

Governor's Commission on Alcohol and Other Drugs
Meeting Minutes 12/15/2023
9:30am- 11:30am
NH State House
Executive Council Chambers

Attendance: Steve Ahnen, James Boffetti, Alex Casale, Heather Clogston, Annette Escalante, Katja Fox, Carrie Gendreau, Helen Hanks, Timothy Lena, David Mara, Matt McKenney, David Mikolaities, Robert Quinn, Patrick Tufts, David Watters, Lori Weaver

Approval of Minutes (Vote):

Patrick announced that we have a quorum and called the meeting to order. He asked for a motion to approve the 08/25/23 minutes.

First: Steve Ahnen

Second: Matt McKenney

Abstained: Helen Hanks. All else in favor. Motion carries.

Kimberly Fairweather and Melissa Sevey put together the drug monitoring initiative product, which shares monthly statistics on drug use throughout the state. They always appreciate input on improving the report. Previous versions are available on their website.

Patrick took a moment to address the recent tragic loss from the shooting at the NH State Hospital, conveying his sympathies and unwavering support of everything they do there.

Guest Speaker(s) – Dover Youth to Youth:

Damon Mitchel, coordinator for Dover Youth to Youth, introduced a group of student presenters. This after-school drug prevention program is made up of teams that lead different projects in four categories: Education, Media, Policy Change, and Community Action. Their most recent concern is high risk alcohol products that are marketed to be unreasonably attractive to kids. Their intent is to show products that should be banned, and to educate parents about how kids react to what they put in their fridge.

First, the group explained how alcohol companies flavor their products to make them trendy and more accessible to kids. Downeast Cider House's hard slushie product, for example, has no indication on the box that it is an alcoholic product. They passed around cans and pointed out that it is in tiny print and very hard to find. These fun flavors attract kids and mask the taste of alcohol to taste like fruity candy.

Next the group addressed alcohol packaging that is overly attractive to youth, starting with a drink whose name is a spoof of the children's movie, Finding Nemo. On the can it says, "How many clownfish can you find?" which is clearly a game geared for children. The group sent the company 2 letters about their concerns, but both were ignored. In July they held a press conference on high-risk products and unresponsiveness. The company claimed to be touching on the nostalgia of 20–30-year-olds, and the drink had been approved by the NH Liquor Commission. When the students met with the Liquor Commission, however, the product was taken off the market in a matter of minutes. In another example, UNH partnered with Smuttynose to make an alcoholic drink. This glorifies the college drinking culture, where most students are not even of drinking age. The cans have UNH logos and mascots on them. Next, they showed another alcoholic beverage designed to look like a juice box.

The students shared concerns about alcoholic beverages that are marketed as “health drinks.” This labeling implies that the product has no or low risk, and features buzzwords like “gluten free” or “antioxidants,” which society associates with being healthy. They held up a canteen vodka soda boasting about containing zero carbs, sugar, and sodium, and being gluten-free. Vizzy hard seltzer packaging has claims of Vitamin C and acerola superfruits. Vizzy was recently sued for their “healthy” packaging and forced to remove all health claims from their box. The claims are deceptive and hide the actual risks.

Another popular trend is adding alcohol to already caffeinated beverages. Caffeine and energy drinks are popular with teenagers and adding alcohol creates a stimulant/depressant effect. This is dangerous, as it masks how drunk they are getting and puts them at risk of accidents and being taken advantage of.

Cobranding of teen or family friendly companies that allow their labels to be put on alcohol products is another concern. For instance, Sonic allowed their label to be put on hard seltzer. Dunkin Donuts put their label on a Harpoon box that looked like the classic Munchkins box. Kellogg’s made an Ego themed rum drink called “brunch in a jar.” Putting kids’ favorite brands on these products makes drinking seem familiar. Sunny D, Simply Lemonade, Monster, Mountain Dew, and Arizona Iced Tea have all made alcoholic drinks that can be easily confused for their kid friendly and popular non-alcoholic versions.

