana:

- Indiana Center for Recovery, LLC is certified to provide sub-acute treatment with clinically managed residential services.
- Indiana Center for Recovery Outpatient Services, LLC is certified to provide outpatient, intensive outpatient, and partial hospitalization services.
- Indiana Center for Recovery Indianapolis LLC is certified to provide outpatient services.
- Indiana Center for Recovery South Bend LLC is certified to provide sub-acute treatment with clinically managed residential services.

State of Arkansas:

- The Haven of N. Little Rock is certified to provide Alcohol and Other Substance Abuse Treatment Programs.
- Behavioral Health Services of West Memphis, LLC certified to provide Alcohol and Other Substance Abuse Treatment Programs.
- The Haven Detox Little Rock, LLC is certified as a Substance Abuse Provider.

Each are noted to be in good standing with their respective oversight body.

Kirill Vesselov provided a copy of an Order of Dismissal and Permanent Injunction in a court case in which he was a defendant. The parties involved came to a confidential settlement agreement. The case was dismissed with prejudice. According to Kirill Vesselov:

“UCL was, in 2019 and 2020 an ancillary service provider to a specifically-named nonprofit organization called Positive Health Alliance, Inc. (“PHA”). PHA was a Florida nonprofit devoted to serving patients at high risk of contracting HIV/AIDS. As part of their services, they offered patients the opportunity to apply for and obtain benefits under Gilead's Medication Assistance Program (“the MAP”). Once the patient was qualified, Gilead covered the cost of the applicable drug(s) (here, Truvada and Descovy) by paying covered entities like PHA. A condition precedent to qualification under the MAP was that patients obtain a blood test from a clinical laboratory. In this case, UCL was one of PHA’s outside laboratories contracted to perform blood sample testing. PHA was only one of hundreds of other healthcare providers who used UCL's high-complexity laboratory services. Gilead alleged in the Lawsuit that more than fifty (50) individuals and businesses, including PHA and UCL, had engaged in fraudulently enrolling patients in the MAP, thereby defrauding Gilead out of millions of dollars. UCL was brought into the matter because it had received payment from PHA for laboratory services rendered, and I was brought into the lawsuit because I was the owner of UCL. Each service rendered was supported by medical records showing that UCL had, in fact, performed all tests, and the evidence showed that UCL billed at Medicare rates due to PHA's nonprofit status. UCL was merely an ancillary provider that was merely brought into the Lawsuit as a recipient of funds from the MAP.

My attorneys and I found the lawsuit to be frivolous as to me and UCL, and we lodged a countersuit against Gilead on that basis. It was shortly after we filed our counterclaim that Gilead began insisting on mediation, to which I agreed in order to put the matter behind me.

After about eighteen (18) months of litigation, tens of depositions, and hundreds of thousands of documents exchanged, I was able to work out an amicable resolution with Gilead.

Ultimately, the case was resolved and dismissed with prejudice as against me and UCL. I sold the lab in September 2022 and no longer own any interest in it or any other laboratory.”

OVERALL FINANCIAL CONDITION OF THE PROVIDER

A review of the submitted audited financial statements of Never Alone was completed by OASAS’ Fiscal Audit and Review Unit and determined that Never Alone is fiscally viable.

ADEQUACY

The program occupies property that was previously owned by Mauer Enterprises which was owned in part by Max E. Mauer. The land, including buildings was purchased by the proposed owner under KMG Holdings, LLC, after the first stock sale closed; deed recorded April 23, 2023. After this transaction occurred, OASAS was

informed noting significant renovations and expansions were made by the in place between Never Alone and the current property owner.

COMPLIANCE

According to the applicant there will be no changes to the location, services provided, budget, staffing, or policies & procedures because of this application. However, the proposed budget submitted with the application differs significantly from previous budgets in place reported by the OASAS Regional Office. While the applicant reported no changes to staffing, it was unclear to OASAS regarding the relationship between Haven Health Management and Never Alone employees as many were utilizing Haven Management email addresses, Haven Health Managements webpage referencing services under the name Never Alone in Hurley NY. And staff self-report to OASAS Regional Office staff. When asked to clarify, Kirill Vesselov confirmed that all employees are directly employed by Never Alone.

CONTINUITY OF CARE

Never Alone is an established community provider of SUD services for a specialized population, adolescents including medication assisted treatment. They have agreements with agencies who provide support to patients during their course of treatment.

