

#31935

**Olejarz, Barbara**

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**To:** Martone, Kim  
**Subject:** RE: CON Determination

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**From:** David Nyman [mailto:[DNYMAN@EFFECTIVESCHOOLSOLUTIONS.COM](mailto:DNYMAN@EFFECTIVESCHOOLSOLUTIONS.COM)]  
**Sent:** Thursday, August 14, 2014 12:51 PM  
**To:** Martone, Kim  
**Subject:** CON Determination

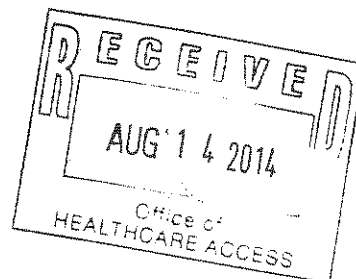
Ms. Martone:

Attached please find our application for a CON Determination as well as our brochure. We have included a letter that provides background to our organization. We also mailed this to you yesterday but thought you might need an electronic copy. We are anxious for the feedback from your office. As you will see, it might make some sense for us to meet with a representative of your office as we presume our programming and setting for delivery seems to be different than that envisioned in the CON process.

Can I ask you to confirm receipt of this email?

Thank you and I look forward to hearing from you.

David Nyman, Ph.D  
Chief Executive Officer  
Effective School Solutions  
908-588-3124



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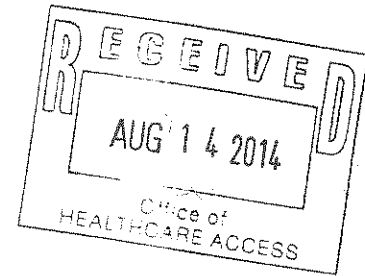


EFFECTIVE  
SCHOOL  
SOLUTIONS

25 De Forest Ave.  
Suite 310  
Summit, NJ 07901  
Phone (973) 299-9954  
Fax (908) 277-1808

August 12, 2014

Kimberly Martone  
Director of Operations  
Office of Health Care Access  
410 Capitol Avenue  
MS#13HCA  
PO Box 340308  
Hartford, CT 06134-0308



Dear Ms. Martone:

We are writing with regard to the enclosed CON Determination Form.

Effective School Solutions is a New Jersey-based organization that provides counseling programs in public schools for students at-risk with emotional and behavioral problems. We have enclosed our brochure and our most recent ESS Report to help in the review of our services. Typically, the basic counseling regimen includes daily group therapy and weekly individual and family therapy that is augmented by crisis intervention sessions as needed. The services are provided by full-time licensed mental health professionals who are assigned to the district by ESS. The most frequent model has us providing two clinical staff that have a maximum joint caseload of 18 students. Assigned to the district is also a Regional Director and a member of our quality management team that monitors staff documentation and compliance with our protocols and policies and procedures.

The services that we provide appear to be very useful to school districts in Connecticut and we have come to a tentative agreement with the Madison School District to provide services in its high school in the model described directly above. While the Department of Children and Family Services has determined that we do not require an outpatient license, the Department of Health has stated that we need a license if we are to provide any services for a student who is 18 years or older (typically one to three of our students in a high school and obviously none in middle or primary schools) and/or if we provide any substance abuse counseling. We have been told as part of the licensing process, we need to get clearance or a CON from the Office of Health Care Access and thus, we are completing this application.

Our programs are highly effective and we have a very strong track record. Since we began, less than 5% of ESS students have been placed out-of-district subsequent to

*Quality Cost-Saving In-District Clinical Services*

*Partnering with Child Study Teams and Student Assistance Counselors throughout New Jersey*

[www.effectiveschoolsolutions.com](http://www.effectiveschoolsolutions.com)

receiving our services. Furthermore, once a student enters ESS, our data indicates that grades increase by about 30%, absences decrease by almost 50% and disciplinary incidents go down by close to 60%. We also have a success rate of over 85% in bringing students back from either an out-of-district placement or long-term home instruction.

