



Office of Mental Health

ANDREW M. CUOMO

Governor

ANN MARIE T. SULLIVAN, M.D.

Commissioner

MARTHA SCHAEFER

Executive Deputy Commissioner

April 12, 2017

Robert N. H. Christmas, Esq.
Nixon Peabody LLP
437 Madison Avenue
New York, New York 10022-7039

Roland A. Baroni, Jr., Esq.
Stephens, Baroni, Reilly & Lewis, LLP
Northcourt Building
175 Main Street
White Plains, New York 10601

Re: Paradigm Padavan Law Hearing

Dear Mr. Christmas and Mr. Baroni:

Enclosed are my Determination with regard to the above referenced matter, and the Hearing Officer's Report and Recommendation on which it is based. I have determined that the nature and character of the area in which the facility is proposed to be based would not be substantially altered as a result of establishment of the proposed facility. Pursuant to section 41.34 of the Mental Hygiene Law and applicable case law, this is the only basis on which the Town's objection could be sustained. However, Paradigm may not proceed with operating the proposed facility unless an operating certificate is obtained pursuant to 14 NYCRR Part 551. Upon Paradigm's Prior Approval Review application being deemed complete, it will be reviewed pursuant to the process and criteria set forth in Part 551, and will be evaluated on the basis of considerations that are distinct from the matter covered by this Determination.

Sincerely,

Ann Marie T. Sullivan, M.D.
Commissioner

Enclosure