

New Hampshire Opioid Abatement Advisory Commission
Regular Meeting
Executive Council Chamber
October 20, 2023, at 1:00pm

Attending:

Attorney James **Boffetti** (Designee for the Attorney General)
Representative David **Nagel** (House)
Senator, Cindy **Rosenwald** (Chair)
Patrick **Tufts** (Chair of Governor's Commission on Drug and Alcohol Treatment)
James **Watkins** (Municipal Fire Chief appointed by Governor)
Toni **Pappas** (County of +100k appointed by Governor)
Peter **Spanos** (County of <100k appointed by Governor)
Bobbie **Bagley** (City with 75k+ appointed by Governor)
Elizabeth **Dragon** (City with < 75k appointed by Governor)
Benjamin **Gaetjens-Oleson** (Governor's Appointment)
Bianca **Monroe** (Appointed by the Attorney General)
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:

Jennifer **Sabin** (DHHS Commissioner's Designee)

Absent:

David **Mara** (Governor's Designee)
Rachel **Miller** (Treasury)
Helen **Hanks** (Commissioner, Department of Corrections)
Patricia **Conway** (County Attorney appointed by Governor)
Jason **Henry** (County Corrections Superintendent appointed by Governor)
Kathryn **Kindopp** (Governor's Appointment)
Kevin **Rourke** (Municipal Police Chief appointed by Governor)
Traci **Fowler** (NH Charitable Foundation)
Prevention and Recovery)
Ellen **Riiska** (Appointed by the New Hampshire School Administrators Association)

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

The first order of business was adoption of minutes from two meetings, August 14, 2023, and September 11, 2023. Commissioner Boffetti put forward a motion to approve both the August and September minutes, the motion was seconded by Commissioner Pappas. A roll call vote on the motion was taken with unanimous adoption with Commissioner Savage abstained from voting. Dragon, Monroe, Non-public meeting minutes will be taken up at the end of the meeting.

The second order of business was public comment. Work or anything to address OAC. Ronaldo Rosa Dir. Somersworth MAT Program.

Inquiring about the status of funding for programs in the opioid lawsuit settlement in NH, it is he knows that so far NH has received 45 million dollars and 15% should have been allocated to programs. And after speaking with Mike Rogers the State SOTA that they are losing a lot of patients during redetermination after covid funding stopped, he is seeking funding to bridge gap in treatment until insurance is reinstated. Is it possible to set aside funding to provide a bridge gap funding to patients waiting for their insurance to reactivate? Senator Rosenwald answered that yes, this would be an approved use of funding but asked Commission Boffetti to answer the question regarding the 15%. Commissioner Boffetti replied explaining the 15% is to 23 subdivisions who filed their own lawsuits is money to be used however the subdivision see's fit. 85% is in the trust fund will be used to fund what the Commission decides to fund. Encouraged Mr. Rosa to reach out to local County's to learn more about the funding that is available to bridge the gap for patients waiting for reinstatement. Commissioner Boffetti encouraged Mr. Rosa to view the reports online and suggested he reach out to Commissioner Boffetti directly to discuss further options for the Opioid Abatement Commission to consider these supports for future funding.

The third order of business was a presentation on Judicial Branch Community Housing Program, presented by Katie Parent. Community Housing Program -The New Hampshire Community Housing Program (CHP) works to provide essential shelter and housing to qualifying individuals who are in imminent need. In order to remain successful in recovery and significantly decrease chances of recidivism, safe and reliable shelter is imperative.

The New Hampshire Judicial Branch (NHJB) in partnership with the New Hampshire Department of Corrections (DOC), the NH Department of Health and Human Services, and the Bureau of Drug and Alcohol Services aim to provide temporary housing support to individuals with substance use disorder (SUD) who are either re-entering the community after incarceration in the state correctional system or who are participating in the New Hampshire drug court program.

The need for safe living is greater than ever before. The NH Community Housing Program aims to establish contractual relationships with a variety of housing options in order to best serve the diverse level of needs in our state. These diverse needs are categorized by the NHCHP as follows:

1. Immediate/Emergent (i.e. shelters)
2. Temporary/Bridge Housing (i.e. transitional living homes, sobriety homes, and the like)

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

3. Long-term Housing (i.e., apartments and other rental spaces)

Program Participants- In order to apply for housing through the NHCHP, the applicant and their referring Criminal Justice Service Agent (the referring agent through State PPO or the NH Drug Court) would fill out the New Hampshire Community Housing Program (CHP) Application .pdf Icon with the participant. For each qualified applicant, an individualized housing and support plan will be made by the referring agent and the CHP Coordinator to outline the clear participant expectations and goals oriented towards finding and maintaining stable living. Some supportive services included in the plan but not limited to, are access to SUD treatment, behavioral health, and primary health care services as well as education on budgeting and responsible tenant skills and practices. From the date of CHP acceptance until the end of program support, the participant will be expected to remain in regular communication with their Criminal Justice Service Agent (CJSA) in addition to meeting any other requirements set by their CJSA. These meetings aim to evaluate the progress of the housing plan as well as the need for further connections and supportive services in the area and the consumers long-term sustainable housing plan.

