

GO/HHS COMMITTEE #1  
October 13, 2016

**MEMORANDUM**

October 11, 2016

**TO:** Government Operations and Fiscal Policy Committee  
Health and Human Services Committee

**FROM:** Linda McMillan, Senior Legislative Analyst   
Vivian Yao, Legislative Analyst 

**SUBJECT: Worksession:** Resolution to Approve Declaration of No Further Need: Disposition of Avery Road Treatment Center located at 14703 Avery Road, Rockville, Maryland

**Background**

The resolution to approve the Executive's Declaration of No Further Need to dispose of the Avery Road Treatment Center property through a long-term lease and public private partnership was introduced on September 13, 2016. A public hearing was held on October 4, 2016.

As required by the property disposition process, the Executive transmitted material terms for the proposed long-term lease for the Avery Road Treatment Center (ARTC) to the Council on May 6, 2016. Councilmembers did not have any comments or questions regarding the material terms during the 30 day review period. The Declaration of No Further Need was sent to the Council on September 6, 2016. The following provides additional background information on the disposition:

- The Executive is proposing the disposition of the ARTC property at 14703 Avery Road, Rockville, Maryland, consisting of a residential substance abuse treatment facility for low income County residents through a long-term lease with Potomac Health Care Foundation, Ltd.
- Potomac Healthcare Foundation (PHF) is a not-for-profit developer who was selected through a solicitation seeking a private organization to finance, design, construct, maintain, operate, and manage a new ARTC facility over a 30-year land lease with a coterminous program operation service delivery agreement. PHF is the not-for-profit foundation associated with Maryland Treatment Centers, the current program provider. Council staff understands that PHF expects to subcontract with Maryland Treatment Centers for program operation.

- The new ARTC facility will provide 64 beds for the provision of residential substance abuse treatment services. The plan involves tearing down the current ARTC and rebuilding on the current site. During construction there is a transition plan that will use existing unused capacity at Avery Road Combined Care facility for some clients and use another Maryland Treatment Center facility in Emmitsburg, Maryland for others in order to maintain current treatment capacity of 49 beds for Montgomery County. Executive staff will provide more information to the joint Committee about the transition plan.
- The Department of General Services did not conduct a formal reuse analysis for this property because the County previously approved the ARTC CIP Project, which included a plan to redevelop the property by engaging a developer and service operator under a long term lease.
- The Executive has recommended this disposition as a fair market transaction as the value has been set through a competitive solicitation for a long-term lease.
- The Council previously approved the current plan to replace the existing ARTC facility with one constructed and operated by a private partner over a 30-year land lease and program operation services contract on March 8 as part of the FY17-22 Capital Improvement Program, and held public hearings on February 10 and 11, 2016.
- In addition, on February 9, 2016, the Council held a public hearing and acted on a supplemental appropriation to the County Government's FY16 Capital Budget and amendment to the FY15-20 CIP for the Avery Road Treatment Center project to support the fund planning, design, and construction of a replacement facility for the existing Avery Road Treatment Center through a public private partnership.

### **Public Hearing and Comments**

At the public hearing for the Declaration of No Further Need on October 4, 2016, the Council received testimony from Lisa Lowe, Heroin Action Coalition, Rita Tonner (©10-11), and Nicholas Albaugh. Ms. Tonner and Mr. Albaugh spoke in favor of the resolution and the proposed lease agreement with Maryland Treatment Centers and the services it provides.

In her communication with the Council (©12-13), Ms. Lowe supported making necessary improvements to the building and structure of Avery Road Treatment Center, but felt that the 30-year lease agreement with Maryland Treatment Center would bind the County "to an agreement with a single provider without sufficient oversight of performance or adherence to successful outcomes." Ms. Lowe cited discrepancies between the services contracted by the Department of Health and Human Services (DHHS) and the services actually received by consumers.

Council staff understands that the agreements with PHF include provisions for termination due to tenant non-compliance with State Program requirements and tenant non-performance of performance measures. The agreements provide for termination by County action, in which case, Council staff understands that the County would reimburse the prorated balance of private funding expended for design and construction of the new facility. In addition,

the agreements also require the establishment of clinical and medical practice guidelines that meet COMAR requirements; a quality review plan approved by DHHS that measures customer satisfaction and implements a consumer grievance process; and a plan to engage families and provide family services.

