

Continued from previous page

case, the settlement was confidential.

Jessie Beeber, attorney for Recovery Brands, told *ADAW* that the settlement is not confidential. But the attorney also refused to allow Recovery Brands or Elements to release it to us, although both programs said they wanted to.

“Without seeing the settlement agreement, it is difficult to know the full extent of what has been resolved,” Jeffrey Lynne, a lawyer with Weiner, Lynne, and Thompson in Florida, told *ADAW* in an email. “It is very common for legal matters to resolve themselves with a confidential settlement agreement, assuming in this case, the settlement is confidential. However, to the extent that there has been an amicable resolution, it would be my guess, and this is simply an experienced and educated guess, that both sides have merit to their arguments, but neither side has evidence of such strength so as to force the other one’s hand.”

Press releases

Both Elements and Recovery Brands, which operates a website in which patients are directed to treatment programs, stated in their press releases that the lawsuit was dismissed with prejudice, meaning only that Seabrook can’t refile it, and without a financial settlement.

“Through our online marketing campaigns, continuing education programs, publications and community events, we are committed to providing consumers the information they need to make important treatment decisions,” said David Sack, M.D., CEO of Elements, in the March 10 press release. “We believe it is time for all members of our industry to move beyond rushing to conclude that something unethical has occurred just because a treatment center has developed robust online advertising campaigns that reach a broad audience of potential clients and their families.”

According to the Elements press release, the treatment program is

NAMA comments on Narco Freedom story

Last week we reported on the Narco Freedom opioid treatment program story in which the state Office of Alcoholism and Substance Abuse Services (OASAS) was planning for contingencies in case the New York City-based program would be shut down in the wake of indictments from the state attorney general (see *ADAW*, March 9). The story was spurred by a press release from the National Alliance for Medication Assisted Recovery (NAMA Recovery), but the contact on the press release, NAMA Recovery Executive Director Joycelyn Woods, did not get back to us in time to be quoted in the story. She has since sent this comment:

“I have always been proud of New York’s state agency. A number of times programs have closed and the state has always stepped in and taken on the responsibility of making sure that every patient is able to continue treatment. I expect no less of OASAS to insure that every patient can continue treatment with as little disruption as possible. And I know they can and have the will to do it.”

Diplomatic as this comment is, there is nevertheless resentment and suspicion on the part of patient advocates as to whether OASAS can be trusted, as can be seen from Walter Ginter’s comments last week. At issue is whether patients in medication-assisted treatment will be involved in decisions that involve them. Stay tuned for more on Narco Freedom.

“disappointed that Seabrook House chose to file this unsuccessful lawsuit rather than work with” them on their concerns. “We have the greatest respect for Seabrook’s programs and have strongly supported Seabrook over the last several years through charitable contributions to the Seabrook Foundation and the numerous referrals we’ve made to their programs,” said Sack in the press release.

Although nobody, including Seabrook’s lawyer, would make the settlement available to *ADAW*, the press release from Elements disclosed that part of the agreement states that “neither party will include a listing of the other in any websites owned or operated by the other.” The Elements press release suggests that this may “impact this support” (referrals) in the future. “With this lawsuit put to rest, it is our hope that we can gradually return to a mutually respectful and beneficial relationship,” said Sack in the press release.

Lack of proof

In the Recovery Brands press release, company co-founder Abhilash Patel said that Seabrook’s “complaint

was based on a fundamental misunderstanding of what Recovery Brands does, and how our third-party consumer websites function to provide people who need help with the best possible information about all of their treatment options.”

As Lynne speculated, the problem appeared to be that Seabrook House couldn’t prove its case. Patel stressed that the allegations — that Recovery Brands misdirected patients searching for treatment from Seabrook to other providers — “were never proven.” He added that they “could never have been proven because we don’t use those tactics with anybody.” He added: “It also was never proven that we infringed on any of Seabrook House’s rights or violated any laws.”

At the same time, Patel asked the industry to “work with us to establish better standards for digital marketing and launch an industry-wide education effort about the power of the web to support people with addictions.”

Recovery Brands operates Rehabs.com and Recovery.org, which are supported by advertising. From