

New Hampshire Opioid Abatement Advisory Commission
Regular Meeting
Executive Council Chamber
September 11, 2023, at 1:00 p.m.

Attending:

David **Mara** (Governor's Designee)
Attorney James **Boffetti** (Designee for the Attorney General)
Jennifer **Sabin** (DHHS Commissioner's Designee)
Representative David **Nagel** (House)
Senator, Cindy **Rosenwald** (Chair)
Patrick **Tufts** (Chair of Governor's Commission on Drug and Alcohol Treatment)
Jason **Henry** (County Corrections Superintendent appointed by Governor)
Kathryn **Kindopp** (Governor's Appointment)
Toni **Pappas** (County of +100k appointed by Governor)
Peter **Spanos** (County of <100k appointed by Governor)
Bobbie **Bagley** (City with 75k+ appointed by Governor)
Benjamin **Gaetjens-Oleson** (Governor's Appointment)
Traci **Fowler** (NH Charitable Foundation)
Dr. Seddon **Savage**, MD, (Appointed by Governor's Commission on Alcohol and Drug Prevention, Treatment and Recovery)
Emily **Rice** (Appointed by Governor's Commission on Alcohol and Drug Prevention, Treatment and Recovery)
Ellen **Riiska**: (Appointed by the New Hampshire School Administrators Association)

Present via Microsoft Teams Platform:

James **Watkins** (Municipal Fire Chief appointed by Governor)

Absent:

Rachel **Miller** (Treasury)
Helen **Hanks** (Commissioner, Department of Corrections)
Kevin **Rourke** (Municipal Police Chief appointed by Governor)
Elizabeth **Dragon** (City with < 75k appointed by Governor)
Bianca **Monroe** (Appointed by the Attorney General)

Senator Rosenwald opened the meeting at 1:00 pm with a roll call. A quorum of the Commission members physically present was established¹.

The August 14 Meeting Minutes were not ready for review. Review of the minutes will be completed at the next meeting of the commission.

Public Comment

- Cheryl Pacapelli- Would prefer if public session was uninterrupted. Last meeting the commission went into private session and then back into public. This is challenging for those wanting to attend entire public session.

Discussion of Core Principles— Traci Fowler

Committee Member Traci Fowler (NH Charitable Foundation) presented on 2 Documents: *Primer on Spending Funds from the Opioid Litigation -a Guide for State and Local Decision Makers*, and *Top Recommendations from 1st round of Opioid Abatement Grant Review*. Documents were shared at meeting and are available online.

- Commission is essentially a grant making entity.
 - Should weigh decisions on grant making best practices
 - Making informed decisions
 - Understanding the context of other funding (refer to doc)
 - Handling reimbursement separately
- Johns Hopkins primer on spending abatement funds (refer to doc)
 - 9 core abatement **strategies**
 - All previous initiatives that were funded met these strategies
 - Suggests that Commission adopt these strategies
 - Organized, transparent and clear
- Discussion of presentation continued and how NH Opioid Abatement Commission could utilize these strategies
 - Should be shared with Town officials and committees to help inform decisions
 - How the commission could possibly prepare for a SOR funding reduction, funding cliffs
 - How can these strategies help with those with chronic pain and no longer have access to opioids (as well as those with both OUD and chronic pain)
 - Funds specifically for opioids
 - Understanding how these tools align with state plan
 - How tool aligns with statute
 - Aligning commission using multiple tools
 - Helps people understand opioid abatement strategies
 - Reframing opioid perception
 - “Opioid Strike Forces” other harmful language
 - Looking at other medications/naloxone formulations other than Narcan

¹ Eleven members constitutes a quorum pursuant to RSA 126-A: 85, IV.