RECOMMENDATION

OASAS recommendation is to approve the request from Never Alone for a Change in Ownership with the following contingencies:

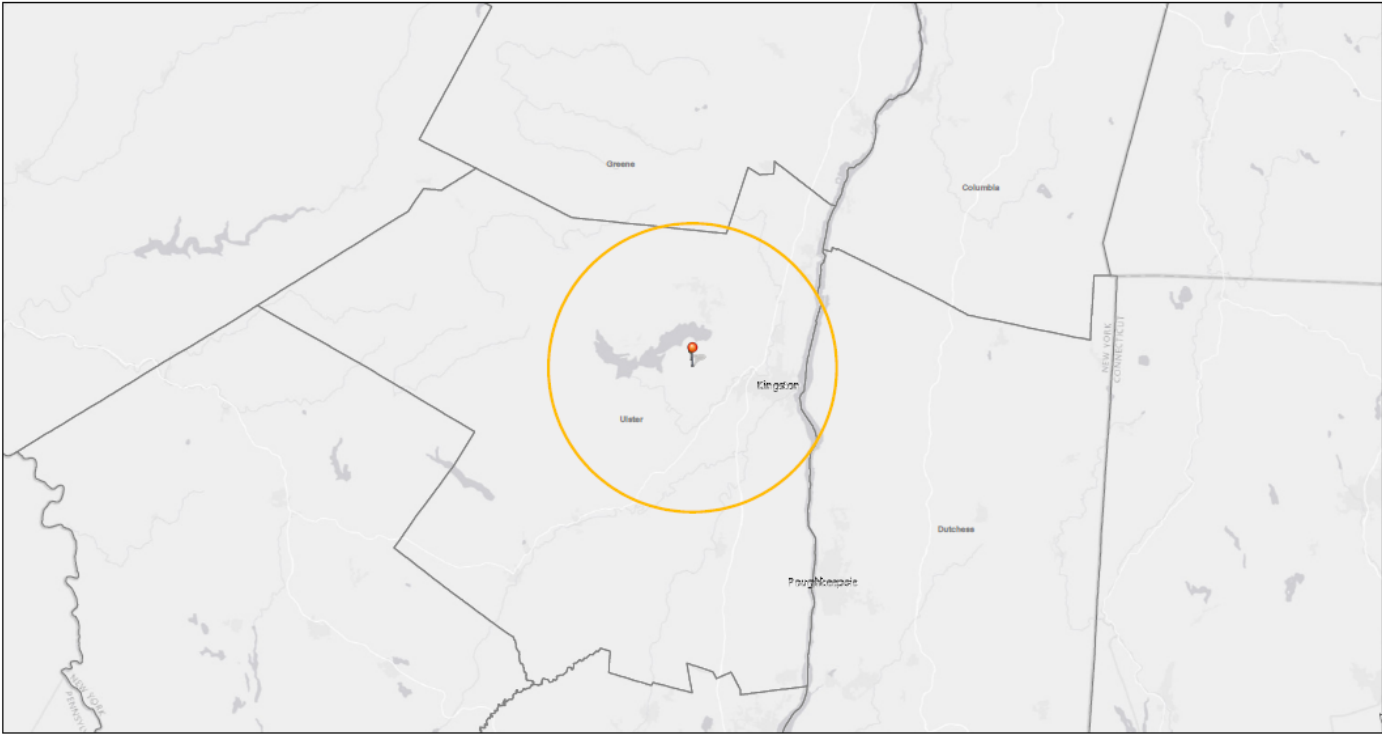
- OASAS review and acceptance of a fully executed lease agreement that contains the required OASAS operating language.
- Submission of an approvable, final, and fully executed Stock Purchase Agreement establishing Kirill Vesselov as the sole owner/proprietor and shareholder of Never Alone, Inc.
- OASAS review and approval of the physical plant.
- Removal of all references to Never Alone, Inc on the Haven Health Management website.

SUPPORTING MATERIALS

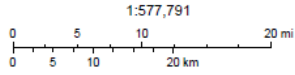
Map

Never Alone is the only Certified Residential Treatment Program for youth within a 15 mile service area approximately halfway between the cities of Ulster and Kingston.

