



June 27, 2022

**Via E-mail and USPS**

Yehuda Alter  
Avenues Recovery Center  
211 Boulevard of the Americas, Suite 503  
Lakewood, NJ 08701

**Re: Avenues Recovery Center of Maryland  
Establishment of 20 bed Track One  
Intermediate Care Facility providing ASAM  
Level III.7 and Level III.7-WM services  
Matter No. 22-04-2455  
Second Completeness**

Dear Mr. Alter:

Thank you for the June 9, 2022 completeness responses on behalf of Avenues Recovery Center of Maryland, LLC, in support of the Certificate of Need application for the establishment of 20 bed Track One ASAM Level III.7-WM and Level III.7 medically monitored intensive inpatient treatment program in Prince Frederick, Maryland (Calvert County). The responses have generated additional questions to complete the application. Please provide additional information to the following questions:

1. The response to Question #3, please provide detail on the current use of the space that is planned to be used for the three 6-bed inpatient rooms located on the first floor of the Prince Frederick facility.
2. In the response to Question #6, please provide the link to the website, and clearly show where on the Avenues Recovery Center website page the link that discusses that 15% or more that will be set aside for indigent or gray area patients. This notice should be available for all Maryland facilities.

Regarding Exhibit 31, the notice only states “Avenues provides scholarship to those who qualify.” Please resubmit a notification that provides plain language informing the public that Avenues Recover Center of Maryland will provide services to patients

- who are either indigent (persons who qualify for services under the Maryland Medical Assistance Program, regardless of whether Medical Assistance will reimburse for alcohol and drug abuse treatment) or meets the of a gray area patient (persons who do not qualify for services under the Maryland Medical Assistance Program but whose annual income from any source is no more than 180 percent of the most current Federal Poverty Index, and who have no insurance for alcohol and drug abuse treatment services).
3. The response to Question #10, please provide copies of the transfer and referral agreements for the following facilities listed in the table on p. 8 of your response:
    - a. Second Chance Addiction Center
    - b. Turning Corner
    - c. Freedom Center
  4. The response to Question #11a did not provide the requested documents and is non-responsive. As previously requested, provide copies of referral agreements that complies with Paragraph .05K(2) of this regulation.
  5. The response to Question #12, please provide either documentation or evidence of the applicant's research that other states such as Pennsylvania allow "each shared bedroom shall have at least 60 square feet of floor space per resident measured wall to wall."
  6. Staff has identified regulations addressing environmental requirements. COMAR 10.47 and COMAR 10.63 related to the accreditation and licensure of certain programs in Maryland. Please respond to the following:
  7.
    - a. COMAR 10.47.01.05, Environmental Requirements, states that patient beds are (i) at least 3 feet apart; (ii) are located more than 18 inches away from radiators and register; and (iii) are at least 36 inches wide and not rollaway-type beds, cots, or folding beds. Will the current design of the three bedrooms with six patient beds comply with these regulations;
    - b. COMAR 10.63 proposes the following for SUD programs:

For each bedroom:

- (1) A minimum of 70 square feet for a single bedroom and a minimum of 120 square feet for a double bedroom;
- (2) An interior door, except for an efficiency apartment;



- (3) Closet space in or convenient to each bedroom for each individual using the bedroom;
- (4) Coverings for each window, for privacy;
- (5) A bed with a clean mattress and pillow for each resident using the bedroom;
- (6) At least two sets of bed linens per resident; and
- (7) Not more than two residents using the bedroom;

For each toilet and bathing area:

- (1) A minimum of one full bathroom for every four residents; and
- (2) At least one toilet, one basin, and one tub or shower connected to hot and cold water;
- (3) Easy access and conveniently located, not more than one floor level from living, dining, and sleeping rooms; and
- (4) Privacy for the individual using it;

The design and layout standard for SUD programs is moving toward the use of either private or semi-private rooms, and no more than four patients sharing one bathroom. Please respond to the following:

- a. Provide evidence that supports the design and layout in having six beds for each patient room and a potential total of twelve patients that would share two toilets and two showers for the proposed Level 3.7WM/3.7 programs.
  - b. How will this current layout and use of six bed wards address and improve the (1) quality of care, (2) patient safety, and (3) outcome of patients who seek Level 3.7WM/3.7 services?
  - c. Will this design and layout meet fire safety code regulations?
8. Please discuss how the design and use by Avenues – Prince Frederick of three patient rooms with six beds in each room addresses each of the following guidelines identified in reference with the Facility Guidelines Institute’s Guidelines for Design and Construction of Residential Health, Care, and Support Facilities:



- a. Resident room capacity that limits bedrooms to single or double occupancy;
  - b. Toilets used by residents should have sufficient clearance on both sides of the toilet to enable physical access and maneuvering by staff;
  - c. Since the design of the program utilizes communal bathrooms, the use of privacy locks;
  - d. The use of grab bars to enable independent transfers of mobility-challenged and bariatric residents within the patient room and bathrooms;
  - e. Storage space with an individual wardrobe or closet for each resident;
  - f. The need for patients to have sufficient space to move about the room with the assistance of a resident-operated mobility device, allowing access to at least one side of a bed, window, closet or wardrobe, chair, dresser, and nightstand;
  - g. The provision of a quiet room to accommodate a resident experiencing personal conflicts, agitation, episodic mental disturbances, or similar conditions; and
  - h. Isolation space for patients with infectious diseases such as HIV/AIDs, Hepatitis B/C, and tuberculosis.
9. Please discuss whether the applicant considered private or semi-private patient rooms and the allocation of one full bathroom for every four patients in the design and layout for the proposed Level 3.7WM/3.7 program. Explain the decision.
10. Regarding Table 4 on p. 17, please clarify the waiting list for Avenues – Prince Frederick. Please be specific on the level of care, and the breakdown of persons seeking Level 3.7WM and Level 3.7 services and those seeking the existing SUD (Level 3.5 or lower) services at this facility.
11. Please provide the source of the Google ratings stated in your response on top of p. 19 for the SUD facilities.

Please submit four copies of the responses to completeness questions and the additional information requested in this letter within 10 (ten) working days of receipt. Also submit the response electronically, in both Word and PDF format, to Ruby Potter ([ruby.potter@maryland.gov](mailto:ruby.potter@maryland.gov)).



All information supplementing the applicant must be signed by person(s) available for cross-examination on the facts set forth in the supplementary information, who shall sign a statement as follows: "I hereby declare and affirm under the penalties of perjury that the facts stated in this application and its attachments are true and correct to the best of my knowledge, information, and belief."

Should you have any questions regarding this matter, feel free to contact me by either e-mail at [bill.chan@maryland.gov](mailto:bill.chan@maryland.gov) or phone at (410) 764-3374.

Sincerely,

*William D. Chan*

William D. Chan  
Program Manager

cc: Carolyn Jacobs, Esq. Jacobs & Dembert, P.A.  
Paul Parker  
Wynee E. Hawk

