

**New Hampshire Opioid Abatement Advisory Commission
Regular Meeting
DHHS Brown Building Auditorium, 129 Pleasant St, Concord, NH
Monday, August 1, 2022 at 10:00 a.m.**

Attending:

Senator, Cindy **Rosenwald** (Senate)
Representative Dennis **Acton** (House)
Attorney James **Boffetti** (Designee for the Attorney General)
David **Mara** (Governor's Designee)
Helen **Hanks** (Commissioner, Department of Corrections)
Jason **Henry** (County Corrections Superintendent appointed by Governor)
Elizabeth **Dragon** (City with < 75k appointed by Governor)
Bianca **Monroe** (Appointed by the Attorney General)
Rachel K. **Miller** (Designee for the State Treasurer)
Jennifer **Sabin** (State Opioid Response Director, DHHS designee)
Thomas **Velardi** (County Attorney appointed by Governor)
Traci **Fowler** (NH Charitable Foundation)
Kathryn **Kindopp** (Governor's Appointment)
Benjamin **Gaetjens-Oleson** (Governor's Appointment)

Present via Zoom Platform:

Toni **Pappas** (County of +100k appointed by Governor)
Seddon **Savage**, MD, (Appointed by Governor's Commission on Alcohol and Drug Prevention, Treatment and Recovery)

Absent:

Patrick **Tufts** (Chair of Governor's Commission on Drug and Alcohol Treatment, Prevention and Recovery)
Peter **Spanos** (County of <100k appointed by Governor)
Emily **Rice** (Appointed by Governor's Commission on Alcohol and Drug Prevention, Treatment and Recovery)
Robert **Buxton** (Municipal Fire Chief appointed by Governor)
Bobbi **Bagley** (City with 75k+ appointed by Governor)
Kevin **Rourke** (Municipal Police Chief appointed by Governor)

Senator Cindy Rosenwald (Chair) opened the meeting at 10:01 a.m. with a roll call of Commission members. A quorum of the Commission members physically present was established. ¹

The first order of business was adoption of the minutes for the meeting of July 18, 2022. The minutes were adopted unanimously on a voice vote.

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

The second order of business was a review and subsequent adoption of the Request for Grant Applications (RGA) form. Commissioner and subcommittee Chair Traci Fowler led the discussion and walked members through the edits discussed and made since the last meeting. Senator Rosenwald stated that non-public schools needs to be added to After much discussion, questions answered and typos addressed, a final RGA was agreed upon with the following areas of edits to include but not limited to:

- add language to “reimbursement” references to include that this goes back to 7/1/2020, the date the original law was passed;
- add “approximately” to reference under Grant Agreement Value – i.e. “The total available funding for all grants awarded... is anticipated to be *approximately* \$ _____.”
- appendices to be edited to match RGA document
- section 1.4.4 with respect to rating criteria, add language to address the likelihood of addressing the need; what evidence or emerging research supports the likelihood of addressing the need
- section 1.4.1.19 remove “from the department”
- updated links where applicable

Commissioner Dragon raised the question of when to recuse oneself from voting on applications. Members discussed how the Commission defines or will define a conflict of interest. A suggestion was made to table the discussion until the next meeting in order to keep moving on the RGA form and take a vote to finalize. A roll call vote was taken to adopt the RGA as edited. All members present and one member via Zoom voted to adopt.

The third order of business was an update from Associate Attorney General James Boffetti on litigation efforts relative to settlements and distribution of settlement funds.

- Johnson & Johnson is scheduled for trial after Labor Day; opening statements begin at 9 a.m. on 9/12 in Merrimack Superior Court; all are welcome to attend
- Purdue bankruptcy settlement has not been finalized and proceedings continue to move forward through the New York Bankruptcy Court.
- Mallinckrodt bankruptcy plan – no change
- Potentially two new settlements (Teva and Allergan)
- Pharmacy chain lawsuit is still in the beginning phases
- Another manufacturer is in negotiations with states

The fourth order of business was a call for public comment and there was none.

The fifth order of business was a brief discussion and consideration of the initial grant round timeline assuming a posting of the newly adopted RGA form on 8/8. A Q & A subcommittee was established to address questions submitted as part of the grant round and draft answers which would be shared with members prior to publishing. Subcommittee members agreeing to service in this capacity are Commissioner Fowler, Representative Acton, and Attorney Boffetti.

The sixth order of business was a presentation and discussion led by Jennifer Sabin about the proposed Program Manager position in DHHS. This position would be a fulltime dedicated professional focused solely on this commission. It is currently vacant and with salary and benefits, estimated costs over nine months is approximately \$80,000 and would be funded 100% through settlement funds. Commissioner Hanks proposed a motion to grant funding for this position at the amount presented in order to allow DHHS to take a request to Governor and Council. Attorney Boffetti seconded the motion. A roll call vote was taken on the motion and it passed with 13 members present voting yes, one member via Zoom voting yes, and one abstention. The same subcommittee formed to facilitate the RGA Q&A process will review this position request prior to submission to Governor and Council.

The next scheduled Opioid Abatement Commission Meeting will be held on Monday, September 12, 2022 at 1:00 p.m. at the Brown Building.

Agenda items for discussion include:

- conflict of interest question in context of voting on application
- update on hiring process for new Program Manager position
- update on settlement funds
- public comment
- date of next meeting and agenda topics

At the call of the Chair, the meeting adjourned at 11:51 a.m.