

**New Hampshire Opioid Abatement Advisory Commission  
Regular Meeting  
DHHS Brown Building Auditorium, 129 Pleasant St, Concord, NH  
Monday, March 7, 2022 at 1:00 p.m.**

**Attending:**

Attorney James **Boffetti** (Designee for the Attorney General)  
Kerrin **Rounds** (Department of Health and Human Services)  
Representative Dennis **Acton** (House)  
Senator Cindy **Rosenwald** (Senate)  
Attorney Thomas **Velardi** (County Attorney appointed by Governor)  
Jason **Henry** (County Corrections Superintendent appointed by Governor)  
Patrick **Tufts** (Chair of Governor's Commission on Drug and Alcohol Treatment, Prevention and Recovery)  
David **Mara** (Governor's Designee)  
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)  
Rachel **Miller** (State Treasurer's Designee)  
Peter **Spanos** (County of <100k appointed by Governor)  
Bianca **Monroe** (Appointed by the Attorney General)  
Helen **Hanks** (Commissioner, Department of Corrections)  
Bobbie **Bagley** (City with 75k+ appointed by Governor).

**Present via Zoom Platform:**

Maura **Weston** (Lobbyist)

**Absent:**

Michael **Carignan** (Municipal Police Chief appointed by Governor)  
Toni **Pappas** (County of +100k appointed by Governor)  
Robert **Buxton** (Municipal Fire Chief appointed by Governor)

Senator Rosenwald (Chair) opened the meeting at 1:00 p.m. with a roll call of Commission members. A quorum of the Commission members physically present was established.<sup>1</sup>

The first order of business was adoption of the minutes of the October 7, 2021 meeting as well as minutes of the January 10, 2022 meeting. Due to there being no quorum at the January 10, 2022 meeting, a vote to approve the October 7, 2021 minutes had to take place at today's meeting. Corrections to the January 10, 2022 minutes were made: Commission member Rachel Miller

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

stated that she was not present at the January 10, 2022 meeting. Commissioner Hanks clarified that reference to the “FOCUS” Program should be “Focus”.

The second order of business was an update from Associate Attorney General James Boffetti on litigation efforts relative to settlements and distribution of funds. Final approval of the \$21 billion settlement with three major distributors has been announced with NH expected to receive \$115 million over 18 years. This is further described in a press release dated February 25, 2022 from the NH Attorney General. The national settlement with Purdue Pharma and the Sackler family has increased to \$5.5 billion and could reach \$6 billion. The agreement, upon approval, would deliver approximately \$46 million from the settlement to NH over 18 years. This is further described in a press release dated March 3, 2022 from the NH Attorney General. The State’s settlement with Johnson & Johnson is still pending in Merrimack County Superior Court and a trial is scheduled for after Labor Day.

Attorney Boffetti briefed the commission on additional bankruptcy proceedings and litigation ongoing with parties related to the opioid crisis.

The third order of business was an overview of the state’s Drug Court system by the Honorable Tina Nadeau, Chief Justice of the NH Superior Court. Chief Justice Nadeau explained what drug court is, how it works, why it is important, and what the State is doing. While Strafford County was the first county to implement a drug court, in 2016, the state fully funded drug courts in all counties. By design, the drug court is a special docket that targets the highest risk offenders cycling through the court system. The drug court program involves intense outpatient treatment, supervision, weekly court visits, random drug testing, and incentives. An entire team, including judge, prosecutor, court coordinators, etc. meet weekly and the focus is on incentivizing the right behavior. Empirical studies have shown that outcomes are better for high-risk individuals who participate in this option.

Following the overview provided by Chief Justice Nadeau, Ovide Lamontagne spoke to the commission about the Friends of the Drug Court, a 501(c) organization committed to recovery, treatment, and avoiding recidivism. The group works with court coordinators with a goal to fund and be part of a robust recovery solution within the state as an effective partner of the drug court. The idea is to provide targeted solutions tailored to the individual in need (e.g. a loan, funds for dental work, funds to repair vehicle, etc.) to further support that individual’s return to recovery, employment, housing, etc. In donor outreach, the message is that individuals helped through this program and support are our current and future workforce and the positive impact on lives is real and further benefits our communities. NH is the only state that has this type of program. Chief Justice Nadeau stated that Sullivan County is the only county without an adult drug court, however, a good jail program exists in the county.

The fourth order of business was an update by Commissioner Rounds on the rulemaking process. There is a public hearing next week on March 15 at 2:00 in this room. The rules will get on the JLCAR calendar following a public comment period.

The fifth order of business was a presentation by Jaime Powers, Director of the Bureau of Drug and Alcohol Services within the Department of Health and Human Services. Director Powers walked through an overview of the State's integrated approach to substance use disorder services, including treatment and funding.

The sixth order of business was a legislative update. With respect to HB 1565, Attorney Boffetti shared that after explaining objections on the part of the Department of Justice, the Chair of the House Ways and Means Committee asked the department to summarize its objections and prepare a letter. Attorney Boffetti shared a letter dated March 4, 2022 to Chairman Norman Major with the commission. The House Ways and Means Committee will consider the bill this week and Attorney Boffetti stated that it would be nice to have member support and suggested the commission take a position on the bill. Further discussion occurred regarding this question, the allocation formula used in the distribution of funds, and a reminder of how and why the legislation (including settlement distribution percentages) was written by design with care to ensure these funds get out to all communities through a fair process and the process should be allowed to play out. The process can always be adjusted if need be after a year or two of actual results to evaluate.

Senator Rosenwald expressed reluctance to ask for a motion but encouraged members to talk to House Ways and Means Committee members and express their opinion individually.

SB295 included technical changes, has passed the Senate and will be referred to the House.

The seventh order of business was an invitation for public comment made by Senator Rosenwald. A comment was made that not all counties have filed reports yet because there was not a reporting mechanism. Further discussion entailed that covered thoughts on how most if not all counties will report on their funding usage, particularly MAT reimbursement the counties.

Senator Rosenwald invited representative(s) from the County Commissioners to come to the next meeting and further discuss these issues.

The final order of business was a discussion of proposed agenda items for the next commission meeting. A date was set and the meeting was scheduled on April 11, 2022 from 1:00 to 3:00 p.m. in the Brown Building Auditorium.

Proposed agenda items include

- settlement update
- rules update
- legislative update
- presentation by the County Commissioners group

At the call of the Chair, the meeting adjourned at 2:49pm.