

APPROVED DRAFT MINUTES

New Hampshire Opioid Abatement Advisory Commission Remote Regular Meeting Friday, April 9, 2021 at 9:00 a.m.

Attending: David Mara (Governor's Designee); Attorney James Boffetti (Designee for the Attorney General); Rachel Miller (State Treasurer's Designee); Helen Hanks (Department of Corrections); Kerrin Rounds (Department of Health and Human Services); Senator Cindy Rosenwald (Senate); Patrick Tufts (Chair of Governor's Commission on Drug and Alcohol Treatment, Prevention and Recovery); Attorney Thomas Velardi (County Attorney appointed by Governor); Jason Henry (County Corrections Superintendent appointed by Governor); Robert Buxton (Municipal Fire Chief appointed by Governor); Toni Pappas (County of +100k appointed by Governor); Peter Spanos (County of <100k appointed by Governor); 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); Michael Carignan (Municipal Police Chief appointed by Governor); and Bobbie Bagley (City with 75k+ appointed by Governor).

Absent: Representative James MacKay (House); and Bianca Monroe (Appointed by the Attorney General)

Senator Rosenwald (Chair) opened the meeting at 9.01 a.m. with a RSA 91-A disclosure statement and roll call of Commission members. A quorum of the Commission was established.¹

The first order of business was the adoption of the minutes of the March 5th, 2021 meeting. Senator Rosenwald asked if a vote was needed. Commissioner Boffetti indicated yes. On a 14-0 roll call vote, all members present voted to approve with the exception of Commissioners Carignan and Bagley who abstained.

The second order of business was a continued presentation on litigation efforts, potential financial amounts and timing provided by Associate Attorney General James Boffetti (please see memorandum dated April 9, 2021). He also briefed the Commission that the first round of funds are ready to be deposited in the trust fund (approximately \$2.3M). Senator Rosenwald asked if some portion of the funds received would be deposited into the State's Rainy Day Fund (RDF). This is still being addressed and an opinion will be provided by the AG. Commissioner Boffetti explained he is in the process of outlining the calculation based upon his interpretation of the statute. It was noted that 15% of the settlement received is approximately \$400,000 that is to be distributed under the prescribed formula. It was acknowledged this could happen very soon. A suggestion was made for a subcommittee to be formed to review the formula.

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

Commissioners Boffetti, Pappas, Spanos, Rice, and Miller volunteered to review the formula which will be circulated via email once prepared by Commissioner Boffetti. It was asked that the distribution be communicated to the full Commission at the next meeting. A question was asked if the funds received will earn interest and the answer is yes, these funds will earn interest.

The third order of business was a discussion on DHHS rulemaking led by Commissioner Rounds. Commissioner Rounds made a motion that a subcommittee be formed to establish rules, which was seconded by Commissioner Boffetti. Although a roll call vote was not made, the consensus of the full Commission was to adopt the establishment of the subcommittee. With respect to membership, Senator Rosenwald noted the importance of having subcommittee representation of agencies effected. Subcommittee members appointed were Commissioners Boffetti, Rounds, Miller, MacKay, Hanks, Rice, Bagley, and Buxton. Commissioner Savage asked if the work of the subcommittee be reviewed and approved by this full Commission. Senator Rosenwald responded that this rules subcommittee certainly would be. Commissioner Rounds will send out a Doodle poll to coordinate the subcommittee meeting.

The fourth order of business was an overview of current state efforts to mitigate opioid crisis jointly facilitated by Commissioners Tufts and Rounds. Commissioner Rounds presented a budget worksheet and answered questions from the Commission. Commissioner Tufts briefed the Commission with an overview of various aspects of the opioid crisis and addiction and recovery in our state, mentioning the next strategic plan for 2022 – 2024 and the opportunity to share data with this Commission that could be beneficial. Commissioner Savage spoke about the Opioid Task Force and work there that could also be helpful to this Commission. She also acknowledged that substance use, in broad terms, will always be a challenge and to consider an endowment approach to provide support for future crises, perhaps into perpetuity. It was noted that consideration of long term investment in substance use disorders is important.

The fifth order of business was an update from Commissioner Rounds on website development. RSA 126-A:86, III, provides that “The commission shall create and maintain a website on which it shall publish its minutes, attendance rolls and votes, including records of all votes on funding requests, funding awards, and reports of funding by recipients.” Commissioner Rounds shared a preliminary (non-live) screen that will be linked to the Department’s Behavioral Health Division anticipated next week.

The sixth order of business was an invitation for public comment made by Senator Rosenwald. There was one question from the public asking if the remaining 85% to be distributed will be limited to cities and towns or will it include non-profits. Commissioner Boffetti stated that while the statute speaks to this in broad terms, it would suggest so but that this would be addressed in the rulemaking process.

The final order of business was a discussion of proposed agenda items for the next Commission meeting scheduled for Friday, May 28th starting at 9 a.m. and concluding at 11 a.m. Proposed

agenda items discussed included: distribution formula established as a report from the rule making subcommittee.

At the call of the Chair, the meeting was adjourned at 10:12 a.m.