#### Answers to Section IV

1. Not applicable as we are not currently providing any services in Connecticut.
2. As noted above, we provide mental health counseling services within a public school setting for students with emotional and behavioral problems. Also as noted above, we have been told that we need an adult outpatient mental health and/or substance abuse outpatient license at this time.
3. We do not currently provide any services. However, when we do, the services provided will be limited to students who have been identified at risk, along with their parents, within the district in which we contract.

#### Related Information

1. We are compensated for our services through a contract with the district and are paid a flat fee on a yearly basis. We do not charge students and their parents in any way, nor do we receive any reimbursement from insurance companies or any other entities.
2. With regard to the concept of identifying or justifying a need for our services, obviously, we only contract with school districts that have identified an internal need for our programs. We do not offer or contract with the public and thus, are only brought into a district at the direction of the Superintendent and the School Board who have determined that our services are needed.
3. We have no free-standing offices and are provided typically with one or two offices within the public school.

We will not be able to provide services to students in Connecticut if we are required to obtain a CON for every school or district with which we contract. The critical problem is the timing of the CON process. We understand that it is a several months at best to obtain a CON. We typically contract with a district in late spring or early summer for the subsequent school year. Thus, if we are required to have a CON for each district/school, and then obtain an outpatient license, which takes about three additional months, one can then understand the obstacle to providing these services will be insurmountable. Even if the timing could somehow be expedited, since there is no certainty that a CON would be granted, no district could plan programming with students and their parents for fear of disappointing them etc.

With regard to your department being assured that there is a need for our services, we assume the decision made by the District to contract with us is an adequate demonstration of need from your perspective.

**We are optimistic that your office, once it fully understands the nature of our organization and services, will determine that a CON is not required. However, if your office does determine that it is needed, perhaps, we could obtain one CON for the State, as the need for our services is always determined by the District's Board of Education.**

We understand that there may be a number of questions that you may have that will help in making a determination. We would be glad to meet with a representative of your department to help in this process.

Thank you.



David Nyman, Ph.D.  
Chief Executive Officer



**State of Connecticut  
Office of Health Care Access  
CON Determination Form  
Form 2020**

All persons who are requesting a determination from OHCA as to whether a CON is required for their proposed project must complete this Form 2020. The completed form should be submitted to the Director of the Office of Health Care Access, 410 Capitol Avenue, MS#13HCA, P.O. Box 340308, Hartford, Connecticut 06134-0308.

**SECTION I. PETITIONER INFORMATION**

If this proposal has more than two Petitioners, please attach a separate sheet, supplying the same information for each Petitioner in the format presented in the following table.

	Petitioner	Petitioner
Full Legal Name	Effective School Solutions, LLC	
Doing Business As	—	
Name of Parent Corporation	—	
Petitioner's Mailing Address, if Post Office (PO) Box, include a street mailing address for Certified Mail	25 DeForest Ave Suite 310 Summit, NJ 07901	
What is the Petitioner's Status: P for profit and NP for Nonprofit	P	
Contact Person at Facility, including Title/Position: This individual at the facility will be the Petitioner's Designee to receive all correspondence in this matter.	David Nyman CEO	

Contact Person's Mailing Address, if PO Box, include a street mailing address for Certified Mail	same	
Contact Person's Telephone Number	908-588-3124	
Contact Person's Fax Number	908-277-1808	
Contact Person's e-mail Address	DNYman@effective-school-solutions.com	

**SECTION II. GENERAL PROPOSAL INFORMATION**

- a. Proposal/Project Title: Wrap Around Program
- b. Estimated Total Project Cost: \$
- c. Location of proposal, identifying Street Address, Town and Zip Code:  
Daniel Hand High School 286 Green Hill Road Madison, CT 06443
- d. List each town this project is intended to serve:  
Madison, CT
- e. Estimated starting date for the project: Late Fall, 2014

**SECTION IV. PROPOSAL DESCRIPTION**

Please provide a description of the proposed project, highlighting each of its important aspects, on at least one, but not more than two separate 8.5" X 11" sheets of paper. At a minimum each of the following elements need to be addressed, if applicable:

1. If applicable, identify the types of services currently provided and provide a copy of each Department of Public Health license held by the Petitioner.
2. Identify the types of services that are being proposed and what DPH licensure categories will be sought, if applicable.
3. Identify the current population served and the target population to be served.

