



**Behavioral Health Services Advisory Council**  
**November 17, 2021**  
**Held via WebEx**

**BHSAC Minutes**

Members Attending:

Michael Martin  
Warren Ng  
John Kastan  
William LeCates  
Patrick Seche  
Sabina Lim  
Connie Wille  
Trish Marsik  
Kathy Gardini

Patrice Wallace-Moore  
Ian Schaffer  
David Woodlock  
Donna Mae DePola  
Michael Orth  
Kerry Whelan-Megley  
Glenn Liebman  
Diane Blohm  
Roxanne Lewin

**Meeting notes:**

The Chairman, Glenn Liebman, welcomed the Council members and indicated that it would likely be a short meeting due to a light agenda. He also mentioned the appointment of a new OASAS Commissioner. The September minutes were approved by the Council.

**Regulations:**

**OMH Regulations**

14 NYCRR Part 557

Implements a COVID-19 vaccination program through MHL §§ 7.07, 7.09 and 31.04 which provide the Commissioner of Mental Health with the authority to protect the health and life of the people of the State of New York including by controlling the spread of communicable diseases. COVID-19 is an unpredictable disease that can cause serious illnesses and death. In response to this increased public health threat, New York must take active steps to prevent and control transmission of COVID-19. The seriousness of the continuing threat and the failure to achieve acceptable vaccination rates through voluntary programs necessitate further action. Collectively, the legislative purpose of these statutes is to protect patients in hospitals operated or licensed by the Office of Mental Health by providing safe, efficient, and adequate care. The regulation was unanimously approved by the Full Council.

## 14 NYCRR Part 596

The amendments are intended to continue to expand the opportunity to offer telehealth services in the New York State regulated mental health system. The proposed changes are also in response to recent amendments to New York State Public Health Law § 2999-cc (as amended by Chapter 124 of the Laws of 2020) which may eventually lead to more flexibility for the provision of certain Medicaid funded services using audio-only telephonic communication technology. This amendment expands the types of practitioners who can be designated or authorized by this Office to provide these services, will allow practitioners to be physically located outside the State of New York while delivering services, and provide that practitioners can deliver services remotely without first conducting an in-person evaluation. Additionally, an evaluation or examination required as part of an involuntary removal from the community, involuntary retention in a hospital or Assisted Outpatient Treatment order pursuant to Article 9 of the Mental Hygiene Law can be conducted via telehealth. Such amendments are necessary to allow providers to maintain continuity of care with their patients, rapidly evaluate and screen new patients, and offer crisis and support interventions during this difficult time. Immediately, this amendment would permit the continued access to mental health services for people who are vulnerable or at risk for contracting COVID and wish to continue treatment in the safest manner possible, while working towards their treatment goals, while not having to choose between treatment and safety. The Full Council unanimously approved the amendments.

### **Project Reviews:**

#### **OASAS Projects**

##### 2021.026 – Odyssey House, Inc.

Odyssey House, Inc. submitted a Certification Application requesting the approval of the New York State Office of Addiction Services and Supports (OASAS) for a capital project. Odyssey House, Inc. was awarded 20 new Part 820 Residential Services beds under a 2018 Request for Proposals (RFP) to expand residential addiction treatment services within Bronx and Kings Counties.

This site is currently certified for a 16-bed Part 819 Intensive Residential program and will transition to a 36-bed Part 820 Residential Services program for males with a focus on stabilization and rehabilitation. Total construction costs for this 12,232 square foot building are estimated to be \$7,627,000 with total project costs of \$9,807,000. The New York City Department of Health and Mental Hygiene and the OASAS Regional Office are in support of this capital project and recommended approval. Odyssey House holds six OASAS operating certificates, and are in good-standing. The Project Review Committee unanimously recommended approval to the BHSAC Full Committee and the Full Committee gave a unanimous recommendation of approval for this application.

## 2021.042 – Spring Hill Wellness New York, LLC

Spring Hill Wellness New York, LLC submitted a Certification Application requesting the approval of New York State Office of Addiction Services and Supports (OASAS) to become a new OASAS Provider of Part 822 outpatient and outpatient rehabilitation services to be located within the Brooklyn Community District 18, at 2275 Coleman Street, Brooklyn, New York 11234. Need for outpatient services has been identified and is supported by the Community Board as there are currently no outpatient services in this District. In addition to providing medication assisted therapies, the applicant is proposing to utilize evidenced based practices of Cognitive Behavioral Therapy (CBT), Motivational Interviewing (MI) and Dialectic Behavioral Therapy (DBT). Spring Hill Wellness, LLC was established in April 2021 has five owners, one who has experience in Substance Use Disorder treatment. Spring Hill Wellness has policies and procedures and staffing in line with regulatory requirements. The Project Review Committee unanimously recommended approval to the BHSAC Full Committee and the Full Committee gave a unanimous recommendation of approval for this application.

### **OMH Projects**

#### Comprehensive PAR #93 submitted by Erie County Medical Center (ECMC)

##### Window replacement

ECMC seeks approval of capital project to replace all the windows of the hospital which includes an OMH certified 160-bed inpatient psychiatric unit on the 4th and 5th floors. While the entire capital project cost is \$22 million, the cost associated with the psychiatric unit is \$3 million. Project completion is expected to be accomplished by the end of 2021 or early 2022. Project cost is covered by ECMC capital funds.

David Woodlock asked what precautions are being established to ensure patient safety and adequate bed capacity during the renovation. Jillian Brown from ECMC described a plan that includes renovation of only two rooms at a time. This will take capacity down by two to four beds at any one time. She indicated that if additional beds are needed during the renovation, they will use available observation beds. Ms. Brown further indicated that all individuals involved in the renovation will be escorted on an off the units and monitored in order to ensure patient safety.

##### C-PAR Reviewer's Comments and Conditions of Approval:

1. Identify the construction project impact on the milieu of the units.
2. Describe the safety walls referenced in the request, including their composition, soundproof quality, etc. Include pictures and or manufacturer catalog description. Also describe their impact in the care of patients, including safety and privacy.
3. Confirm that there will be continuous communication with the field office as to progress and issues that may arise in the care of patients, including the need for temporarily taking beds offline. Note, the Health Commerce System is to be updated twice daily to reflect bed capacity.

4. A satisfactory pre-occupancy visit report from the Western NY Field Office.
5. The project architects' and/or engineers' attestation of substantial completion.

All PRC Council members present recommended moving the project to the full Council for approval. All Full Council members present unanimously approved the proposal.

**Closing:**

The new members went around and briefly introduced themselves. David Woodlock expressed that he hoped that the Council members could take a more active advisory role for the State agencies. Another member expressed her agreement but felt it would be best to put a pin in the list of project approvals, particularly due to the current state of the workforce. Glenn Liebman indicated that he would try to set up a meeting with the Commissioners. Patrice Wallace-Moore requested that the Council find a way to get reminders for ethics training and suggested the possibility that they be conducted on the same day as a BHSAC meeting so that many, or all, of the members would be in attendance and available. The Chairman said he would reach out to contacts and look into it. Glenn Liebman also advised the Council that he would be mailing a letter that had been discussed internally out to the recipients later that day. The committee adjourned at 1:00 pm. The next meeting will be scheduled at a later date.