

**New Hampshire Opioid Abatement Advisory Commission  
Regular Meeting  
Department of Justice, 1 Granite Place South, Concord, NH  
May 13, 2024 at 1:00 p.m.**

**Attending In-person:**

<b>Senator Cindy Rosenwald</b>	Commission Chair
<b>Bobbie Bagley</b>	Governor Appointed, City with 75k+
<b>James Boffetti</b>	Attorney General's Designee
<b>Traci Fowler</b>	NH Charitable Foundation
<b>Helen Hanks</b>	Commissioner, Department of Corrections
<b>Dave Mara</b>	Governor's Designee
<b>David Nagel MD</b>	Representative, NH House of Representatives
<b>Toni Pappas</b>	Governor Appointed, County of +100k
<b>Jennifer Sabin</b>	DHHS Commissioner's Designee
<b>Peter Spanos</b>	Governor Appointed, County of <100k
<b>Patrick Tufts</b>	Chair of the Governor's Commission on Alcohol & Other Drugs

**Attending Virtually:**

<b>Elizabeth Dragon</b>	Governor Appointed, City with <75k
<b>Jason Henry</b>	Governor Appointed, County Corrections Superintendent
<b>Kathryn Kindopp</b>	Governor Appointed, County Nursing Home Supervisor
<b>Emily Rice</b>	Governor's Commission on Alcohol & Other Drugs Appointed
<b>Ellen Riiska</b>	New Hampshire School Administrators Association Appointed

**Absent:**

<b>Patricia Conway</b>	Governor Appointed, County Attorney
<b>Rachel Miller</b>	State Treasury
<b>Bianca Monroe</b>	Attorney General Appointed
<b>Dr. Seddon Savage</b>	Governor's Commission on Alcohol & Other Drugs Appointed
<b>Kevin Rourke</b>	Governor Appointed, Municipal Police Chief
<b>James Watkins</b>	Governor Appointed, Municipal Fire Chief
<b>VACANT</b>	Governor Appointed, Town with <20k

## Welcome and Roll Call

- Senator Rosenwald opened the meeting at 1:00 p.m. with a roll call. A quorum<sup>1</sup> was established at that time.

## Adoption of Minutes from March 11, 2024

- Minutes were being finalized, and were not reviewed by the commission for adoption at this meeting.

## Open to Public Comment

- Lynn Blankenbeker and Pastor Peter Chamberlin, both from the Granite State Baptist in Concord (<https://gsbcnh.org>), came to ask for funding from the Commission. They presented a proposal to expand supports in Merrimack County for those transitioning from incarceration, such as hosting recovery meetings and supporting participants involved in the Merrimack County Drug Court, as well as whatever else the community may identify as a need to support recovery within their county.
- Rosemary, from the Kinship Navigator Program and was present at the Commission meeting in December, re-read her speech she gave at the previous meeting:

*“The opioid epidemic hit really hard in NH and the result is an epidemic of grandparents raising their grandchildren and other kinship arrangements where extended family members have stepped in. In NH 6% or roughly 12,000 grandparents are raising their grandchildren. That is only the grand families, and it does not include those children being raised by other kin or those with an informal arrangement.*

*Those who suffer from substance use disorder have treatment facilities available, recovery centers, support groups, many receive housing and financial assistance. Some who are homeless go to the treatment centers, not to get help, but to get off the streets. Money is spent on educating support staff and recovery coaches. What about the children they have left behind?*

*Yes, they are being raised in a safe, loving environment with their grandparents, most of whom are retired and on a fixed income, but many of these children have suffered severe trauma, neglect, abuse and abandonment due to their parents’ drug use. They encounter developmental delays, learning disabilities, anger issues, ADHD, RADS, (reactive detachment disorder), autism, just to name a few. The mental health available to these children is practically non-existent. There are a few providers that will accept new patients or patients covered by Medicaid.*

*The schools are suffering as well with these children that just don’t know how to cope with all they have been witness to. The grandparents themselves are suffering from stress and financial difficulties. They now have to feed, clothe, educate and get medical help for these children which comes at a great financial and emotional expense. At a recent Generations United meeting, the discussion was raised concerning the opioid settlement and the monies that would be going to the states.*

