



**DATE:** October 21, 2021

**TO:** Commissioners

**FROM:** Wynee E. Hawk, Esq.  
Chief, Certificate of Need

**SUBJECT:** Avenues Recovery Center of Chesapeake Bay, LLC  
Docket No. 21-09-2449

Enclosed is the staff report and recommendation for a Certificate of Need (CON) application filed by Avenues Recovery Center of Chesapeake Bay, LLC (Avenues). Avenues proposes to establish a 20-bed alcoholism and drug abuse intermediate care facility (ICF). ICF is a term in the State Health Plan (SHP) to mean withdrawal management (WM), commonly referred to as “detoxification” services, and treatment services at a level of care defined by the American Society of Addiction Medicine (ASAM) as medically monitored intensive inpatient services.

The proposed site of the facility is an existing center for alcoholism and drug abuse treatment operating in Cambridge (Dorchester County) on the Eastern Shore. It currently provides a lower level of WM and treatment services and is proposing to introduce the higher Level 3.7 inpatient services on to its existing residential services.

The total estimated cost for the proposed project is \$55,000. There are no construction, renovation or other changes required to the physical plant. The project will be funded with cash.

Commission staff analyzed the proposed project’s compliance with the applicable State Health Plan criteria and standards in COMAR 10.24.14 and the other applicable CON review criteria at COMAR 10.24.01.08, and recommends that the project be APPROVED with the following conditions:

1. Avenues Recovery Center of Chesapeake Bay shall document the provision of a minimum of 15% of patient days to indigent and gray area patients, as defined at COMAR 10.24.14.08B(9) and (11), by submitting annual reports auditing its total days and the provision of days to indigent and gray area patients as a percentage of total days. Such audit reports shall be submitted to the Commission following each fiscal year, from the project’s inception and continuing for five years thereafter;
2. Avenues Recovery Center of Chesapeake Bay must receive preliminary accreditation for the Level 3.7 services it will provide, including withdrawal



management and post-withdrawal treatment programming, by the Commission on the Accreditation of Rehabilitation Facilities (CARF) prior to First Use Approval by the Commission and must timely receive final accreditation by CARF;

3. Avenues Recovery Center of Chesapeake Bay shall provide documentation of transfer and referral agreements prior to First Use approval by the Commission with: acute care hospitals; halfway houses; therapeutic communities; long-term care facilities; local alcohol and drug abuse intensive and other outpatient programs; local community mental health center(s); the Eastern Shore's mental health and alcohol and drug abuse authorities; the Behavioral Health Administration; and the Eastern Shore agencies that provide prevention, education, driving-while-intoxicated programs, family counseling, and other services. Documentation may include letters of agreement or acknowledgement from the facilities; [COMAR 10.24.14.05J(2)]
4. Avenues Recovery Center of Chesapeake Bay shall document referral agreements, prior to First Use approval by the Commission, demonstrating that at least 15 percent of its annual patient days, required by COMAR 10.24.14.08, will be incurred by the indigent or gray area populations, including days paid under a contract with the Behavioral Health Administration or a jurisdictional alcohol or drug abuse authority, or the Medical Assistance program; [COMAR 10.24.14.05K(2)] and
5. To demonstrate that outpatient programs are available to its proposed patient population, Avenues Recovery Center of Chesapeake Bay shall provide written referral agreements or arrangements with outpatient programs that meet the requirements of COMAR 10.24.14.05O(1) through (4), prior to First Use approval by the Commission.