

GOVERNOR'S COMMISSION ON ALCOHOL & OTHER DRUGS

March 6, 2020

Governor & Council Chambers

CONCORD, NH

MINUTES

Members Present:

Steve Ahnen, *NH Hospital Association*
Mark Armaganian, *NH Liquor Commission, Division of Enforcement*
Alex Casale, *NH Courts*
Russ Conte, *NH Suicide Prevention Council*
Jason Dexter, *Insurance Department*
Frank Edelblut, *NH Department of Education*
Monica Edgar, *Treatment Professional*
Katja Fox, *NH Department of Health & Human Services*
Keith Howard, *Recovery Representative*
Benjamin Jean, *NH Department of Corrections*
Tim Lena, *Prevention Professional*
Helene Anzalone, *Community College System of NH*
Gordon MacDonald, *NH Attorney General*
Dave Mara, *Governor's Advisor on Addiction & Behavioral Health*
Matt McKenney, *Business & Industry Association*
David Mikolaities, *NH National Guard*
Joseph Mollica, *NH Liquor Commission*
Chris Placy, *Public Member*
Robert Quinn, *NH Department of Safety*
Joseph Ribsam, *NH Department of Health & Human Services*
Tym Rourke, *NH Charitable Foundation*
Seddon Savage, *NH Medical Society*
Stephanie Savard, *Treatment Professional*
Lori Shabinette, *NH Department of Health & Human Services*
Kate Thomson, *NH Nurses Association*
Patrick Tufts, *Chair, Granite United Way*
David Watters, *NH State Senator*

1. **Welcome and Opening Remarks** – The Chair opened the meeting and welcomed new Commissioner Lori Shabinette. Mr. Tufts introduced the guest speakers from the NH Department of Safety to present.
2. **Guest Speakers – Commissioner Quinn, Department of Safety, Melisa Staples, Director of the State Police Forensic Lab**
 - **Commissioner Quinn, Department of Safety** - Commissioner Quinn thanked the Governor's Commission for the opportunity to present and started a PowerPoint presentation. Commissioner Quinn shared that in 2018 there were serious seizures of 14 kilograms of fentanyl, which has the potential to be fatal to 7 million people. The Granite Hammer program has tablets that integrates with Massachusetts State Police. The program focuses on evidence-based policing working with the DEA, the FBI, the Drug Task Force and Human Trafficking. They are focused on getting to the source of the supply. With Granite Shield, a substance use reduction initiative, they have collected 23 kilos, and 80 different police departments are participating.
 - **Melissa Staples, the Director of the State Police Forensic Lab** – Ms. Staples began sharing on trends they are seeing in the Forensic Lab. The State Forensic Lab is the only forensic lab in the state; all evidence across the state comes through this lab. In 2019, they handled 4,273 drug cases. They have

noticed a big increase in volume of case work. The State Lab has tracked trends in seized drugs and noted fentanyl is the number one seized substance, with prescription drugs coming in second and methamphetamine on the rise.

- **Carolyn Royer, the Assistant Laboratory Director** – Ms. Royer presented on Toxicology Drug Trends. In the years of 2010, 2011, and 2012, fentanyl was rarely seen. Since 2014, there was a huge increase in fentanyl. The dip in 2016-2017 is because they were sending tests out from the lab to test for carfentanil. Ms. Royer continued to present on drug trends noted on the road. THC is the biggest thing they are seeing in drivers.

Ms. Staples presented on drug analogs and shared that the lab doesn't test for purity. Synthetic drugs are becoming more of an issue. In 2012, the lab was dealing with Spice and now they are dealing with bath salts. She shared that the current law is unenforceable. SB 709 was written to address this problem.

Ms. Royer shared that with drug analogs you must dig into the weeds to prove that a substance is impairing someone's abilities. Currently, they can't test for Spice, bath salts, fentanyl, because they don't have the methods to test/detect things in biological samples like blood or urine. This can be very expensive to test, and the test can become obsolete quickly. The presentation ended and the Chair asked for questions.

Senator Waters asked if it possible to compare our trends with arrests with other states and if the arrests with meth will match other states. Commissioner Quinn stated that we work with Massachusetts all the time. Commissioner will put together a report using High Intensity Drug Trafficking Areas (HIDTA) data and believes we will see meth increase. This data is only of things that have come through the crime lab and not including federal court numbers.

3. **Approval of Minutes** – Mr. Tufts thanked and welcomed new member Kathie Saari. Frank Edelblut motioned to approve the minutes from January. Tim Lena seconded the motion. All in favor and minutes were approved.