**SECTION V. AFFIDAVIT**

**(Each Petitioner must submit a completed Affidavit.)**

Petitioner: Effective School Solutions, LLC

Project Title: Wraparound Program

I, David Nyman, CEO  
(Name) (Position – CEO or CFO)

of Effective School Solutions being duly sworn, depose and state that the  
(Organization Name)

information provided in this CON Determination form is true and accurate to the best of my knowledge.

[Signature] 8/12/14  
Signature Date

Subscribed and sworn to before me on August 12, 2014

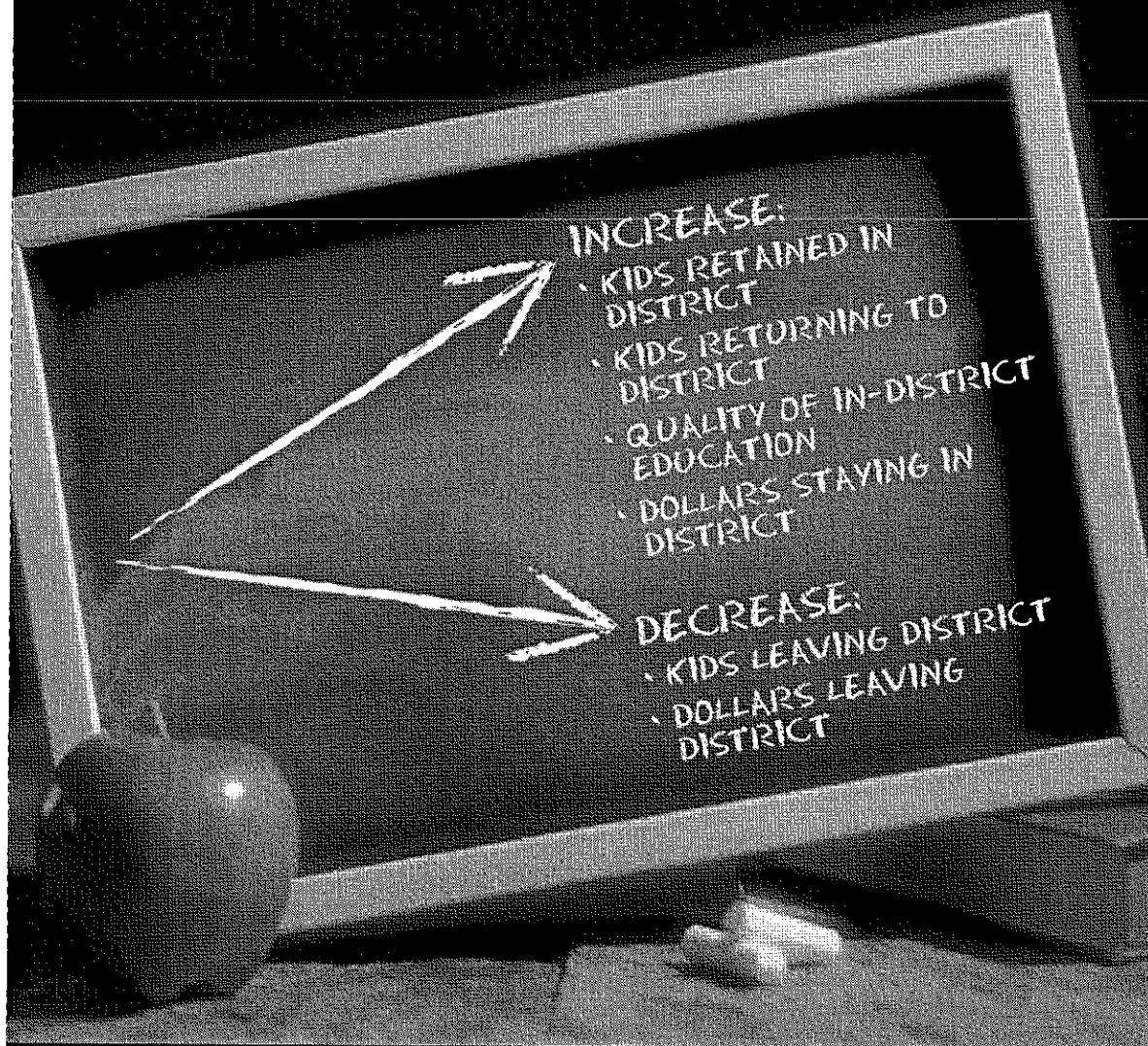
Karen Masciale  
Notary Public/Commissioner of Superior Court