### **Project Status**

The County is in negotiations with PHF. No changes were made to the financial terms as reviewed by the Council in closed session. The Executive plans to have contracts signed by mid November 2017. The signed documents will be submitted to the Maryland Department of Health and Mental Hygiene (DHMH) to arrange for a January 4, 2017 Board of Public Works (BPW) Hearing. DHMH must have the signed contract six weeks prior to the BPW hearing.

**Council staff recommendation:** Support the resolution to approve the Declaration of No Further Need, as there is a pressing need to replace the existing facility and the project remains consistent with proposed public private partnership that has been previously supported by the Council through the CIP.

The joint Committee should hear from DHHS on how services will be transitioned while the new ARTC is under construction.

### **Attachments:**

Resolution to approve Declaration of No Further Need	©1-2
Executive Order 102-16 and September 6 Memo from the County Executive	©3-6
Material Terms memo – May 6, 2016	©7-8
FY17-22 CIP Project Description Form for Avery Road Treatment Center	©9
Testimony from Rita Tonner	©10-11
Correspondence from Lisa Lowe	©12-13

Resolution No.: \_\_\_\_\_  
Introduced: \_\_\_\_\_  
Adopted: \_\_\_\_\_

**COUNTY COUNCIL  
FOR MONTGOMERY COUNTY, MARYLAND**

---

By: County Council

---

**SUBJECT:** Approval of Declaration of No Further Need: Disposition of Avery Road Treatment Center, 14703 Avery Road, Rockville, Maryland

**Background**

1. Montgomery County Code §11B-45 requires the Council to approve a Declaration of No Further Need before the Executive can dispose of real property that has more than nominal value. Prior to seeking Council approval of a Declaration of No Further Need, the Executive must:
  - (a) submit all material terms of the proposed disposition and any appraisal the Executive relied on in setting the property's market value to the Council; and
  - (b) publish a declaration in the County Register and post a notice on the County website that the County has no further need for the property.If the Council, by resolution, approves the Executive's Declaration of No Further Need, the Executive may dispose of the property for fair market value.
2. On May 6, 2016 the Council received a memo from David Dise, Director of the Department of General Services, transmitting the County Executive's recommended material terms for the disposition the Avery Road Treatment Center. The material terms include entering into a P3 General Development Agreement with the Potomac Health Care Foundation to design and construct a new building using public and private funds in accordance with Capital Improvements Program project P601502, leasing the building to the Potomac Health Care Foundation for \$1 per year that is co-terminus with a contract for services the County, and the County maintaining unencumbered ownership of the facility and all improvements made by the tenant at the end of the lease term..
3. On September 6, 2016 the Council received Executive Order 102-16, Disposition of 14703 Avery Road, Rockville, Maryland, which is the location of the Avery Road Treatment Center. This is the County Executive's Declaration of No Further Need.

4. The Government Operations and Fiscal Policy Committee and Health and Human Services Committee held a joint worksession on October 13, 2016 and recommends .....
5. A public hearing was held on October 4, 2016.

**Action**

The County Council for Montgomery County, Maryland approves the following resolution:

The Declaration of No Further Need for 14703 Avery Road, Rockville, Maryland, location of the Avery Road Treatment Center is approved and the property may be disposed of as described in the material terms provided to the Council on May 6, 2016.

This is a correct copy of Council action.

---

Linda M. Lauer, Clerk of the Council



OFFICE OF THE COUNTY EXECUTIVE  
ROCKVILLE, MARYLAND 20850

Isiah Leggett  
*County Executive*

MEMORANDUM

September 6, 2016

TO: Nancy Floreen, President  
Montgomery County Council

FROM: Isiah Leggett *Isiah Leggett*  
County Executive

SUBJECT: Executive Order 102-16 - Disposition of Avery Road Treatment Center located at 14703 Avery Road, Rockville, Maryland

RECEIVED  
MONTGOMERY COUNTY  
COUNCIL

2016 SEP - 6 PM 2: 54

On May 6, 2016 the Department of General Services sent the material terms to Council to give notice of the fact that I intended to dispose of County property through a long term lease to a private contractor under circumstances consistent with the approved CIP project. The lease holder will act as County Contractor to finance the project, design, construct, maintain and operate/manage a facility that will be the new Avery Road Treatment Center. The relationship will function as a long term land lease with program operation and service delivery contract obligations for a new facility that will house 64 beds. To date no comments or questions have been received from Council about this proposed disposition during the thirty (30) day review period provided under the regulations.

