

**New Hampshire Opioid Abatement Advisory Commission
Regular Meeting
DHHS Brown Building Auditorium, 129 Pleasant St, Concord, NH
Monday, June 27, 2022 at 11:00 a.m.**

Attending:

Senator, Cindy **Rosenwald** (Senate)
Representative Dennis **Acton** (House)
Attorney James **Boffetti** (Designee for the Attorney General)
Helen **Hanks** (Commissioner, Department of Corrections)
David **Mara** (Governor's Designee)
Emily **Rice** (Appointed by Governor's Commission on Alcohol and Drug Prevention, Treatment and Recovery)
Peter **Spanos** (County of <100k appointed by Governor)
Jason **Henry** (County Corrections Superintendent appointed by Governor)
Jennifer **Sabin** (State Opioid Response Director, DHHS designee)
Traci **Fowler** (NH Charitable Foundation)
Katja Fox

Present via Zoom Platform:

Toni **Pappas** (County of +100k appointed by Governor)
Elizabeth **Dragon** (City with < 75k appointed by Governor)
Maura **Weston**
Kathryn **Kindopp** (Governor's Appointment)
Seddon **Savage**, MD, (Appointed by Governor's Commission on Alcohol and Drug Prevention, Treatment and Recovery)
Robert **Buxton** (Municipal Fire Chief appointed by Governor)
Kevin **Rourke** (Municipal Police Chief appointed by Governor)
Ellen **Edgerly**

Absent:

Patrick **Tufts** (Chair of Governor's Commission on Drug and Alcohol Treatment, Prevention and Recovery)
Bianca **Monroe** (Appointed by the Attorney General)
Rachel K. **Miller** (Chief Deputy State Treasurer)
Benjamin **Gaetjens-Oleson** (Governor's Appointment)
Thomas **Velardi** (County Attorney appointed by Governor)
Bobbi **Bagley** (City with 75k+ appointed by Governor).

Senator Cindy Rosenwald (Chair) opened the meeting at 11:00 a.m. with a roll call of Commission members. A quorum of the Commission members physically present was not established and approval of the May 23, 2022 meeting minutes would be voted on at the next scheduled meeting in July. Senator Rosenwald informed members that although the incorrect

version of the May 23, 2022 minutes had been distributed, the updated final draft has been circulated via email to members as of this morning.

The first order of business was the discussion focusing on grant making and the application process relative to the settlement funds. Traci Fowler reported that it is important that DHHS in collaboration with the commission come together to consider the process for determination and work on the final steps as the draft application is being finalized. The review of the submitted applications which demonstrate that they qualify will be further reviewed by the commission for consideration for either reimbursement or for project funding.

Ms. Fowler indicated there are multiple reimbursement avenues in the draft application categories:

1. Administrative rules state that reimbursement to the state or any political subdivision within the state, or any portion of costs related to outpatient or residential OUD and any co-occurring SUD or mental health treatment services. Including but not limited to MAT, abstinence based treatment, recovery or other services provided by state, subdivisions, community health centers or not for profit providers.
2. Reimbursement for state political subdivisions for emergency response services provided by law enforcement or first responses for emergency services.
3. Reimbursement for a portion of the cost for administering the treatment of naloxone.

Attorney Boffetti responded and advised that one application should be considered in order to make the process less complicated and to avoid having separate applications that differ based on the application for funds.

Attorney Emily Rice, concurred that one application would simplify the eligibility determination process. Attorney Rice also noted that as there is one fund of money to disperse among applicants that having one application would ease the process. Going forward as the commission begins to review the applications, the commission will be able to identify and gauge an overall perspective of the funds being applied for and determine if the application process needs to be reconsidered.

A member commented that the application process should be standardized to determine what funds the applicants are applying for and the application should indicate the plan for spending. The commission will determine which applications will be considered for reimbursement and the applications that request funding for a project will have to demonstrate eligibility. Further, the commission will have the ability to adjust amounts based on the funds available.

Traci Fowler brought forward a question relative to the roles of the commission partnered with DHHS in the eligibility phase and questioned if DHHS will be responsible for the initial determination of eligibility, or will the commission determine applicant eligibility after review by DHHS.

Jennifer Sabin responded that DHHS would want to avoid any work on applications that are not intended to be funded and there should be an initial recommendation from the commission.

Dave Mara recommended that the commission consider allocating a portion of the settlement funds to hiring a specific position designated to the Opioid Abatement Fund as a way to streamline the process and to timely distribute the funds.