**KAREN MASCIALE**  
Commission # 2412649  
Notary Public, State of New Jersey  
My Commission Expires  
**September 22, 2016**

My commission expires: \_\_\_\_\_

# EFFECTIVE SCHOOL SOLUTIONS

QUALITY COST-SAVING IN-DISTRICT  
CLINICAL SERVICES FOR STUDENTS  
WITH EMOTIONAL AND BEHAVIORAL  
PROBLEMS



## INCREASE:

- KIDS RETAINED IN DISTRICT
- KIDS RETURNING TO DISTRICT
- QUALITY OF IN-DISTRICT EDUCATION
- DOLLARS STAYING IN DISTRICT

## DECREASE:

- KIDS LEAVING DISTRICT
- DOLLARS LEAVING DISTRICT



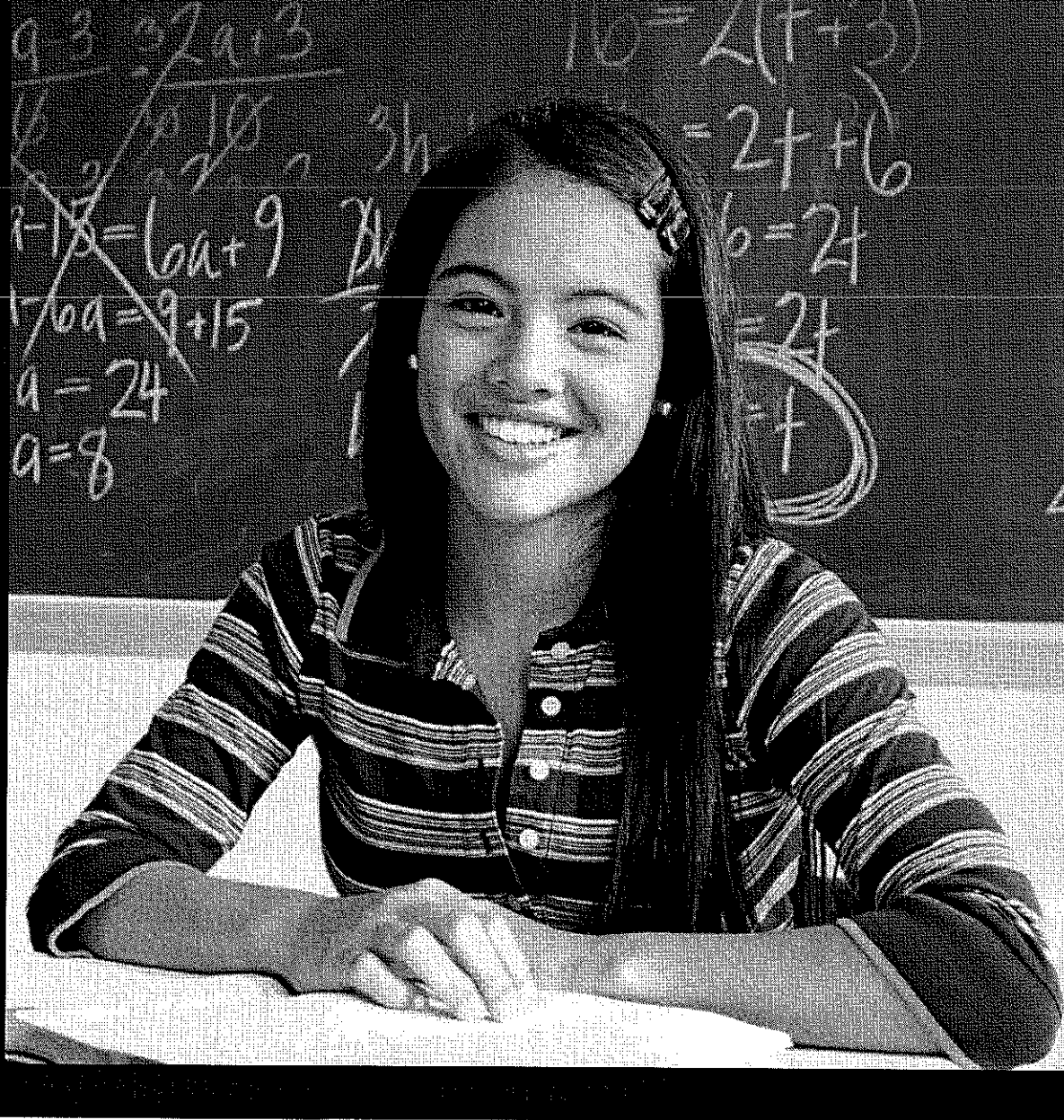
# COMPREHENSIVE IN-DISTRICT THERAPEUTIC SERVICES