As required under Section 11B-45 of the Montgomery County Code, the County Executive must issue an Executive Order declaring that the County-owned site is no longer needed for public use. Attached please find Executive Order 102-16 which was published in the July *County Register* to give notice of my intent to proceed with this disposition through a long term land lease agreement and to declare that the Avery Road Treatment Center located at 14703 Avery Road is no longer needed for public use. The required advertisement period for the material terms has now concluded without any comments or questions being received from the public.

According to property disposition regulations, Council now has 60 days to either waive or hold a public hearing and determine if approval of this declaration is appropriate. Executive Staff is available to facilitate the approval process if needed.



Nancy Floreen, President  
September 6, 2016  
Page 2

I hope this information is helpful. If you have any questions, please feel free to contact me directly or speak with Greg Ossont at 240-777-6192 or [greg.ossont@montgomerycountymd.gov](mailto:greg.ossont@montgomerycountymd.gov).

Attachment

cc: Ramona Bell-Pearson, ACAO  
Greg Ossont, Deputy Director, DGS  
Linda McMillian, Sr. Legislative Analyst



# MONTGOMERY COUNTY EXECUTIVE ORDER

Offices of the County Executive • 101 Monroe Street • Rockville, Maryland 20850

Subject Disposition of 14703 Avery Road, Rockville, Maryland	Executive Order No. 102-16	Subject Suffix ORE
Department of General Services	Department No. ORE	Effective Date 6/21/16

## BACKGROUND

WHEREAS, the County owns property located at 14703 Avery Road Rockville, Maryland consisting of a residential substance abuse treatment facility for low income County residents known as the Avery Road Treatment Center (hereafter "ARTC"), and

WHEREAS, the ARTC has provided County residents substance abuse treatment through 20 medical detox beds and 40 Intermediate Care Facility beds since 1991 when a pre-fabricated modular unit facility was constructed; and

WHEREAS, the ARTC facility is in need of major repairs or full replacement in order to continue to meet the service needs of County residents; and

WHEREAS, the County Council approved an ARTC CIP project, number 601502, for redevelopment of the existing facility; and

WHEREAS, the Department of General Services issued a Request for Proposals (RFP) to the public seeking a public-private partnership (P3) to finance, design, construct, maintain operate, and manage a new ARTC facility over a 30-year term through a long term land lease with a coterminous program operation service delivery agreement; and

WHEREAS, the solicitation resulted in the selection of the Potomac Health Care Foundation (PHCF) a not-for-profit Developer who will finance, design, construct, maintain, operate, and manage a new ARTC facility providing 64 beds for the provision of residential substance abuse treatment services; and

WHEREAS, the Developer will also act as the Service Provider under a service contract that will be conterminous with the long term lease; and

WHEREAS, the County Executive intends to lease the Avery Road property to PHCF through a long term land lease agreement and to enter into a program operation service delivery contract with PHCF; and



# MONTGOMERY COUNTY EXECUTIVE ORDER

Offices of the County Executive • 101 Monroe Street • Rockville, Maryland 20850

Subject Disposition of 14703 Avery Road, Rockville, Maryland	Executive Order No. 102-16	Subject Suffix ORE
Department of General Services	Department No. ORE	Effective Date 6/21/16

WHEREAS, the Department of General Services did not conduct a formal reuse analysis for this property because the Council previously approved the ARTC CIP Project (P601502) which included a plan to redevelop the property by engaging a developer and service operator under a long term lease; and

WHEREAS, in accordance with the provisions of Section 11B-45, Disposition of Real Property, the County Executive must issue an Executive Order declaring that County owned or controlled real property is no longer needed for public use.

### ACTION

In consideration of the above recitals, the County Executive declares that the property located at 14703 Avery Road, Rockville, Maryland is no longer needed for public use and hereby directs the Department of General Services to take all steps necessary to dispose of the property over the next 30 years through a long term lease agreement with Potomac Health Care Foundation, in the manner described in this Executive Order and pursuant to County law.

Approved as to Form and Legality  
Office of the County Attorney

By: [Signature]  
Date: 6/21/16

APPROVED

[Signature]  
Ramona Bell-Pearson  
Assistant Chief Administrative Officer

Distribution:  
County Council  
County Attorney  
Department of General Services



DEPARTMENT OF GENERAL SERVICES

Isiah Leggett  
County Executive

David E. Dise  
Director

MEMORANDUM

May 6, 2016

TO: Nancy Floreen, President  
Montgomery County Council

FROM: David Dise, Director   
Department of General Services

RECEIVED  
MONTGOMERY COUNTY  
COUNCIL

2016 MAY -6 PM 4: 25

SUBJECT: Avery Road Treatment Center Building and Land Lease; CIP Project P601502

The Avery Road Treatment Center (ARTC) facility located at 14703 Avery Road, Rockville, Maryland provides residential substance abuse treatment for low-income County residents through 20 medical detox and 40 Intermediate Care Facility beds. The existing ARTC facility was constructed of pre-fabricated modular units in 1991 and must be replaced.

