

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

Attending:

David **Mara** (Governor's Designee)
Attorney James **Boffetti** (Designee for the Attorney General)
Rachel **Miller** (Treasury)
Helen **Hanks** (Commissioner, Department of Corrections)
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)
Bobbie **Bagley** (City with 75k+ appointed by Governor)
Traci **Fowler** (NH Charitable Foundation) Prevention and Recovery)
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)

Present via Microsoft Teams Platform:

Peter **Spanos** (County of <100k appointed by Governor)
Elizabeth **Dragon** (City with < 75k appointed by Governor)
Benjamin **Gaetjens-Oleson** (Governor's Appointment)
Ellen **Riiska**: (Appointed by the New Hampshire School Administrators Association)

Absent:

Patricia **Conway** (County Attorney appointed by Governor)
James **Watkins** (Municipal Fire Chief appointed by Governor)
Kevin **Rourke** (Municipal Police Chief appointed by Governor)
Bianca **Monroe** (Appointed by the Attorney General)

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

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

The first order of business was adoption of the minutes for the regular meeting of October 20, 2023, and the Non-Public Minutes from July 10, 2023, and September 11, 2023. Commissioner Tufts motioned to approve the October 20, 2023, regular minutes, and the motion was seconded by Commissioner Boffetti. The minutes were adopted with a roll call vote of 14 in favor and 6 members abstaining: Dave Mara, Rachel Miller, Helen Hanks, Jason Henry, Kathryn Kindropp, and Traci Fowler.

Commissioner Pappas motioned to approve the July 10, 2023, Non-public minutes and the motion was seconded by Commissioner Kindopp. The July 10, 2023, minutes were adopted with a roll call vote of 19 members voting in favor and Commissioner Henry abstaining.

Commissioner Rosenwald asked the commission members if they would like to wait until the next meeting to adopt the September 11, 2023, non-public meeting minutes so the members would have more time to review the minutes due to them being sent out to the commission members a few hours before the meeting. Commissioner Henry motioned to table the minutes until next meeting, and the motion was seconded by Commissioner Rice.

The second order of business was public comment and the Commission heard from Rosemary Nugent, Kinship Navigator for the Grapevine in Antrim, NH State Rep for Generations United, and a grandparent raising a grandchild. Rosemary shared the following comment:

“The opioid epidemic hit really hard in NH and the result is an epidemic of grandparents raising their grandchildren and other kinship arrangements where extended family members have stepped in. In NH 6% or roughly 12,000 grandparents are raising their grandchildren. That is only the grand families, and it does not include those children being raised by other kin or those with an informal arrangement. Those who suffer from substance use disorder have treatment facilities available, recovery centers, support groups, many receive housing and financial assistance. Some who are homeless go to the treatment centers, not to get help, but to get off the streets. Money is spent on educating support staff and recovery coaches. What about the children they have left behind? Yes, they are being raised in a safe, loving environment with their grandparents, most of whom are retired and on a fixed income, but many of these children have suffered severe trauma, neglect, abuse and abandonment due to their parents’ drug use. They encounter developmental delays, learning disabilities, anger issues, ADHD, RADS, (reactive detachment disorder), autism, just to name a few. The mental health available to these children is practically non-existent. There are a few providers that will accept new patients or patients covered by Medicaid. The schools are suffering as well with these children that just don’t know how to cope with all they have been witness to. The grandparents themselves are suffering from stress and financial difficulties. They now have to feed, clothe, educate and get medical help for these children which comes at a great financial and emotional expense.

At a recent Generations United meeting, the discussion was raised concerning the opioid settlement and the monies that would be going to the states. From what I have read, little if any of this is going to the ones who have really suffered – the grandparents and the children in their care.

I am here to speak on behalf of the grandparents and other kin caregivers and ask that some of

the allotment be used to help them. Throughout the US kinship caregivers are saving the taxpayers approximately \$4 million a year, yet compared to that the stipend for grandparents and other kin caregivers is a mere drop in the bucket, that is if they can find resources available to them. Navigating the child welfare system is daunting and these grandparents don't know where to turn for help. Many times, these children are court appointed placements through DCYF, yet no one from DCYF informs the caregivers of what they are entitled to.

I will continue to help, support and fight for these caregivers. The future generation is in their hands.”

The third order of business was a discussion lead by Commissioner Traci Fowler about the subcommittee that was created to establish the core principles for what the NH Opioid Abatement Commission represents. The following documents were presented to the Commission members and are available on the Opioid Abatement Trust Fund webpage under [Meeting Information & Resources 2023, December 11, 2023](#).

1. Primer on Spending Funds from the Opioid Litigation
1. Exhibit E – List of Opioid Remediation Uses
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2. Opioid Abatement Strategies DRAFT (3-pager)
 - shows the high-level strategies and will be used to help organize the commissions thinking and help inform the funding decisions and support grant writing.
3. AT-A-Glance Opioid Abatement Strategies DRAFT (1-pager)
 - 1 pager showing the high-level strategies and will be used to help organize the commissions thinking and help inform the funding decisions and support grant writing.