Their high-risk alcohol campaign kicked off in July with the theme “Hey big alcohol, dress-up is for kids.” They had a huge rally in downtown Dover with samples and visuals, such as a beer bottle dressed as a clown. The rally included a press conference and media interviews and got coverage from the Boston Globe and TV 7 out of Boston. In August, they made a video PSA, and there are more social media projects currently in the works. They met with State Senator David Watters, who is working along with the Liquor Commission on legislation that would limit the marketing of these products in the community. Recently, they have sent letters to Kellogg’s about their Ego rum drink. Other groups are following in their footsteps and targeting these companies as well.

The students thanked the commission, who responded with a round of applause for the well-done presentation. They handed out a sheet with contact information for Kellogg’s, urging people to contact them about their concerning products, and offered to take questions.

They use fundraisers, a variety of grants, support from United Way, and a local hospital to help fund their group. Recruitment starts with the Dare program in 5th grade. Interested students go through a summer program and can sign up at the beginning of sixth grade. Some have stayed from 6th grade all the way through to university teams.

James Boffetti told the group that NH has a strong and vibrant Consumer Protection Act, which protects consumers from unfair marketing. He encouraged them to present their findings to the Consumer Protection Bureau and offered to give them contact information.

Ben Williams thanked the students for their wonderful presentation, adding that the Raymond Youth Coalition was just discussing this exact topic yesterday. This is a problem with not just alcohol, but vape products as well, and it is up to all of us to continue to push this to the front.

Senator Watters said the new bill will help clarify the rule making authority and advertising in this area. He appreciates the partnership with the Liquor Commission and Law enforcement and has had some good conversations with the distributors as well. Dover Youth to Youth brings a perspective of who this actually affects and brings attention to them.

Director's Update:

Commissioner Weaver spoke next about the shooting at the Concord Hospital, which they are still reeling from. There are 155 patients and almost 200 staff members that continued their dedicated service even in the worst of times. Throughout the traumatic event, operations never ceased. They are in the process of actively assessing recommendations with the Department of Safety. They are looking to redesign the now heavily damaged front lobby area. Community support has been amazing, and many showed up to help amidst the crisis. The DHHS culture has been very impressive when it comes to supporting one another. The staff created a gratitude video for NH Hospital staff. They take the recommendations very seriously when it comes to safety and are headed in the right direction.

Among other updates, the Deputy Commissioner has been confirmed, and they are working to backfill the Associate Commissioner position. They will soon be looking ahead at the next year for a road map with department goals and a strategic plan. The Doorway system was assessed to see if it was working as intended and that access to care is reducing overdoses. This report is posted online. The 24/7 immediate access with same day evaluation is now a standard of care. Lack of standardization and other pieces of administrative oversight, along with third party billing and formalizing partnerships with community providers, still need to be addressed. The assessment shed light on what is going well and what still needs work. Patrick said they plan to have them as speakers for the February meeting.

Funding Recommendations:

Jill Burke, the Bureau Chief of the Bureau of Drug and Alcohol Services, thanked Lori Weaver and Katja Fox for their support of DHHS during the recent tragedy. She pointed to the spending report breakdown, adding that we will soon hear from the budget task force about potential investments for 2025-2026. She said they came up with the \$11 million based upon the appropriation from the liquor revenues. That information will be updated and shared once we have those revenue figures in March.

Patrick thanked Jill and the Budget Task Force for their hard work, adding he is excited to see how this plays out. The new process provides a tremendous amount of transparency and engagement. He said that Matt McKenney will talk about a slate of recommendations, so when the commission votes, it will be as a slate. Patrick will then present a second item that will be handled as a separate vote.

Matt said a lot of work went into this throughout the year and the budget task force is grateful for the support from JSI and the other task forces. Traci Fowler was unfortunately not present at the meeting, but she did a large share of the work. These 2-year recommendations can be viewed in the packet.

Patrick said it may feel like we are way ahead of July 1st, but the intent is to get ahead of things, so we can get the money into operation in the community. We will relook at revenue in March, so that number could change. There are examples of potential vendors, but since we do not approve contracts, those names could change once everything works its way through. Patrick asked for a first and second motion to vote on the slate of items presented and opened the floor for questions.

First: Senator David Watters

Second: Tim Lena

Senator Watters said it is fabulous that we are getting this done now. He asked if in light of the Opioid Abatement decision to put \$6 million a year into housing, could demand for these services increase?