CON#244007_Never Alone 15-mile Res Services



10/28/2024, 11:46:50 AM
Certified Residential Treatment Programs
📍 Residential Rehab for Youth
□ County



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MEMORANDUM

Review of Application #2024.067/CON#244068

TO: Director of Bureau of Certification Dena Holmes
FROM: Jeffrey Capitummino
DATE: December 4, 2024
SUBJECT: Application Review for Parallax Center, Inc

APPLICANT DETAILS

Applicant: Parallax Center, Inc
Application #: 2024.067
CON#: 244068
Purpose: Change in Ownership
County: New York

PROJECT SUMMARY

Parallax Center Inc. (Parallax) submitted a certification application requesting the New York State Office of Addiction Services and Supports' (OASAS) approval for a Change in Ownership. Parallax holds two OASAS operating certificates for substance use disorder (SUD) services: a Part 816.8 medically supervised outpatient withdrawal and stabilization services and Part 822 outpatient services, both located on the sixth floor of 145 East 32nd Street, New York, NY.

Dr. David Ockert, the sole owner of Parallax Center, Inc., requests the transfer of 51% of the company shares to Dr. Alexandra Fingesten, his spouse and current Parallax Center Medical Director. This will replace Dr. Ockert as Parallax Centers' principal owner.

NEED

According to the OASAS Client Data System, since January 2023, the Parallax Center has admitted a combined total of 883 patients within their system of care, demonstrating the continued need for services.

The NYC Department of Health and Mental Hygiene continues to cite the need for substance use disorder services (SUD) as a priority in their 2024 County Plan.

David Ockert of Parallax Center contacted the Manhattan Community Board (#6) on June 18, 2024, to inform them of the proposed ownership change. Jesus Perez, District Manager of Manhattan Community Board Six, confirmed receipt of the ownership change application on July 5, 2024.

NYC Department of Health and Mental Hygiene's recommendation in support of this application was received by the OASAS Bureau of Certification on September 30, 2024.

OASAS' New York City Regional Office's recommendation in support of this application was received on September 19, 2024.

CHARACTER AND COMPETENCE

Parallax Center, Inc. was established as a domestic business corporation in 1989. It has been an OASAS-certified provider since 1996.

Their two operating certificates are in good standing with OASAS:

- OC #10500 for Part 816 Medically Supervised Outpatient Withdrawal & Stabilization services: upon its most recent review in September 2021, it was found to comply with regulatory standards and issued a three-year renewal.
- OC #10920 for Part 822 Outpatient Services: upon its most recent review in September of 2022, it was found to comply with regulatory standards and issued a three-year renewal.

Upon the approval of Parallax Center, Inc.'s request for transfer of ownership, the ownership structure, with the corresponding shares of company stock in parenthesis, will be:

Alexandra Fingesten, MD (51%): Dr. Fingesten has been the Parallax Center Medical Director since 2022. She oversees all medical services, including psychiatric and ancillary withdrawal services. Dr. Fingesten maintains an Internal Medicine practice and is affiliated with NYU Langone Medical Center.

David Ockert, Ph.D. (49%): Dr. Ockert founded the Parallax Center in 1984 and actively serves as its Executive and Clinical Director. He is an Associate Member of the American Society of Addiction Medicine and meets the OASAS required experience in substance use disorder services.

OVERALL FINANCIAL CONDITION OF THE PROVIDER

OASAS' Fiscal Audit and Review Unit last completed a fiscal viability review on June 23, 2022 (FARU requested and is pending), which determined Parallax Center, Inc. is fiscally viable.

ADEQUACY

The applicant submitted a fully executed lease for their program space, which extends through April 30, 2031. The lease 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.

CONTINUITY OF CARE

Parallax Center reports focusing on a holistic approach for its different therapies by targeting not only substance use disorder but also the psychological aspects of recovery with a multidisciplinary team of doctors, nurses, psychologists, social workers, mental health counselors, and CASACs. Services for co-occurring disorders are addressed by integrating psychopharmacology, psychosocial interventions, and cognitive and behavioral therapies. Services are available on-site and virtually through office-approved telehealth services with a group schedule tailored to support working clients.

Parallax reports working relationships with Odyssey House, The Realization Center, and the National Association for Drug Abuse Problems (NADAP).