4. **Executive Director's Update**

- **Katja Fox, Director of the Division for Behavioral Health** – Director Fox gave the Executive Director's Report. Tym Rourke asked when things are slated to taper down for the IDN's. Ms. Fox replied, "This continues to be an ongoing discussion for the sustainability of the Integrated Delivery Networks (IDN). For the State Opioid Response grant, she stated that we are hopeful to see another round of funding, which will also address meth and cocaine. She anticipates getting the announcement soon.
- **Don Hunter, Analyst for Department of Health & Human Services** – Mr. Hunter presented on the Doorway data. He shared that, compared with the three previous months, all numbers of use of Doorways are significantly increased. Mr. Hunter shared that the number one reason for seeking the Doorways is opioid use; the number two reason is alcohol; and the third reason is meth and cocaine. He shared that most people walk-in for services, the second largest way is by referral through 2-1-1 or the Dartmouth Hitchcock After Hours, and the last highest referral source is through social service agencies. Mr. Hunter then shared the number one reason for referrals from the Doorways were for Medically Assisted Treatment (MAT). The second leading referral was for inpatient services. The third leading referral reason was outpatient services. He also noted that there were consistently referrals for withdrawal management.

Senator Watters asked if people who were undocumented use these services or if they were afraid to do so. He shared that he's looking for youth treatment trends as well. Mr. Hunter shared that they haven't made a concerted effort to track this, but they do have demographic data that they can provide. Director Fox also shared that they have suppressed youth data in the past because there are so few it would be identifying to have that population specifically targeted in a report. Senator Waters shared that he is specifically curious about English as a Second Language (ESL). He is troubled by comments denigrating

these programs. What he sees here in Dover seems like success. Senator Watters asked, “Are other people aware of the criticism for the Doorways?” Tym Rourke shared that he thinks they are wildly successful, but he thinks the Doorways are perceived by the public as doing everything. Mr. Rourke wants to know more than just the referral numbers but did that person go through with the referral and how long did it take. He shared that he still hears about waitlists, about lack of treatment, even from the Doorways. Mr. Tufts suggested that this is a larger conversation and maybe should be put on the agenda for May. Tim Lena shared that there is also a misperception that services are only for adults. Director Fox shared the reason the report doesn’t include other contracts is because 12 million dollars in funding is for the Doorways and the rest is other contracts. This includes expanding other services, mobile crisis, and recovery supports. She said she would share a report on the array of services. Mr. Tufts commented that the more we can collect data the better it shows what is needed. He mentioned that he sees this with 2-1-1; if there isn’t a service available to refer people to, 2-1-1 is sometimes blamed. Mr. Tufts shared that he would put this on the May agenda.

5. Funding Recommendations & Discussion

- **Patrick Tufts, Chair** – Mr. Tufts started the funding recommendation discussion by sharing he wanted to put this in perspective. He said that this is the largest strategic funding this commission has ever done. Over the past two months the task forces have put together recommendations to create a collective look at funding. Mr. Tufts said this was in thanks to the task force chairs and members for their work. He also thanked CHI for the staff support. Mr. Tufts noted that we have \$3.8 million dollars in unexpended 2020 funding. This funding is for investing ahead.

Members were given an amended slate to review as part of their packets. Mr. Lena wanted to add language that included that the task force chair be a part of the RFP for the prevention dollars. Mr. Tufts suggested presenting this as a slate, as the recommendations have been vetted and re-vetted not just by the task forces, but the Chair and the Executive Director sat down with CHI to make sure there were no duplication of services and to include sources of funding that the task forces may not be aware of yet. Mr. Tufts asked if there were questions or concerns; that he would address them to the task force chairs.

Senator Watters asked, “So the yellow items are the slate?” Mr. Tufts answered that the entire document was the slate. The Chair reviewed the full slate with the Commission. He shared that treatment has multiple recommendations because prevention and recovery have received funding previously.

Commissioner Edelbut motioned to approve the slate as written and Senator Watters seconded the motion. Then Senator Watters questioned, “Could the Liquor Commission dollars include vaping along with the liquor compliance checks?” The Liquor Commission Chairman replied, “Thank you Senator, we have federal funds coming in for tobacco compliance, including vaping. These funds will help fill the gap.”

Tym Rourke asked, “Do the task force chairs feel the dollars assigned are adequate enough to accomplish the goals of these strategies?” Stephanie Savard, Treatment Task Force Chair, replied, “Actually, our number one request is not on the slate because there is potentially more funding. Looking at our number two and three recommendations, number three is just a drop in the bucket. It’s just to try to be innovative in supporting treatment providers. In transitional living, it is infrastructure money that is really hard to come by.” Keith Howard, Recovery Task Force Chair, replied as well, “We’re looking specifically at the Capital Area which has no supports right now. And yes, we can use more but we’re trying to be conservative, since we’ve already had a request approved.”

Commissioner Hanks voiced “I hope that the programs here for youth are really targeting diversion versus conviction. I don’t think law enforcement should be the first arm of diversion”. Tim Lena, Prevention Task Force Chair, replied “It’s not even getting to the courts because there is mixed messaging for youth around substances. Need to send a clear message.”

Commissioner Hanks shared that, “In regard to the syringe services, I hope that the public health networks are included in creating messaging around peer to peer information around HIV & HEP C prevention.” Seddon Savage, Chair of the Opioid Task Force, replied “Yes, we do see that the syringe exchanges are developing and sharing these materials. There is no oversight currently for these programs. When there is a concern, there isn’t a pathway to addressing that concern, but that’s part of what they are hoping this funding can help with.”