*From what I have read, little if any of this is going to the ones who have really suffered - the grandparents and the children in their care. I am here to speak on behalf of the grandparents and other kin caregivers and ask that some of the allotment be used to help them. Throughout the US kinship caregivers are saving the taxpayers approximately*

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

*\$4 million a year, yet compared to that the stipend for grandparents and other kin caregivers is a mere drop in the bucket, that is if they can find resources available to them.*

*Navigating the child welfare system is daunting and these grandparents don't know where to turn for help. Many times, these children are court appointed placements through DCYF, yet no one from DCYF informs the caregivers of what they are entitled to. I will continue to help, support and fight for these caregivers. The future generation is in their hands."*

### **Update on Settlements and Distribution of Funds**

- Attorney General James Boffetti distributed two documents to the Commission members:
  - Opioid Fund Distribution Report - summary of fund distribution to subdivisions (<https://www.dhhs.nh.gov/sites/g/files/ehbemt476/files/documents2/opioid-fund-dist-report05092024.pdf>), and
  - DOJ Opioid Settlements as of 05/09/2024 - what monies have been received and where those monies came from as of May 9, 2024 (<https://www.dhhs.nh.gov/sites/g/files/ehbemt476/files/documents2/doj-opioidsettlement-report05132024.pdf>).
  - Total amount received to date: **\$81,068,868.74**
  - Amount distributed to qualifying subdivisions to date: **\$12,235,269.51**
  - Amount deposited into dedicated Opioid Abatement Trust Fund: **\$68,833,199.13**
  - Amount of grants awarded from Trust Fund after G&C approval: **\$16,116,026.00**
  - Amount approved by G&C to date: **\$16,000,000.00**
  - Including monies that are contracted / encumbered:
    - NH Housing Finance Authority: **\$18,000,000.00**
    - The Judicial Branch: **\$6,700,000.00**
    - Peer Recovery Supports: **\$5,200,000.00**
  - Total amount of encumbered funds to date: **\$46,158,876.00**
- Commission members discussed utilizing the Governor's Commission on Alcohol & Other Drugs crosswalk document to see who is investing what and how long they are investing (<https://www.dhhs.nh.gov/sites/g/files/ehbemt476/files/documents2/gc-funding-crosswalk-2-13-24.pdf>). It was agreed that this document could help determine where there are gaps in funding, and members discussed how it would be beneficial to create a dashboard demonstrating monies coming into the fund and funding going out to help budget spending over the course of 18 years.

### **Update from the RFP Subcommittee**

- A subcommittee was formed to explore the Request For Proposal (RFP) process that would need to take place in order to identify and secure a contracted Facilitating Organization (FO) to administer smaller grants funded by the Commission.
- On April 16, 2024, Commission members Bobbie Bagley, Traci Fowler, Chief Dave Mara, Emily Rice, Dr. Seddon Savage, and Jennifer Sabin met and developed the structure for the RFP. Commissioner Sabin presented the following outline to the rest of the Commission:
  - Feedback on RFP Structure for Opioid Abatement Commission
    1. Upfront Funding for Facilitating Organization (FO):

- Funds for FO should be paid upfront, not on reimbursement, for effective grant program operation.
- 2. Grants Through Facilitating Organization (FO):
  - Fast-Track Program: Administered by FO to quickly disburse non-operating funds for immediate community needs.
  - Biannual Multi-Year Grant Program: Administered by FO for specific organizational or community needs, including operating funds.
- 3. Grants Directly by Opioid Abatement Commission (OAC):
  - Focused RFGs: Periodic issuance by the Commission for specific areas under Guiding Strategies.
  - General RFGs: Periodic issuance aligned with statutory purposes.
- Criteria for the Facilitating Organization (FO)
  1. Financial and Grant Administration Experience:
    - An excellent track record in financial management and controls.
    - Demonstrated experience in administering grants.
  2. Grant-Making Process:
    - A well-defined process describing application, award, and oversight with specificity and accountability.
  3. Program Staff Expertise:
    - Identification of staff with experience in OAC statute areas, opioid crisis, and/or substance misuse.
  4. Additional Requirements:
    - Proven track record in developing and managing accessible grant programs for NH non-profits.
    - Effective oversight and fund management.
    - Ability to collaborate with community advisory groups.
    - Organizational focus on diversity, equity, and inclusion.
    - Experience with substance use disorder and/or Behavioral Health.
    - Understanding and acceptance of approved Opioid Abatement "Guiding Strategies," including alignment with relevant state plans.
- Commissioner Sabin explained that they still needed to decide on funding thresholds and the length of the contract.
- Commission members considered using a % of available funds as well as considering capping the % for when large payments come into the fund.
- It was suggested that a set amount of money could be determined to get this started and to avoid delays due to discussions around available funds and upfront funding.
- Commission members discussed voting first on funding amounts and length of contract for the fast-track program and the bi-annual multi-year grant, and then voting on the total amount that will be awarded for distribution by the FO.