RECOMMENDATION

OASAS recommendation is to approve the request from Parallax Center, Inc. for a Change in Ownership with the following contingencies:

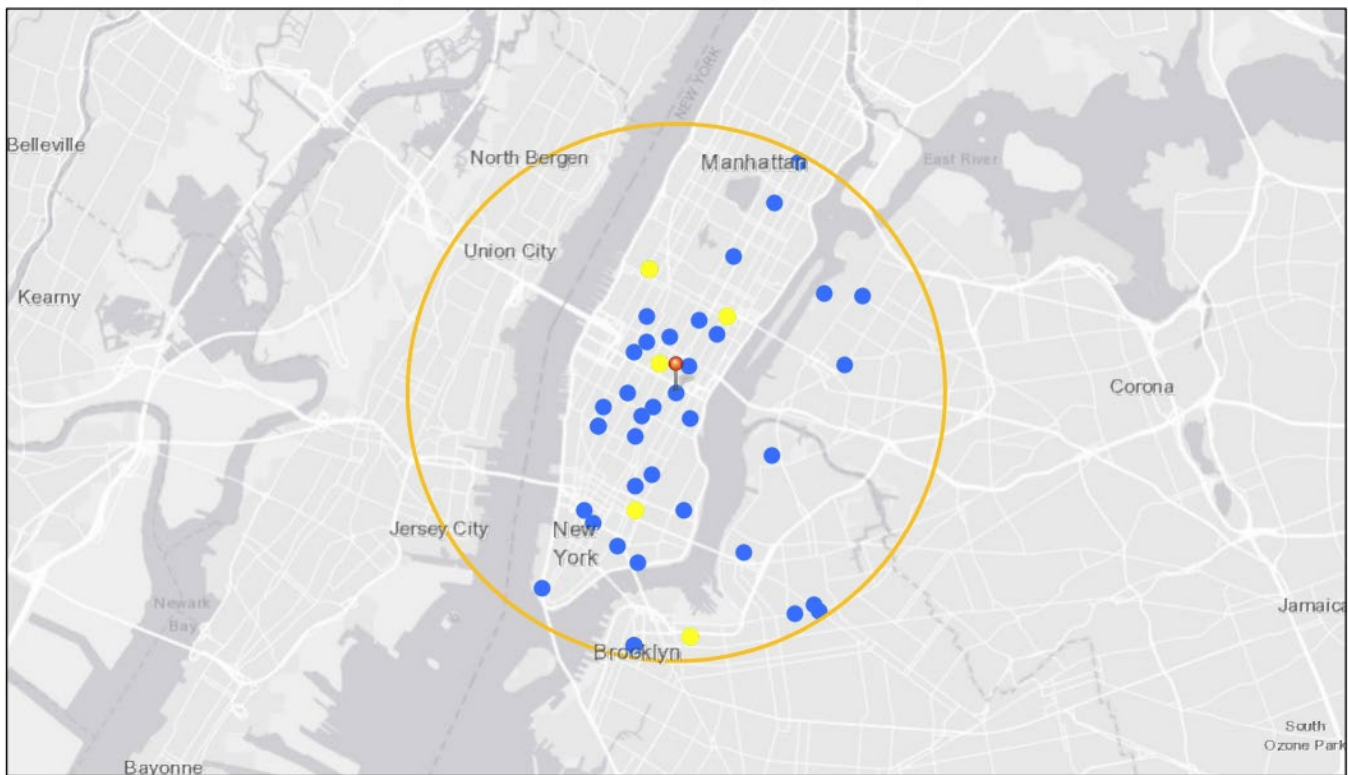
- Copy of filing receipt from the NYS Department of State indicating that the amended Certificate of Incorporation, including the OASAS required language, has been filed.
- A copy of the fully executed Stock Transfer Agreement

SUPPORTING MATERIALS

Map

Parallax Center, Inc. is a certified SUD Outpatient Treatment Program located at 145 East 32nd street, New York, NY 10016. It is one of approximately 34 outpatient clinics and five outpatient rehabilitation sites located within a three-square mile radius.

Parallax Center, Inc. 145 East 32nd Street, New York, New York 10016



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Certified SUD Outpatient Treatment Programs (includes additional locations)

- Outpatient Clinic
- Outpatient Rehabilitation

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NYC OpenData, State of New Jersey, Esri, HERE, Garmin, USGS, EPA, NPS | Department of City Planning. | Esri, HERE, NPS |

MEMORANDUM

Review of Application #2024.052 / CON#244053

TO: Director of Bureau of Certification Dena Holmes
FROM: Phillip Plessas
DATE: December 5, 2024
SUBJECT: Application Review for Park Slope Center for Mental Health, Inc.

APPLICANT DETAILS

Applicant: Park Slope Center for Mental Health, Inc.
Application #: CA 2024.052
CON#: 244053
Purpose: New OASAS Provider
County: Kings

PROJECT SUMMARY

Park Slope Center for Mental Health, Inc. (Park Slope) 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 services to be located at 225 15th Street, Brooklyn, 11215.