The mission of Effective School Solutions is to provide high quality and cost-effective in-district clinical services for students with emotional and behavioral problems.

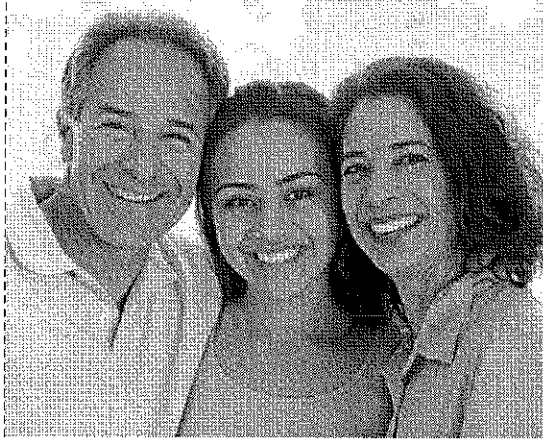
The demand for specialized services for this population continues to grow, with out-of-district placements and other educational accommodations becoming a severe burden on school professionals and district budgets everywhere.

Educators are searching for the answer on how best to provide the necessary services for these students within their district and in a cost-effective manner.

Effective School Solutions has that answer.



## OUR SOLUTIONS



We provide innovative clinical solutions for districts seeking to reduce costs while increasing the quality of their in-district education for students with emotional and behavioral problems. We provide experienced clinical staff, proven programming, sound oversight and a mature system of quality and risk management.

Our solutions include:

**Wrap-Around Program** – This program provides the structure and support that helps at-risk students be educated within mainstream and/or self-contained classes.

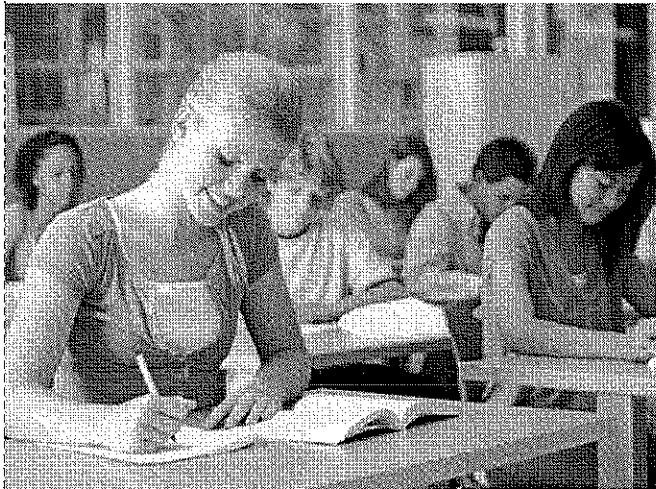
Services typically include:

- Weekly individual therapy
- Family therapy, available in the evening to accommodate parent schedules
- Monthly evening parent psycho-education and support group
- Daily group therapy, including specialized protocols for problems such as substance abuse and impulse control
- School refusal interventions, including home visits
- Lunch with our staff to avoid the stress of unstructured time in the cafeteria
- Study skills class, typically co-led by an ESS professional and a district teacher



**In-District Therapeutic School** – For large districts with significant out-of-district placements, an in-district therapeutic school is the ideal option. ESS will provide:

- All of the clinical services required for a comprehensive therapeutic school, including individual, group and family therapy
- Psycho-educational programming geared to build social, educational and life skills
- Parent support program
- 24/7 emergency hotline for both parents and students
- Therapeutic student handbook, protocols for crisis management and a school structure for building a healthy student community



Space requirements for therapeutic schools are relatively minor and can easily be accommodated within an existing school and/or located within another district building.

The development of an in-district therapeutic school typically saves the district huge sums of money and can even generate revenue for a district by attracting students from nearby districts.

## THE DATA SAYS IT ALL

ESS is committed to holding ourselves accountable for the services we provide through the use of objective measures when evaluating the effectiveness of our programs. Our Quality Management team applies these measures four times per year, after each marking period, and they provide critical feedback for our own staff as well as for school professionals and district administrators. The results of our analysis are consistent. **When a student is enrolled in an ESS program, grades and attendance go up, disciplinary incidents go down and out-of-district placements are avoided.** The team also monitors the quality of our medical record documentation and staff adherence with our program protocols on a monthly basis. This process, along with the program measures, ensures that the quality of our programming and documentation meet the highest of standards. This allows ESS districts to have great confidence in the services for which it contracts.

## PUTTING SOLUTIONS TO WORK

School districts struggling with ever-increasing challenges and costs of special education will find Effective School Solutions an ideal answer. To learn more about our services, or to schedule an initial consultation, please call us at (973) 299-9954.





## WHAT ADMINISTRATORS ARE SAYING

*"I am amazed at ESS staff's clinical skills. They are flexible and can work within the limits of the school. ESS has made a big impact on the students with whom they have been working with."*

**Bobbie Stenvall, Director of Special Services**  
Boonton, NJ

**ESS**  
EFFECTIVE  
SCHOOL  
SOLUTIONS

## WHAT PARENTS ARE SAYING

*"I feel ESS is doing an excellent job in helping to address my daughter's issues. They have personally assisted in helping to get her out of the house and off to school. They spend time with her in school, providing invaluable individual attention. Their hard work and dedication has been paying off and I see my daughter attending school regularly now, something that didn't seem possible not so long ago. ESS has helped give my wife and I skills that enable us to understand and deal better with my daughter."*

**Parent – Rockaway, NJ**

*"I can't say enough about the ESS program... I knew my son had it in him but it takes special people like you to pull it out of him...you are making our son the best he can be."*

**Parent – Manalapan, NJ**

*"We are grateful our son has had the opportunity to make a successful transition back to Montclair HS with the help and support from the ESS program... Thank you so much!"*

**Parent – Montclair, NJ**

*"I don't know what we would have done without you guys; you took so much time and provided comprehensive support and clinical expertise. We were ready to give up and take him out of school."*

**Parent – Cherry Hill, NJ**

*"The ESS program gave our family hope for the future. This is the only program that has ever worked for our son."*

**Parent – Boonton, NJ**

## WHAT STUDENTS ARE SAYING

*"I never thought therapy and school would mix, but it seems to. I like knowing that I have someone to talk to during the day if I need to... and groups are pretty cool."*

**Student – Cherry Hill, NJ**

*"ESS helps me get through the day."*

**Student – Parsippany, NJ**

*"I feel more normal now...the staff knows what they are doing."*

**Student – Manalapan, NJ**

*"ESS helps me get focused for the school day ahead. I know if I'm having a tough time I can go speak to my counselor for support."*

**Student – Montclair, NJ**

*"If I had ESS in middle school, I would not have the problems that I have now."*

**Student – Lincoln Park, NJ**

*"ESS helps me with everything."*

**Student – Scotch Plains, NJ**

*"I really need the groups to help me remain focused on attending school regularly."*