- Accountability to courts as well as statute
 - Need to certify that money is being used for opioid abatement
 - Statute was written to meet court requirements
- Looking at other states
 - Moving money more quickly while commission is discussing strategies
 - How can we initiate strategies to plug holes?
- Providing money to HHS to provide expediency in getting money out
- Traci Fowler, Dave Nagel, and Seddon Savage to work on Core strategies to bring back to commission **ACTION ITEM**

Update on New Position at DHHS—Jennifer Sabin DBH

- Draft sent out outlining the position
 - Monitoring Abatement Contract
 - Including financial monitoring
 - Help inform commission spending
 - Site visits
 - With Commission approval the position would move forward
 - Because of the funding source, does not need to come before legislator
 - In one year, would need to go to G&C
 - Could potentially be built into budgeting process
- Discussion of measures to evaluate the position
- Money must be certified but do not require performance measures
- Recruiting for temporary positions can be challenging
- Codifying position in statute
- DHHS to move forward with position

Update on Settlements and Funds Distribution—James Boffetti

- Since last meeting, Commission received from McKesson/Cardinal Health \$5.2 Million
 - 15% distributed to 23 qualifying subdivisions
 - Balance to OA Trust fund
 - Will be regular payment varying in amount yearly in July until 2038
- Close to finalizing settlements with CVS, Walgreens, Walmart, Teva and Allergan
 - Total is \$100 million with different payment schedules
- Mallinckrodt
 - Went to Bankruptcy
 - May make 1 last payment before Bankruptcy
- Bankruptcy laws have hindered prosecution
- Some other minor settlements being worked on
- \$15 million has gone out into community

Discussion of Policy for Releasing Minutes of Non-Public Meetings— Elizabeth Dragon

Elizabeth was not present at the meeting

Other Business

- HHS received notice of award for upcoming year
 - Set to go for this year
 - Will have a number of upcoming renewals and amendments
- Suggestion to start talking about next grant
 - Housing and transportation
 - HHS begin process for RGA
 - Court Programs that provides housing
 - Could be replicated
 - Suggested subcommittee to meet with NH Finance Housing Authority
 - Suggested that subcommittee have representation from community mental health centers
 - NHFHA Could advise, possible brick and mortar construction
 - No Housing available
 - Prevention issue
 - Integrate
 - Transportation was not included in original recommendation
 - Transportation faces similar challenges, needs drivers
 - DOJ had recent procurement for transportation for treatment court participants commission could learn from
 - Many people who are incarcerated are making their way south after incarceration
 - People get to choose where they receive healthcare
 - Avoiding hoteling people
 - Creating integrated transportation system for SUD and mental health with seed money
 - Mobile integrated health
 - Telehealth
 - Discussion of limitations
 - Discussion of SUD transportation in terms of services provided to others
 - Subcommittee to identify problems and solutions to transportation and housing
 - Benjamin Gaetjens-Oleson will chair
 - Patrick Tufts, Bobbie Bagley, David Mara, Jason Henry appointed members. Report at next meeting **ACTION ITEM**
- Peer Support Professionals reimbursement is not a living wage
 - Many of these folks transition to clinical services
 - Concern community will lose Peer Workforce
 - Suggestion to provide attention to these issues
 - Department to come to next meeting to present on BH workforce initiatives

ACTION ITEM
- Unanimous motion to move into non-public session by roll call vote

Next Meeting was scheduled for October 20 2023, at 10:00am and Commission moved into non-public session

New Hampshire Opioid Abatement Advisory Commission
Non-Public Meeting
Executive Council Chamber
September 11, 2023, at 1:00 p.m.

Attending:

David **Mara** (Governor's Designee)
Attorney James **Boffetti** (Designee for the Attorney General)
Jennifer **Sabin** (DHHS Commissioner's Designee)
Representative David **Nagel** (House)
Senator, Cindy **Rosenwald** (Chair)
Patrick **Tufts** (Chair of Governor's Commission on Drug and Alcohol Treatment)
Jason **Henry** (County Corrections Superintendent appointed by Governor)
Kathryn **Kindopp** (Governor's Appointment)
Toni **Pappas** (County of +100k appointed by Governor)
Peter **Spanos** (County of <100k appointed by Governor)
Bobbie **Bagley** (City with 75k+ appointed by Governor)
Benjamin **Gaetjens-Oleson** (Governor's Appointment)
Traci **Fowler** (NH Charitable Foundation)
Dr. Seddon **Savage**, MD, (Appointed by Governor's Commission on Alcohol and Drug Prevention, Treatment and Recovery)
Emily **Rice** (Appointed by Governor's Commission on Alcohol and Drug Prevention, Treatment and Recovery)
Ellen **Riiska**: (Appointed by the New Hampshire School Administrators Association)