The proposed services will operate between hours of 9:00 am and 9:00 pm Monday through Friday and 9:00 am to 12:00 pm on Saturdays. They will offer Medically Assisted Treatment (MAT) in addition to serving special populations which will include LGBTQ, women and pregnant women, criminal justice, IV drug users, and those with HIV/AIDS. They plan to offer both Outpatient and Intensive Outpatient services.

NEED

The provider is currently licensed by the New York State Office of Mental Health (OMH) to provide outpatient mental health services. Through direct observation of the clients they serve, the applicant identified a significant number of patients with co-occurring substance use disorder (SUD).

New York City Department of Mental Hygiene published a study in 2024, "The State of Mental Health of New Yorkers." Recommendations include investing in integrated systems of care for co-occurring conditions, including mental health disorders, substance use disorder, and intellectual and developmental disabilities to address the specific needs of people.

This application is consistent with the New York City plan to "Advance a range of accessible and high-quality supports and services across the continuum of prevention, treatment, recovery and harm reduction, to reduce the risk of death and drug-related harms and enhance quality of life for individuals with substance use disorders, with a focus on neighborhoods with the highest overdose death rates."

The applicant cited SAMHSA's national survey on drug use and health results to support this action. Mental illness and substance use levels of approximately 33% and 46% percent of young adults ages 18 to 25 of adults had either a substance use disorder and/or mental illness in the past year.

A letter of acknowledgement and support was received on March 11, 2024, from Brooklyn Community Board Six. In addition, they received support from a variety of healthcare and human services organizations.

On October 30, 2024, The New York City Local Government Unit (LGU), NYC Department of Health and Mental Hygiene recommended approval of this action.

The New York City Regional Office submitted a positive recommendation for this action on October 21, 2024. No concerns were noted.

CHARACTER AND COMPETENCE

Park Slope is registered with the New York State Department of State as a domestic business non-profit corporation. There are a total of seven board members, each with an equal percentage of voting rights. Board member Susan Caputo meets the OASAS required experience managing or operating SUD programs, as she is a Licensed Clinical Social Worker and has worked at Park Slope for four years providing services to patients with dual diagnoses.

Park Slope has been a licensed provider with the New York State Office of Mental Health since 1983 and are in good standing with that Office.

OVERALL FINANCIAL CONDITION OF THE PROVIDER

The budget submitted appears balanced with income exceeding expenses. Revenue, primarily Managed Medicaid and private insurance is projected to total \$442,500. Expenses are projected to be \$358,750. This would result in a surplus of \$83,750.

The Regional Office raised no concerns about the budget.

Park Slope is an established Article 31 entity On October 31, 2024, the Fiscal Audit Review Unit determined Park Slope to be fiscally viable.

ADEQUACY

Park Slope leases the site at 225 15th Street, Brooklyn, 11215. The lease is sufficient, ten years in duration, expiring on July 31, 2028. It includes the OASAS required Right to Reentry language.

On July 12, 2024, OASAS Facilities Evaluation and Inspection Unit completed a State Environmental Quality Review (SEQR) and a Floor Plan review, noting that the space appears to comply with regulatory requirements.

On July 25, 2024, OASAS FEIU completed a Physical Plant Inspection that found that the space is adequate to house the Part 822 Outpatient Treatment Services.

COMPLIANCE

The proposed staffing plan meets minimum regulatory requirements and includes:

1.0 Full-Time Equivalent (FTE) Administrator

.50 Full-Time Equivalent (FTE) Medical Director

1.0 FTE Director of SUD Counseling Services

1.0 FTE Qualified Health Professional (QHP) Other

(2) .50 FTE Nurses, 2 FTE CASAC counselors (1 Full-time CASAC)

1.0 FTE Certified Recovery Peer Advocate

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

CONTINUITY OF CARE

The applicant's plans for service, policies, and procedures address continuity of care. They are an established OMH service and have relationships with an array of providers. They maintain a comprehensive community referral and service guide that includes a full spectrum of providers, and this will be provided to all patients.