**Student – Glen Ridge, NJ**

*"I'm doing so much better because of this program. The counselors are great"*

**Student – Cranford, NJ**



EFFECTIVE  
SCHOOL  
SOLUTIONS

*Cost-Saving In-District Clinical Services*

25 De Forest Ave., Suite 310, Summit, New Jersey 07092

Phone (973) 299-9954

[www.effectiveschoolsolutions.com](http://www.effectiveschoolsolutions.com)

\* \* \* COMMUNICATION RESULT REPORT ( AUG. 14. 2014 2:29PM ) \* \* \*

FAX HEADER:

TRANSMITTED/STORED : FILE MODE	AUG. 14. 2014 2:28PM OPTION	ADDRESS	RESULT	PAGE
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 E-3) NO ANSWER

E-2) BUSY  
 E-4) NO FACSIMILE CONNECTION



**STATE OF CONNECTICUT  
 DEPARTMENT OF PUBLIC HEALTH  
 OFFICE OF HEALTH CARE ACCESS**

**FAX SHEET**

**TO:** DAVID NYMAN  
908-277-1808

**FAX:** \_\_\_\_\_

**AGENCY:** EFFECTIVE SCHOOL SOLUTIONS, LLC

**FROM:** OHCA

**DATE:** 8/14/14 **Time:** \_\_\_\_\_

**NUMBER OF PAGES:** 2  
*(including transmittal sheet)*

**Comments:**

Attached is a determination regarding DN:14-31935-DTR for Establishment of a Wraparound Program in CT Schools.

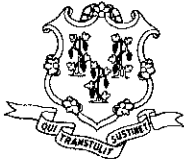
**PLEASE PHONE Barbara K. Olejarsz IF THERE ARE ANY TRANSMISSION PROBLEMS.**

Phone: (860) 418-7001

Fax: (860) 418-7053

410 Capitol Ave., MS#13HCA  
 P.O. Box 340308  
 Hartford, CT 06134





**STATE OF CONNECTICUT**  
DEPARTMENT OF PUBLIC HEALTH  
*Office of Health Care Access*

August 14, 2014

VIA FACSIMILE ONLY

Mr. David Nyman  
Chief Executive Officer  
Effective School Solutions, LLC  
25 Deforest Ave.  
Suite 310  
Summit, NJ 07901

RE: Certificate of Need Determination Report Number 14-31935-DTR  
Establishment of Wraparound Program

Dear Mr. Nyman:

On August 14, 2014, the Office of Health Care Access ("OHCA") received your Certificate of Need ("CON") Determination request on behalf of Effective School Solutions, LLC ("Petitioner") with respect to the establishment of a Wraparound Program within Connecticut school systems.

The Petitioner is a New Jersey-based organization that provides counseling programs in public schools for students at-risk with emotional and behavioral problems. The services are provided by full-time licensed mental health professionals who are assigned to the specific school district to which services are being provided. The Petitioner only offers its contracted services to school districts, not the public. The Petitioner seeks to establish its outpatient mental health and/or substance abuse treatment program in Connecticut.

Conn. Gen. Stat. § 19a-639(b)(16) exempts from the CON requirement "[a]n outpatient clinic or program operated exclusively by or contracted to be operated exclusively by a municipality, municipal agency, municipal board of education or a health district, as described in section 19a-241." The Petitioner has represented that it only contracts with school districts. Therefore, the Petitioner's proposal falls under the exception provided by Conn. Gen. Stat. § 19a-639(b)(16). As such, OHCA hereby determines that a **CON is not required** for the Petitioner's proposal.

Sincerely,

A handwritten signature in black ink, appearing to read "Kimberly R. Martone".

Kimberly R. Martone  
Director of Operations

C: Rose McLellan, License and Applications Supervisor, DPH, DHSR

*An Equal Opportunity Provider*

*(If you require aid/accommodation to participate fully and fairly, contact us either by phone, fax or email)*  
410 Capitol Ave., MS#13HCA, P.O.Box 340308, Hartford, CT 06134-0308  
Telephone: (860) 418-7001 Fax: (860) 418-7053 Email: OHCA@ct.gov