**Proposed Motion(s)**

- Motion on Fast-track Program and Bi-annual Multi-year Grant
  - Commissioner Mara motioned for up to 15K for the fast-track program and 15K-75K for the bi-annual multi-year grant. The motion was seconded by Commissioner Boffetti.

- Comment(s): Commission members discussed that depending on the funding amount, this would be a grant and not a contract, suggesting that it could be for 75K for up to two years, totaling 150K with the option to do two years renewal.
- Outcome: Commission members voted unanimously with 11 in favor and 0 apposed.
- Motion on RFP Maximum Allotment
  - Commissioner Hanks motioned for 5 Million as the RFP maximum allotment. The motion was seconded by Commissioner Tufts.
  - Comment(s): Commission members discussed 5 Million being a good starting point for getting the funding disseminated into communities across the state.
  - Outcome: Commission members voted unanimously with 11 in favor and 0 apposed.

### **Update on Emergency Rule**

- The previous March meeting, the Commission members voted to approve and adopt the Emergency Rule as part of administrative rules (was expiring in August).
- Commissioner Boffetti worked with his team and the Department of Health and Human Services (DHHS) to establish two rules for grants, one specifically for nonprofits and another specifically for government entities. Nonprofits will have to apply for OAC funds the standard way, and government entities will have an abbreviated, sole-source funding option through a memorandum of understanding (MOU).

### **Discussion on Prevention**

- Commissioner Fowler would like to ensure prevention information is reviewed and considered by the Commission when thinking of funding distribution. Funding streams should be examined to determine where and what is currently being funded in the area of prevention. Would like to recommend adding this to the meeting agenda in August or September to re-visit the topic.

### **Update on SOR Funding**

- Commissioner Sabin provided an update regarding the SOR Funding Award. There had been an anticipated 40% reduction, however funding was flat, and will continue to receive 28 Million because the formula for calculating funding was changed (top half of states instead of top 15 states).
- While the amount will stay the same, there is increased work to be done, especially with 16-25 year olds, as well as continued focus on corrections specifically on jail settings, medication and re-entry. Additionally, the infrastructure for the state has changed the past six years with continued focus on stimulants use disorder and substance use disorder.
- Commissioner Sabin advised Commission members to read the guidance document provided by SAMHSA of the required activities mandated with this funding (<https://www.samhsa.gov/sites/default/files/grants/pdf/fy-2024-sor-nofo.pdf>).
- Some key takeaways: co-occurring has been clarified, spending on food is now specified to \$10 per day per client, the funding will be provided for 36 months instead of 24 months, and the funding is not competitive though will still need to apply and if done incorrectly, will need to reapply for the funding.
- Commissioner Boffetti shared with the Commission that he received a letter from a high school student about how basic access to treatment in NH is impacted by where you live, questioning if you live in Northern NH and you have an opioid use disorder, how can you

get access to treatment? Commission could benefit from getting a presentation regarding access to treatment for young people in conjunction with the prevention discussion.

#### **Update on New Position at DHHS**

- Commissioner Sabin informed the Commission that the paperwork for this new position was with the Division of Personnel and inquiries have been made for a status update.

#### **Date of Next Meeting and Discussion Topics**

- Next meeting will be 6/10/2024 at 1:00 p.m.
- Procurement Proposal
- Update on RFP Progress
- Change in 91A that will allow State Boards to make use of zoom or virtual participation if an individual has an acceptable excuse for not being able to attend in person (like illness, lack of transportation, etc.), if this change takes place, only 1/3 of Commission members will need to be present. Discussion on what acceptable exceptions will be permitted (the AG will make a draft), and will need a quorum to initially vote on the rule, but once in order, will only need 1/3 of Commission members to be in person.

#### **Adjournment**

- At the call of the Chair, the meeting adjourned at 3:07 p.m.