RECOMMENDATION

OASAS recommendation is to approve the request from Park Slope Center for Mental Health, Inc. to become a new OASAS Provider of Part 822 Outpatient Services with the following contingencies:

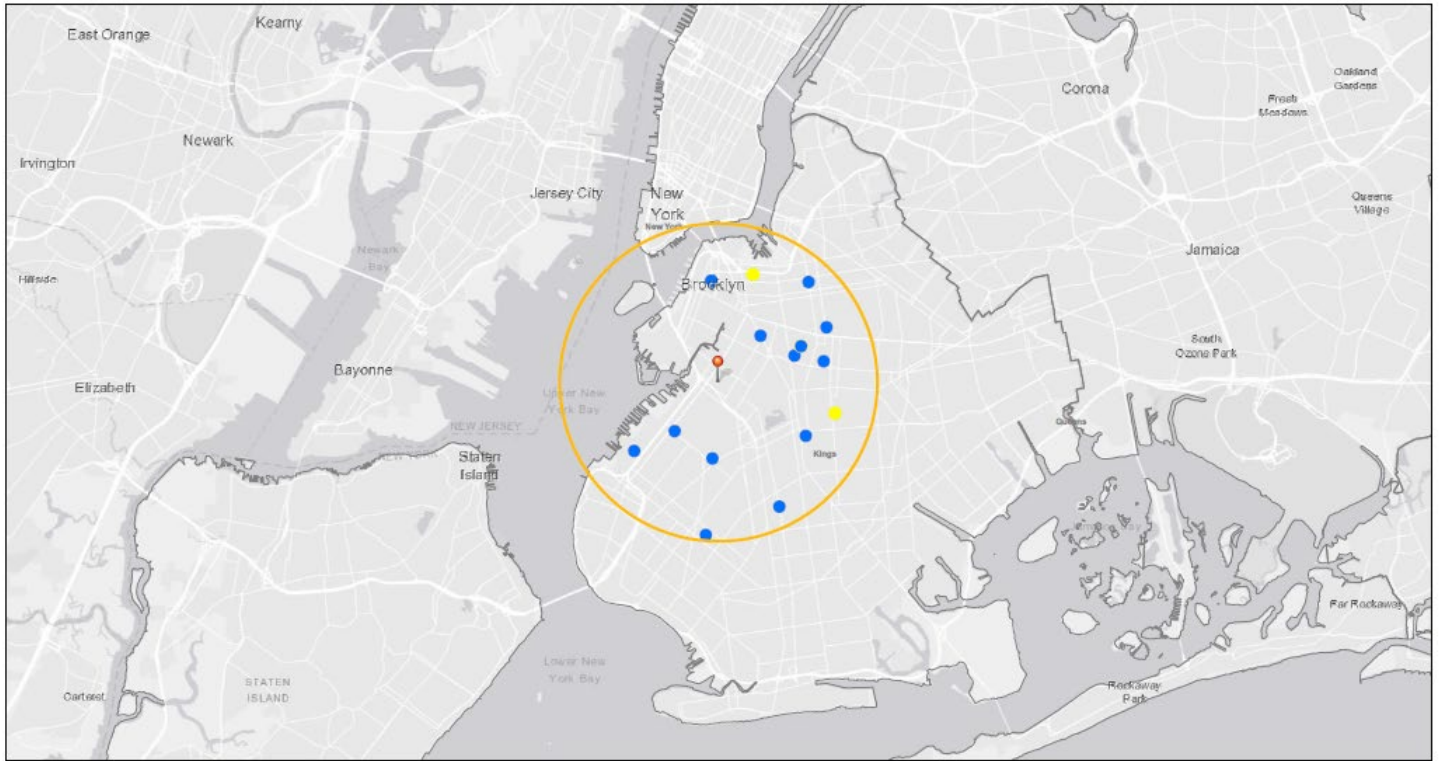
- Verification of the hiring of sufficient staff to meet regulatory requirements.
- Copy of filing receipt from the NYS Department of State indicating that the amended Certificate of Incorporation including the OASAS required language, have been filed.

SUPPORTING MATERIALS

Map

There are approximately 13 outpatient clinics and two outpatient rehabilitation clinics within a four-mile radius of Park Slope Center for Mental Health, Inc.

Park Slope_CON#244053_822_4-miles Map

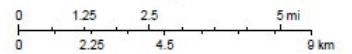


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Certified SUD Outpatient Treatment Programs (includes additional locations)

- Outpatient Clinic
- Outpatient Rehabilitation
- County

1:144,448



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NYC OpenData, State of New Jersey, Esri, HERE, Garmin, USGS, EPA, NPS | Department of City Planning. | Esri, HERE, NPS | Web AppBuilder for ArcGIS