



State of New Jersey
DEPARTMENT OF HEALTH

PO BOX 360
TRENTON, N.J. 08625-0360
www.nj.gov/health

PHILIP D. MURPHY
Governor

SHEILA Y. OLIVER
Lt. Governor

December 17, 2018

SHEREEF M. ELNAHAL, MD, MBA
Commissioner

Robert M. Divito Jr.
Element 7 NJ, LLC
929 Dickson St
Marina Del Ray, CA 90292

Dear Robert M. Divito Jr.:

The Department of Health (Department) received your application on August 31, 2018 to operate an Alternative Treatment Center (ATC) pursuant to N.J.S.A. 24:6I-1 et seq.

On July 16, 2018, the Department of Health (Department) posted a Request for Applications (RFA) to operate up to six new vertically integrated Alternative Treatment Centers (ATCs), with up to two in each of the Northern, Central and Southern Regions. Applications were due to the Department no later than August 31, 2018 at 5:00 PM. Six winning applications were selected from among 146 applications submitted by 103 applicants. A number of applicants submitted applications to operate ATCs in multiple regions. Two applications were selected to proceed in the permitting process for each of the three New Jersey regions defined in the RFA: North, Central, and South.

In accordance with the provisions of the RFA, a six-member selection committee (Committee), comprised of four representatives from the Department of Health and one each from the Departments of Agriculture and Treasury, was established to individually review and score each application based on the criteria set forth in the RFA. An initial completeness review of received applications was conducted by the Department and applications found to be complete were released to the Selection Committee on a rolling basis beginning September 18, 2018 for review and evaluation.

During the completeness review, the following application submitted was found to be incomplete:

Applicant Name: Element 7 NJ, LLC

Region: North

Specifically, the application was missing the following mandatory document(s) and/or had the following deficiencies:

- No proof of New Jersey Business Registration
- Missing all required signatures on releases and waivers.
- Missing required Personal History Disclosures (PHDs)
- Check for application fee was returned for insufficient funds
- No record of attendance at mandatory Pre-Application Conference


Accordingly, the listed application was not released to the selection committee or scored. As stated in the RFA, failure to comply with the mandatory requirements for the application would result in automatic disqualification from the selection process.

You have the right to appeal this decision to the Superior Court of New Jersey, Appellate Division, within 45 days of the date of this letter in accordance with the Rules Governing the Courts of the State of New Jersey. All appeals should be directed to:

Superior Court of New Jersey
Appellate Division
Attn: Court Clerk
PO Box 006
Trenton, NJ 08625

Because your application was not successful, the \$18,000 check that was submitted with your application is being returned to you, consistent with N.J.A.C. 8:64-6.5. Thank you for your interest in operating an ATC.

Respectfully,

A handwritten signature in black ink, appearing to read 'Shereef Elnahal', written in a cursive style.

Shereef Elnahal
Commissioner