Housing Vendors- Participating housing providers will be compensated for rent, security deposits as last month's rent, and essential utilities (i.e. water, heat, and electricity). The exact amount for reimbursement will be based off of fair market value at the time of contract agreement and monthly compensation will be dispersed to participating housing providers through the duration of the contact upon invoice request.

To become a participating housing provider or for further questions regarding the NH Community Housing Program, please contact the Community Housing Program Coordinator at kparent@courts.state.nh.us.

The fourth order of business was a Report from the Housing and Transportation Subcommittee presented by Commissioner Gaetjens-Oleson. The handout titled *NH Opioid Abatement Advisory Commission Housing & Transportation Subcommittee* was presented to the Commission. Commissioner Gaetjens-Oleson explained to the Commission that the subcommittee focused specifically on the issue of housing because they felt it was the most pressing need at this time. Information received from NH Housing and CDFA shows that funding is not sufficient to encourage developers or agencies to invest in this type of housing and the current housing crisis is causing more strain on acquiring new developers. The subcommittee determines a sole-source investment with NHHRA serving as the facilitating organization engaging NH CDFA as needed. This would help close the gap in treatment by increasing supply of supportive housing and/or recovery housing as a priority. Recommendation from subcommittee is 10 million a year for 3 years with the potential for 3 more years at 5 million a year. Commission members discussed what kinds of legalities would go into sustaining a project like this. Protection would need to be in place so the property would not be flipped for profit. Discussion about what supportive, recovery housing will look like and what action would need to be taken to make this an affective investment to fill the gap in treatment fallout and how to make it fit with the opioid abatement statue, and settlement agreement detail.

Senator Rosenwald asked how the 10-million-dollar amount was decided on. Commissioner Tufts spoke to the 10-million-dollar amount being that the subcommittee was asked to identify gap in supportive housing. In talking with NH Housing 10 million was found to be the number that would provide a game changer in the supply of supportive recovery housing. Commissioner Savage asked if the money would be supporting construction costs? Commissioner Gaetjens-Oleson replied that this would be supporting

multiple supports related to the increasing housing, and more opportunities for individuals to access treatment.

Rep. Nagel spoke to the amount of money and time proposed is it enough to get the program to the point of self-sustainability. Concern about purchase and flipping the property. Commissioner Sabin explained that there is more legality to restrict something like this from happening with the NH Housing being involved. Rep. Nagel asked if we currently have 40 million in the trust fund account and asked if the current news of Rite-Aid filing for bankruptcy would have an effect on the trust fund. Commissioner Boffetti replied explaining that we do not have 45 million in the account at the moment. Perdue is in the hands of the US Supreme Court, that is 46 million dollars. We do not know what is going to happen at this time with the Perdue settlement. Malencrook settlement has disappeared because they filed for a second bankruptcy that was about 6 million dollars. There will be other settlements being finalized with CVS, Walgreens, Walmart, but cannot say at this time what it will turn out to be as far as money amount. Rite Aid is being sued, but they are also filing bankruptcy.

Senator Rosenwald spoke to the need to get more information on what the 45 million dollars would be supporting. And Asked NH Housing what their current funding looks for supportive housing programs.

Rob D'Apice Executive Director of NHHRA shared with the Commission that currently they have a supportive housing program with 5.5 million dollars each program year to serve those with SUD and Mental Illness. 30 million dollars of federal spending to capital subsidy for larger affordable rental housing. In regard to the time a project like this would take to deploy something of this size and depends on support system, workforce and competent developers.

Commissioner Tufts commented to the Commission that as a member of the Commission he would recommend the commission move forward on the recommendation and to vote today and have NH Housing create a contract.

Commissioner Boffetti commented that the Commission needs to ensure that funds are limited to OUD individuals and any co-occurring substance use disorder or mental health treatment. If this is a broader housing support system, that the funding should be coming from other government sources or we could lose the funding.

Commissioner Gaetjens-Olsen motioned to move forward with establishing a partnership for a certain amount of years with a substantial investment with NH Housing for multiple years as a sole source investment with NH Housing and uphold the statute. Number of years, and amount of money will be decided on at a later date. Partnership has been declared. Commissioner Spanos second the motion. Unanimous vote in favor of motion.

The fifth order of business was from Commissioner Sabin regarding the new position at DHHS. the Dept is working on the development of the role because it is a classified position.

The sixth order of business was a brief update from Commissioner Boffetti on settlements and funds distribution.

December 11, 2023 at 1:00 pm was established as the date and time of the next Commission meeting. The location will be the Executive Council Chamber Room 207 at 107 N Main Street Concord NH.

Agenda items proposed:

- Will look at proposal from NH Housing,
- DHHS update on workforce.

- Commissioner Fowler's Discussion on Core Principles
- Commissioner Dragon- Discussion of Policy for Releasing Minutes of Non-Public Meetings
- Commission members would like to take a look at influx of secure and non-secure money in the opioid abatement trust fund.
- Approval of Non-Public minutes from June, Aug. and Sept

Motion to adjourn -Representative Neagel motioned to seal the regular meeting minutes and go into non-public meeting to discuss the approval of the non-public minutes from the Sept. 11, 2023 meeting. Commissioner Savage seconded the motion followed by a unanimous roll call.

Regular meeting adjourned at 12:12