Katja Fox reported that the Governor's Commission on Alcohol and Other Drugs has one dedicated staff member as a professional to expeditiously distribute the funds through the application process. There are multiple ways that the funds that can be distributed which are determined through contracts and added that it would be beneficial to the Opioid Abatement Commission to have a designated individual in that capacity.

Further discussion among members relative to the idea of hiring an individual into a specific role determined that further consideration would serve as a benefit to the commission. Commission members were in support of the recommendation to fund a designated position. Katja Fox and Jennifer Sabin informed that they would bring forth a proposal from DHHS to the July meeting outlining the specifics surrounding position funding.

Additionally, a recommendation was made concerning the scoring component on a simplified application and a meeting to establish and prioritize the eligibility criteria was suggested.

Elizabeth Dragon noted several things the commission should consider relative to the distribution of funds. One of the main concerns is the length of time it takes to get the money out the door for distribution and proposed breaking the process down into steps. Prioritizing the staffing requests first and then determining a set a percentage of the funds to be specific to reimbursement would aid in the timely distribution of the funds for reimbursement while working on a more complicated grant application process. Additional thoughts surrounding the timeline for distribution were brought forward with consideration to how it is applied and determining a percentage of the funds dedicated to reimbursement may allow the commission to move faster through the reimbursement process.

Attorney Boffetti clarified that the Opioid Abatement Settlement is not considered to be a damages case and informed that the funds in the trust are specifically designated to be used to abate the opioid crisis.

Senator Rosenwald determined that the next steps for consideration by the commission would include the following:

- Proposal for funding
- Review the application process
- Publicize the application for funding
- Simple scoring for applicants
- Proposal review for position funding

The second order of business was a PowerPoint presentation by Katja fox and Jennifer Sabin on topic of Accessing SUD Treatment.



Katja Fox outlined the simplified version of access to treatment and highlighted the many avenues to access services. The goals are to offer easy steps to gain services and to improve to standardize the services relative to prevention, treatment and recovery, to decrease the number of opioid related deaths and to offer access to ongoing supports individuals need to move forward in recovery.

Jennifer Sabin explained the State Opioid Response is a current grant and the application is due July 18 for the upcoming grant funding. The Doorway which is accessed through 211 provides existing services, information and referrals to specialists and is based on the idea that individuals should have one place to go for primary services and streamlining the process.

A question from Attorney Boffetti surrounding if there would be any expansion on the current number of Doorways. In response, Katja Fox explained that geographically, there are currently 9 centers which are hospital based offering weekend coverage and there has been several requests to expand on the locations and consideration to adding satellite centers.

A question from a member relative to if there is any interface with doorways and 988 and Jennifer Sabin responded that 988 has been actively a part of the planning from the community crisis referral guidelines standpoint between 211, the Doorway, 911 and 988 to ensure service providers are receiving the appropriate calls. Additionally, the 988 planning team continues to work on simplifying the message while assisting in determining between community providers in order to appropriately discern what services are needed offering mobile crisis teams through the mental health centers as well.

The third order of business was an update from Attorney Boffetti on the settlement and distribution of funds. Recently the state received the first payment from the distributor settlement in the amount of \$5M and will be received in payments over the course of 18 years. The second payment in the in the McKinsey settlement was received in the amount of \$142k. Of the funds received thus far, 15% was the deducted off the top as required by statute and was distributed to the subdivisions The Mallinckrodt bankruptcy case has been approved by the bankruptcy court in Delaware and the state can expect to receive payments over a number of years in the amount of roughly \$1M a year. The Purdue Bankruptcy has not yet been finalized. The Johnson and Johnson case is scheduled for trial in September. There are continued conversations among other defendants, distributors and manufacturers for additional settlements.

The fourth order of business was an update on rule making and Attorney Boffetti reported that the rules were approved by JLCAR at the latest meeting without any opposition.

There was no public comment.

The next scheduled Opioid Abatement Commission Meeting will be held on Monday, July 18, 2022 at the Main Building in the Fox Chapel located at 105 Pleasant Street at 10:00am.

Agenda items for discussion include:

- Application form
- Publication
- Proposal for position funding
- Scoring mechanism example
- Presentation on State Alcohol and Other Drugs-Patrick Tufts
- Settlement update

At the call of the Chair, the meeting adjourned at 12:23pm.

Respectfully Submitted on July 14, 2022

by: Leslie Bartlett