The County Council has approved ARTC project (P601502). The facility is proposed to be leased to a private contractor consistent with the approved CIP project. The contractor will finance, design, construct, maintain and operate/manage a new ARTC facility over a 30-year term through a long-term land lease and program operation service delivery agreements. The new facility will have 64 beds. Staff is concluding negotiations with the selected proposer, the Potomac Health Care Foundation (PHCF), a not-for-profit organization.

In accordance with the provisions of Section IIB-45, Disposition of Real Property, before seeking County Council approval of a declaration of no further need, the County Executive must submit all material terms of the disposition, including the price or rent to be paid and any associated economic incentives and any appraisal that the Executive relied on or will rely on in selling the property at market value. The Council is permitted 30 days to comment.

Accordingly, the following is a summary of the material terms thus far:

- PHCF will design and construct a new building in the existing site under a P3 General Development Agreement using private and public funding in accordance with the approved CIP project (P601502).

Nancy Floreen, Avery Road Treatment Center Building and Land Lease

May 6, 2016

Page 2

- The new building will be leased to PHCF for \$1.00/year, co-terminus with a contract for services with the County for a period of 30 years.
- The County will have unencumbered ownership of the facility and all improvements made by the tenant at the end of the lease term.

I hope this information is helpful. If you have any questions, please contact Deputy Director, Greg Ossont at 240.777.6192.

cc: Uma Ahluwalia, HHS  
Ramona Bell-Pearson, ACAO  
Joe Beach, Finance  
Jennifer Hughes, OMB  
Greg Ossont, DGS  
Ernest Lunsford, DGS

## Avery Road Treatment Center (P601502)

**Category** Health and Human Services  
**Sub Category** Health and Human Services  
**Administering Agency** General Services (AAGE29)  
**Planning Area** Rockville

**Date Last Modified** 11/17/14  
**Required Adequate Public Facility** No  
**Relocation Impact** None  
**Status** Planning Stage

	Total	Thru FY15	Est FY16	Total 6 Years	FY 17	FY 18	FY 19	FY 20	FY 21	FY 22	Beyond 6 Yrs
<b>EXPENDITURE SCHEDULE (\$000s)</b>											
Planning, Design and Supervision	1,186	13	192	981	421	363	197	0	0	0	0
Land	0	0	0	0	0	0	0	0	0	0	0
Site Improvements and Utilities	1,987	0	0	1,987	589	945	453	0	0	0	0
Construction	5,343	0	0	5,343	1,298	3,357	688	0	0	0	0
Other	0	0	0	0	0	0	0	0	0	0	0
<b>Total</b>	<b>8,516</b>	<b>13</b>	<b>192</b>	<b>8,311</b>	<b>2,308</b>	<b>4,665</b>	<b>1,338</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>

<b>FUNDING SCHEDULE (\$000s)</b>											
G.O. Bonds	4,889	0	192	4,697	894	3,465	338	0	0	0	0
PAYGO	13	13	0	0	0	0	0	0	0	0	0
State Aid	3,614	0	0	3,614	1,414	1,200	1,000	0	0	0	0
<b>Total</b>	<b>8,516</b>	<b>13</b>	<b>192</b>	<b>8,311</b>	<b>2,308</b>	<b>4,665</b>	<b>1,338</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>

### APPROPRIATION AND EXPENDITURE DATA (000s)

Appropriation Request	FY 17	1,592
Appropriation Request Est.	FY 18	500
Supplemental Appropriation Request		0
Transfer		0
<b>Cumulative Appropriation</b>		<b>6,424</b>
<b>Expenditure / Encumbrances</b>		<b>13</b>
<b>Unencumbered Balance</b>		<b>6,411</b>

Date First Appropriation	FY 15
First Cost Estimate	
Current Scope	FY 16 8,516
Last FY's Cost Estimate	4,800

#### Description

This project provides for the planning, design, and construction of a replacement facility for the existing Avery Road Treatment Center (ARTC). The existing facility provides residential substance abuse treatment for low-income County residents through 20 medical detox and 40 Intermediate Care Facility beds. In conjunction with a public-private partnership and with assistance from the State, a private partner will construct and operate a new ARTC facility over a 30-year term through a long-term land lease and program operation service delivery agreements.