Matt said this is the investment for now. There may be an increase, but the Budget Task Force has not had time to discuss it since it was just approved. There is a high level of coordination and dialogue between the two groups. Katja said this would expand transitional housing by \$6 million, which is a tremendous investment for capital. The NH Finance Authority is creating an advisory group with a recovery housing representative and will ensure everything ties together. They moved along to the vote.

Abstention: Alex Casale. All else in favor. None opposed. Motion Carries.

Patrick said there was a secondary recommendation for an additional \$400K based on the 2023 community feedback that he tabled for the vote today. He plans to bring that back for a future vote. The \$80K for training will be handled as a separate item out of respect for the budget task force. Helen Hanks said we owe it to the professionals to uplift them with training. With over 700 correctional employees, this collaborative health training will be tailored to community policing, and there will be a residual impact to our state. Patrick asked for a motion to approve the \$80k.

First: Annette Escalante

Second: Matt McKenney

Abstention: Helen Hanks. All else in favor. None opposed. Motion Carries.

Public Comment:

Lauren McGinley, from the NH Harm Reduction Coalition said she deeply appreciated the presentation today and was unaware of how aggressively children are targeted by alcohol marketing, particularly that UNH was branding a beer.

Chair's Update:

Patrick has been approached by NH Legislatures asking for a definition of Harm Reduction. He asked Sen. Watters, Rep. Nagle, and Rep. Edwards to meet with him to discuss this. They had a thoughtful conversation, landing on the concept of cumulative community impact which asks, "What is the cumulative impact over time of all the decisions we are making as we try to address a problem?" We need to study the cumulative impact of our investments on the communities. That being said, he will not be taking a position on this from the commission's point of view. Sen. Watters said over the last year, the Harm Reduction Bill was studied, and more work was done on it. It includes looking at Harm Reduction from a strategy standpoint. There is a lot of noise around these issues, and we don't want to lose consensus in the legislature.

Task Force Updates:

Helen Hanks said there was a bidirectional process happening with everyone building and learning from one another. They will continue to explore areas with regards to insurance and reducing stigma in targeted ways. Dr. Savage sent her regrets for not being here today and will be on the agenda next time. Matt added that from a budget perspective, they didn't want to be seen as making decisions alone, and there was work from other parties to make that happen. A lot of the recommendations came out of the work that the task force did. There are recommendations to invest in training on reducing stigma and bias, and any technical assistance contracts will be shared.

There is a new recovery center in Berlin, which opened with over 100 people. The community asked for this, as there had been more overdoses than usual, and people wanted to get some services. As of

12/12/23, there is a total of 361 confirmed drug deaths, which could be 411 once toxicology reports come back. This is down from last year's number of 487, but still too many. We had a terrible first quarter, and it is great to see that has turned. Many lives have been saved with distribution of naloxone.

Annette Escalante, the Director of Substance Use Services for Elliott said in October, Elliot received a SAMHSA grant for \$2.3 million over 5 years and is headed in the right direction. This is assistance for people coming out of the criminal justice system 90 days prior to release with a referral and a place to go. They will have access to a recovery support navigator and a clinician who is already hired in the emergency room right now. Referrals will come from Hillsborough County Probation and Parole and from the emergency room. The program is called "Live Free."

Alex Casale said he has been talking to some individuals about a multi-state compact and asked the commission for advice from anyone who has done this kind of thing before. Annete asked why we need interstate compact and not reciprocity. Alex said it would be easier for someone coming from another state to practice in NH and they wouldn't have to go through the process of reciprocity. There have been a lot of issues with lag time, and people who are licensed in other states have just given up and gone to do something else. Steve Ahern announced the Board of Hospital approved that by the end of 2024, all hospitals will provide overdose patients with resources for treatment and a warm handoff as they leave.

Patrick ended with a moment of thanks for all the hard work that goes on behind the scenes to make these meetings move smoothly. On Friday, it will have been a good week for the people of NH. \$58 million has been recommended for approval. He thanked those in attendance, wished everyone Happy Holidays, and adjourned the meeting.