Steve Ahnen asked, “For the treatment recommendation, relative to expanding housing how much is that going to grow and where is it happening?” Stephanie Savard replied “We didn’t identify a specific region because people are coming from all over the state. We don’t have a specific number of beds, as many as possible, it depends what the infrastructure money gets used for.”

Steve Ahnen asked, “With the Prevention Effectiveness report, I’m concerned by the precedent we set by using commission dollars.” Director Fox replied that the cost effectiveness report of the Governor’s Commission must use Governor’s Commission funds because the bill did not allocate funds for this state mandated report.” Steve Ahnen share that relative to the Healthcare Task Force request, he wanted to note the potential for conflict of interest. Tym Rourke wanted to thank the department but, he shares Steve’s concerns, he believes that bill should be repealed, and that these are dollars that we are taking from the community. Mr. Rourke would like to see the Data Task force step up to help with compliance for HB1626.

Mr. Rourke would like to understand what metrics the Governor’s Recovery Friendly Workplace initiative would use to measure their success. Dave Mara replied, “We are collecting data with businesses after the first year of participation to collect information on workforce retention and other outcomes. Currently, 263 workplaces participating, and thousands of people have been engaged.”

Senator Watters asked, “Can we ask that DHHS look for lapsed dollars for the cost of the report?” Commissioner Shibinette answered that, “Currently, our lapsed dollars probably won’t allow that. We are working diligently to look at what we can do with those funds.” Director Fox shared, “This is only for this fiscal year; we would have to rewrite the budget. Without this funding, we’ll have to do the best we can with what we have and hope it’s to the standard of the law.” The Attorney General asked, “Does this request account for the expansion that we would potentially be getting from the feds around Doorways?” Director Fox answered, “Yes, this still is important because as Don’s report showed, alcohol is the second largest reason for going to the Doorways.”

The Chair asked for a vote on the slate of funding recommendations. The vote was passed with unanimous approval. The Chair thanked everyone for their efforts and reiterated with this vote the commission has allocated over 13 million dollars.

Mr. Tufts saw a reference to SB 709 this commission has made. Commissioner Hanks said she would support this Commission supporting Senate Bill 709. She said, “It’s time to grow our statute.” Mr. Casale shared that he wanted to acknowledge the task force members who did this work, as well.

6. **Commissioner’s Report** – The Chair welcomed Lori Shibinette as the newly appointed Commissioner 6. for DHHS.
 - **Commissioner Shibinette** – The Commissioner thanked everyone for having her here today. The Commissioner is hoping to be much more visible in the future. She shared that these recommendations are very much in line with the Department’s plans and that you’ll be hearing from her frequently about partnerships. The Commissioner shared, “It’s hard to form partnership when we don’t walk shoulder to shoulder, and we won’t be able to meet our goals without partnership.” She also said, “Anything we can do to not write formal reports helps because we’re not sure if they are even read”. Commissioner Shibinette continued that she doesn’t know that there is a need to write all these reports if all the key progress indicators are clear and well known. Making the Doorway a very robust system is a priority to

the Commissioner. Seeing 7,000 people in year one of a startup are great numbers. They are continuing to look statewide so that people don't have to travel to Concord or Manchester for access to services. Commissioner Shabinette believes that people do better when they are closer to their natural supports. "Ultimately," she shared, "Our goal is that our citizens not need our services at all, not just substance use, not just mental health, Medicaid, etc. but that we do the right work in prevention so that people not need our services." The Commissioner continued that they want to reduce the number of people who need them. She finished her report by saying, "That's the over-arching vision and direction."

The Chair thanked the Commissioner and moved on to the next agenda item.

7. Other Business

- Dave Mara requested support for Senate Bill 44 which would create a drug overdose review board. He said, "I think this will be helpful data to this Commission to access records to see where the most need is." Mr. Mara shared that he was blown away by some of the work that they're doing and felt it needed to be represented in the Commission and that was the impetus to changing the law. The Chair asked for a vote. Frank Edelbut made a motion to support the bill and General Mikolaities seconded. Seddon Savage abstained to vote on supporting SB 709 and SB 44.
- Seddon Savage shared that the Health Care Task Force has been reviewing access to care using technology to allow prescribing and treatment virtually. Ms. Savage shared a hard copy of the recommendations for the legislature. She would like to have it reviewed in May for approval by the whole Commission. Mr. Tufts said to add it to the agenda for next meeting and then moved on to the last agenda item for the meeting.

8. Public Comment

- Kerry Nolte requested that the Harm Reduction Coalition be given time on a future agenda to report on the work that they provide. She would like to be a part of the conversation on oversight of syringe exchange programs. Mr. Tufts said he would connect her with the Opioid Task Force.
- Kristine, on behalf of the Portsmouth Naval Shipyard military students, thanked the Commission for the commitment that is being made on educating the general public on their needs.

Once public comment was complete Matt McKenney moved to end the meeting and Commissioner Hanks seconded the motion. With all in favor, the Commission meeting adjourned.

Next Meeting:

June 26th, 2020

Time: 9:30am-11:30am

State House, Governor & Council Chambers

Concord, New Hampshire