#### Location

14703 Avery Road, Rockville, Maryland

#### Capacity

The new ARTC will be a 64 bed 36,500 gross square foot residential treatment facility providing medical detox and Intermediate Care Facility levels of care. The facility will also house an outpatient mental health and substance abuse treatment program supported by Medicaid reimbursement. The site will be master planned for future potential development of a 16 bed step-down program for transitional age youth.

#### Estimated Schedule

Design will be performed in FY16 and FY17. Construction is scheduled to begin in FY17 with completion in FY19.

#### Cost Change

Cost change reflects the replacement of the prior estimated funding with actual anticipated County and State expenditures based on a contractual public-private partnership.

#### Justification

The existing ARTC facility was constructed of pre-fabricated modular units in 1991 and needs to be replaced.

#### Fiscal Note

This project reflects County and State contributions to the facility. The County received \$310,000 in FY15 and \$104,000 in FY16 from the State to support project design, and anticipates \$1.0 million in FY17 for construction. State aid is expected to total \$3.614 million.

The Executive asserts that this project conforms to the requirements of relevant local plans, as required by the Maryland Economic Growth, Resource Protection and Planning Act.

#### Coordination

Department of Health and Human Services, Department of General Services, County Attorney, Office of Procurement, Maryland Department of Health and Mental Hygiene, Private and/or non-profit substance abuse treatment providers Private developers

I am here to support the proposed thirty-year lease agreement between Montgomery County and the Avery Road Treatment Center. But let me make very clear - the length of the lease agreement has little effect on the efforts of Avery Road staff to deliver effective care to its patients, and it has no effect on the willingness of Avery Road patients to escape drug addiction. The important issue facing the County Council is to ensure Avery Road receives legislative support, fiscal support, and professional oversight support to help its patients detox in an intermediate care environment. Let us all recognize that Avery Road is not intended to be a one-stop recovery center where patients enter needing detox and exit fully healthy, both physically and mentally, ready to begin a new life of sobriety.

Everyone offering testimony here today speaks from experience. Here is my experience. For twenty-nine years I lived a life of relentless, debilitating desperation because my son, Dylan Smith, was a drug addict with a co-occurring mental disorder. Two years ago, he died of a heroin overdose at the age of 41. His nearly lifelong addictions eventually led to his commission of a third degree sex offense. His subsequent conviction severely limited his access to county treatment facilities and completely eliminated access to state facilities. However, Avery Road never denied admission to Dylan, and I remain grateful for the efforts of Avery Road staff to help him.

Over twenty years Avery Road admitted Dylan for treatment more times than I can now recall. Most of those admissions included family counseling sessions with staff members who appeared sincerely empathetic, appeared knowledgeable about substance use disorders, and appeared professionally trained to help not only Dylan but me as well. I remember Avery Road keeping me informed of Dylan's admission and discharge plans while also following up with phone calls to Dylan. Their actions in support of Dylan left me feeling that I had a dependable ally in Avery Road.

Avery Road does not have enough beds to house all those who need help, and there are delays in gaining admission. Maintaining a spot on the waiting list requires diligence and persistence and drains even the sturdiest of spirits. The treatment is too short in duration, and discharge to homeless shelters is too common. The system, including

Avery Road, needs nourishment and encouragement and the persistent attention of this council.

Avery Road provides treatment to people with substance use disorder that many in our society view as a moral weakness with associated destructive behaviors, and such views help explain why resources remain very limited and why our penal system is left to provide much needed detox services. If good people are annoyed at the services provided by Avery Road, what must they think about the services provided by our state and county correctional facilities. At the moment, Avery Road needs at least 100 beds to adequately treat their patients; they have funding for 49-60 beds. Consequently, every single day of the year Montgomery County residents are denied access to services critical to keeping them alive long enough to give them hope that is strong enough to simply help them want to wake up every day.

Again, treatment facilities like Avery Road are the first stops for these citizens in their long haul to find a life worth living. That's why I support what Avery Road is trying to accomplish across the enormous obstacles our society places in front of them.

Rita Tonner  
12017 Galena Road  
Rockville, Md 20852

# HEROIN ACTION COALITION

.....  
301-525-6183 / HeroinActionCoalition@gmail.com

October 4, 2016

Council Office Building  
100 Maryland Avenue, 5th Floor  
Rockville, MD 20850

Dear Councilmember:

While we applaud the County Council for making necessary improvements to the building and structure of Avery Road Treatment Center (ARTC), we feel that a 30 year lease agreement with Maryland Treatment Center, binds county tax payers to an agreement with a single provider without sufficient oversight of performance or adherence to successful outcomes.