At the September OAC meeting, Commissioner Fowler presented the Commission members with a guide titled, “Primer on Spending funds from the Opioid Litigation”. This guide was intended for State and Local Decision Makers (9 core abatement strategies described in settlement agreements with opioid distributors and the opioid manufacturer Johnson & Johnson.) The subcommittee used this document to create, “Exhibit E”, a 15-page document listing the scope of work for each of the 9 core strategies referenced in “Primer on Spending”. The subcommittee then worked to create the “Opioid Abatement Strategies”, and “At-A-Glance Opioid Abatement Strategies” to help the commission members organize their thinking and help inform funding decisions, and support grant writing. Commissioner Fowler asked that the Commission members view the “At-A-Glance” document to ensure it fully captures what the settlement agreement funds can be used for in NH while also providing a broad overview to help the Commission organize the work with the grants. The document is a communication tool for the general public to understand the strategies of the Opioid Abatement Commission. The goal is to approve the document and make it public. Chair asked if Commissioner Fowler could update the document with the statute and asked that the document be sent out to the Commission members and getting some feedback as next steps.

The fourth order of business was a proposal from NH Housing Finance Authority, presented by Rob Dapice. The following documents were presented to the Commission and can be found on the Opioid Abatement webpage:

1. Supportive Housing Capital Program -power point
2. NH Housing Opioid Abatement Trust Fund Supportive Housing Capital Program Outline-DRAFT

He presented the Commission with an outline if NH Housing were asked to put a program together based on statute and processes required through the Opioid Abatement Commission. Mr. Dapice presented, “Supportive Housing Capital Program”, as a power point to the commission members. Mr. Dapice proposed that the goal of the funding would be to leverage the funding to create a capital program through the opioid abatement trust fund, multi-year investment in housing 6 million annually for 6 years. This funding would double the availability of NH Housing. The Commission would establish an advisory committee to work with NH Housing to ensure program compliance. If there is a service component as part of the funding, DHHS should establish it. From design to development, we are looking at 4–6-month time frame. Monies from the OAC Trust fund would be deposited into the NH Affordable Housing account as a loan to create enforcement and based on the statute would be provided to supportive housing providers. The subcommittee would assure funding is used for the purpose of the OAC.

Commissioner Fowler motioned to fund NH Housing for 3 years at 6 million each year MOU with an option to check in at 3 years, Commissioner Mara seconded the motion. Commission members discussed the benefits this will have on housing needs in NH and suggested that someone from the DOJ should be on the advisory council. The motion was approved with a unanimous roll call.

The fifth order of business was an explanation from Commissioner Sabin about the reduced grant awards to Cheshire County and Rockingham County. Cheshire County-The reduction of salary amount for the superintendent also reduced the amount needed for benefits and indirect costs, as both of these lines are a percentage of the salary. Rockingham County- Software line item was removed.

The sixth order of business was a discussion of policy for releasing minutes of non-public meetings led by Commissioner Dragon. The policy recognizes that the Commission is a public body, and the Commission generally has 72 hours to reveal non-public minutes, and the discussion about un-sealing minutes will be done in a non-public session. The Commission determined this policy is no longer necessary.

The seventh order of business was an update from Commissioner Sabin about the new position at DHHS. Still in the process, the capacity to establish the position and the multiple approvals is requires has delayed the position from being posted at this time.

The eighth order of business was and update on settlements and funds distribution from Commissioner Boffetti. 2 payments have been received from the Melencroft bankruptcy. Getting 2 million down from 6 million due to filing bankruptcy. Teva, Allergen, Walgreens and CVS have been approved by our superior court so payments will start to come into the State soon. Walmart is a one-shot deal at around 15 million expected early next year. 46 million to come to NH in 18 years depending on supreme court case with Sacklers. Currently about 25

million is in the fund as of the last 10 that was removed. Anticipating supreme court decisions by June 2024.

The ninth order of business was a presentation from the Judicial Branch Community Housing Program. The Commission members discussed how housing is necessary for recovery and reduced recidivism. Housing challenges are associated with drug court and release from incarceration. Community Housing Program receives funds from the Governor's Commission on Alcohol and Other Drugs to initiate programs to eliminate housing barriers. Slides of presentation can be found on the Opioid Abatement webpage.

The Commission decided on January 8th, 2024, as the date for the next meeting. Location is TBD. Subjects for discussion:

- Voting on Sept. 11 nonpublic session minutes
- Follow up discussion on Core Principles
- DHHS Dashboard with spend analysis.

Commissioner Sabin motioned to adjourn the meeting; Commissioner Pappas seconded the motion.

At the call of the Chair, the meeting adjourned at 3:22 pm.