

ONE HUNDRED FIFTEENTH CONGRESS  
**Congress of the United States**  
**House of Representatives**

COMMITTEE ON ENERGY AND COMMERCE

2125 RAYBURN HOUSE OFFICE BUILDING  
WASHINGTON, DC 20515-6115

Majority (202) 225-2927  
Minority (202) 225-3641

September 26, 2018

Mr. Robert Niznik  
CEO  
Addiction Recovery Now and Niznik Behavioral Health, Inc.  
1966 N.E. 123rd Street, Suite 203  
North Miami, FL 33181

Dear Mr. Niznik:

Thank you for appearing before the Subcommittee on Oversight and Investigations on July 24, 2018, to testify at the hearing entitled "Examining Advertising and Marketing Practices within the Substance Use Treatment Industry."

Pursuant to the Rules of the Committee on Energy and Commerce, the hearing record remains open for ten business days to permit Members to submit additional questions for the record, which are attached. To facilitate the printing of the hearing record, please respond to these questions with a transmittal letter by the close of business on Thursday, October 11, 2018. Your responses should be mailed to Ali Fulling, Legislative Clerk, Committee on Energy and Commerce, 2125 Rayburn House Office Building, Washington, DC 20515 and e-mailed in Word format to [Ali.Fulling@mail.house.gov](mailto:Ali.Fulling@mail.house.gov).

Thank you again for your time and effort preparing and delivering testimony before the Subcommittee.

Sincerely,



Gregg Harper  
Chairman  
Subcommittee on Oversight and Investigations

cc: The Honorable Diana DeGette, Ranking Member, Subcommittee on Oversight and Investigations

Attachment

## Attachment—Additional Questions for the Record

### The Honorable Gregg Harper

1. According to information provided to the Committee, Niznik Behavioral Health stated that it receives 14,000 calls a month. How many of those calls result in an admission to one of your facilities?
  - a. How are the majority of calls that your company receives generated (a specific website, an advertisement, etc.)?
2. Are call center employees sales representatives or do they have any clinical background?
  - a. Do they disclose that status to callers?
3. The decision to seek treatment for yourself or a loved one is a big decision, and one that many individuals make without a good understanding of the treatment options that are available or that would best meet their needs. It's a big responsibility for whomever is on the other end of the line. How are those employees trained?
  - a. Do those answering calls perform any sort of assessment of a caller's medical or treatment needs over the phone to ensure the caller can be properly treated at a Niznik facility?
  - b. Do they have any formal education, certifications, or accreditation to be doing a clinical assessment and recommending or referring individuals to a treatment facility that is right for that patient?
  - c. If the employees that are answering these calls have no medical training, and in some cases no formal educational training at all, do you believe that they are qualified to be making recommendations to individuals seeking clinical treatment?
4. If a caller agrees to enroll at a Niznik facility, does the caller speak with anyone with medical or treatment expertise before his or her arrival at a Niznik facility?
5. Do Niznik staff conduct a medical assessment of patients once they arrive at a facility?
  - a. Under what circumstances would a Niznik facility turn someone away or take them to another hospital or facility?
  - b. How frequently do Niznik facilities decline to enroll patients because they have medical or psychiatric conditions that the facility is not able provide adequate care for?

6. Based on information you provided to the Committee, when Niznik Behavioral Health call center employees determine that one of your facilities doesn't meet the needs of the individual calling and/or the individual does not wish to go to one of your facilities, your call center employees will occasionally give them the information of another facility. How many non-Niznik Behavioral Health facilities do you call center employees refer individuals to and how often does this happen?
  - a. How is it determined what facilities your call center employees will make referrals to?
  - b. Does Niznik Behavioral Health do any vetting of these facilities prior to providing this information to individuals?
7. Do the television commercials that Niznik Behavioral Health runs contain disclosures that the phone number advertised as the hotline in the commercial is answered by Niznik Behavioral Health?
  - a. If so, please provide the language of that disclosure.
  - b. When someone calls that hotline, is it disclosed to the individual that the phone is being answered by Niznik Behavioral Health?
8. Mr. Niznik testified that none of Niznik Behavioral Health's facilities or subsidiaries have ever paid for or sold leads. The website Rehab.com lists Niznik Behavioral Health as a paid sponsor of the 1-800 hotline listed on the website. Please clarify whether it has ever paid Rehab.com in order to receive calls from the hotline.
9. Is there anything else that you'd like to add, clarify, or correct for the record?

**The Honorable Gus Bilirakis**

1. What entity is responsible for auditing your facilities? Since opening your doors, how many times have you been audited, and is your experience unique or common in the industry?