According to reports from consumers of Substance Use Disorder (SUD) treatment services at ARTC there are discrepancies between the services contracted for by Montgomery County Health & Human Services (HHS), as specified within the *License Agreement*, and the services that are actually received by consumers. Contractual noncompliance has been a long-standing issue with Avery Road / Maryland Treatment Center, and at times, contributes to increased relapse rates and/or the fatal overdose of their patients. According to the *License Agreement*, ARTC must provide specific services, which consumers report they are not receiving.

Although this issue has been brought to the attention of both the County Council and HHS repeatedly during the past three years, neither the elected body, nor the appointed body, has been inclined to make the necessary corrections that would heighten quality of care –thereby saving lives. ARTC is simply not providing the services on a consistent basis that tax payers believe they are paying for and which are outlined within the *License Agreement*. Patients who need and deserve quality treatment should receive it.

Therefore, we are respectfully requesting that the County Council **DOES NOT** enter into a 30 year lease agreement with Maryland Treatment Center, at least until certain requirements are met, and that ALL stakeholders are invited to participate in an open and on-going dialogue with members of County Council, HHS, Avery Road Treatment Center and any other interested party until the issue of contract discrepancies regarding quality of care is resolved.

These discrepancies include, but are not limited to the following:

1) ARTC is supposed to provide "family counseling sessions" or a "Family Care Plan". In reality, many parents report that they are often excluded from discharge planning even when the patient is returning home. This is NOT evidence-based and is a factor in overdose death.

2) ARTC is supposed to support patients who are seeking access to treatment. In reality, many patients still report that they must call every morning at 11:00 to maintain their spot on the waiting list or they are removed. There is no triage available for chronically addicted patients. This is NOT evidence-based and is a factor in overdose death.

3) ARTC is supposed to refer prematurely discharged patients back to the County so that they are able to continue to receive **equivalent** services for their often fatal behavioral health disorder at another facility. In reality, patients are prematurely discharged for a variety of often trivial reasons without a referral to any other level of care, much less an equivalent level of care as determined by their ASAM assessment. This is NOT evidence-based and is a factor in overdose death.

4) ARTC is supposed to coordinate with other agencies, which offer mental health, legal, housing, vocational, or family services necessary to support patient recovery. In reality, these links to outside providers are rarely made, and service providers that clients already have are denied access to their clients while at ARTC. This is NOT evidence-based and is a factor in overdose death.

5) ARTC is supposed to plan a discharge based on a patient's assessed needs. In reality, many patients are discharged to homeless shelters, even though there are many halfway houses and recovery residences throughout Maryland and across the country that would provide the level of residential care that the patient needs and wants. Because homelessness is the single highest factor leading to relapse, this is NOT evidence-based and is a factor in overdose death.

5) ARTC is supposed to have a clear grievance process with external oversight. In reality, consumers report that the grievance process is unclear, time consuming, or non-existent. This is NOT evidence-based and is a factor in overdose death.

6) ARTC is supposed to collect and report on measures of patient success within 90 days of discharge. In reality, consumers report that ARTC rarely makes any calls to patients after discharge. This is NOT evidence-based and is a factor in overdose death.

7) ARTC is supposed to maintain a drug-free environment. In reality, consumers report that illicit drugs enter the facility in numerous ways and that very little is done to maintain a drug-free environment. This is NOT evidence-based and is a factor in overdose death.

8) ARTC is supposed to explain the consent for *Release of Information* to patients and their families. In reality, this is rarely done. When a patient does consent to release information to family members or advocates, consumers report that ARTC staff either does not comply with their wishes or coerces and pressures them into rescinding the agreement. This is NOT evidence-based and is a factor in overdose death.

Thank you for your consideration in this matter, and I look forward to working with the Council and ARTC to resolve problems which lead to the increased death of our children, our friends, our parents, and our neighbors.

Respectfully,

Lisa Lowe  
Director, Heroin Action Coalition  
Member of F.A.C.E. Addiction Maryland  
(Family Advocates Coalition to End Addiction in Maryland)  
[heroinactioncoalition@gmail.com](mailto:heroinactioncoalition@gmail.com)  
301-525-6183

Cc: Boyd Rutherford, Lt. Governor, Chair of Heroin and Opioid Emergency Task Force and the Inter-Agency Coordinating Council