Present via Microsoft Teams Platform:

James **Watkins** (Municipal Fire Chief appointed by Governor)

Absent:

Rachel **Miller** (Treasury)
Helen **Hanks** (Commissioner, Department of Corrections)
Kevin **Rourke** (Municipal Police Chief appointed by Governor)
Elizabeth **Dragon** (City with < 75k appointed by Governor)
Bianca **Monroe** (Appointed by the Attorney General)

Discussion of Reimbursement RGA Recommendations—Non-public

- Opioid Settlement applications
 - Review each individually
- Seabrook application is providing money for law enforces not to help those with OUD and this is supported by the statute
 - An attempt to recoup drug enforcement work which is not supported by the statute
 - Motion made by James Bofetti, seconded by Peter Spanos to deny the Seabrook application, discussion followed
 - This is reimbursement for cost associated with overtime spent due to the opioid crisis which is the purpose of the funds and follows what's outlined in the RGA
 - Suggestion that it does fit RGA but concern about how certifying this application would create other requests from law enforcement
 - Committee should amend statute if funding is not available to law enforcement
 - Although the application is not in the spirit of the RGA, it fits the statute

- What was the intent for reimbursing emergency police response through the statute?
 - State law enforcement has federal and state funds from other sources to draw from
 - Commission has broad based authority and representative opinion
 - Law enforcement is reducing the drug supply
 - Law enforcement are often making referrals
 - We do not need to fund it, even if it fits the statute
 - 5 yes 2 abstentions, 7 no, **Motion fails**
- Recommendation to have member of the subcommittee to read recommendations
- Motion to approve the Seabrook request at the amount recommended by the subcommittee Benjamin Gaetjens-Oleson, Seconded by Traci Fowler
 - 6 yes, 2 abstained, 5 no **Motion Passes**
- Motion to approve the Rockingham request at the amount recommended by the subcommittee made by Tony Pappas seconded by Emily Rice
 - Program staff list included administrative personnel
 - Application for automotive and vocational
 - Will not certify that this is for opioid abatement
 - How will we know programs are not getting funding from multiple sources
 - RGA is clear that the 15% that goes to the subdivisions goes to the county as a whole, they did not talk about it in application because RGA directed them not to
 - 80% of healthcare outcomes are based on social context and things like literacy and employment
- Motion amended to approve the subcommittees recommendation on Rockingham County

- 10 yes 3 no **Motion Passes**
- Motion to approved the subcommittees recommendation on Cheshire County made by Patrick Tufts seconded by Tony Pappas
 - Application was submitted with incomplete program staff list
 - 10 yes, 2 apposed 1 abstention **Motion Passes**
- Motion to approved the subcommittees recommendation on Hillsborough County made by Emily Rice seconded by Benjamin Gaetjens-Oleson
 - Incomplete staff list led to a limited funding reduction
 - 9 yes, 2 apposed, 2 abstentions **Motion Passes**
- Motion to approved the subcommittees recommendation on Merrimack County made by Emily Rice seconded by Kathryn Kindopp
 - 10 Yes, 2 no **Motion Passes**
- Motion to approved the subcommittees recommendation on Strafford County made by Seddon Savage seconded by Peter Spanos
 - Did not include administrative staff
 - 11Yes, 1 No **Motion Passes**
- Motion to approve the subcommittees recommendation on Sullivan County made by Patrick Tufts seconded by Kathryn Kindopp
 - 8 Yes, 4 no
- Benjamin Gaetjens-Oleson made motion to move out of non-public session second by Kathryn Kindopp, **Motion passed** unanimous.
- Motion to adjourn made by Benjamin Gaetjens-Oleson and seconded by Kathryn Kindopp **Motion Passed** unanimously. Meeting adjured at approximately 3:50 pm.

Action Items:

Traci Fowler, Dave Nagel, and Seddon Savage to work on Core strategies to bring back to commission.

Subcommittee to identify problems and solutions to transportation and housing, report for next meeting.

HHS to come to next meeting to present on BH workforce initiatives.

At the call of the Chair, the meeting adjourned at 3:50 pm.