

MINUTES

New Hampshire Opioid Abatement Advisory Commission Regular Meeting DHHS Brown Building Auditorium, 129 Pleasant St, Concord, NH Thursday, September 2, 2021 at 9:00 a.m.

Attending:

Attorney James **Boffetti** (Designee for the Attorney General)
Rachel **Miller** (State Treasurer's Designee)
Kerrin **Rounds** (Department of Health and Human Services)
Representative Dennis **Acton** (House)
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)
Toni **Pappas** (County of +100k appointed by Governor)
Peter **Spanos** (County of <100k appointed by Governor)
Bianca **Monroe** (Appointed by the Attorney General)
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)
Bobbie **Bagley** (City with 75k+ appointed by Governor).

Absent: David **Mara** (Governor's Designee), Helen **Hanks** (Department of Corrections), Robert **Buxton** (Municipal Fire Chief appointed by Governor)

Senator Rosenwald (Chair) opened the meeting at 9:01 a.m. with a roll call of Commission members. A quorum of the Commission members physically present was established.¹ One member, Commissioner Savage, joined remotely via Zoom.

The first order of business was adoption of the minutes of the July 16, 2021 meeting. The minutes were approved by all members present. There was no discussion and minutes were approved on a voice vote.

The second order of business was an update on litigation efforts and developments, potential financial amounts and timing provided by Associate Attorney General James Boffetti. Attorney

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

Boffetti updated the members on all of the major cases and settlements pending, some of which NH has joined as part of a national settlement and other litigation that NH has entered into on its own. Attorney Boffetti addressed questions and shared with the Commission insight into NH's decision to not join in a certain large national settlement. Additionally, he addressed questions on estimated settlement amounts NH is anticipated to receive and the AG's interpretation that none of these settlement funds would be required to be deposited into the Rainy Day Fund pursuant to statute.

It was pointed out that by statute, if any member is participating remotely, all votes require a roll call. Dr. Savage is participating remotely and was provided some technical assistance to facilitate audio connection.

The third order of business was a presentation by Commissioner Rounds and Attorney Boffetti of the draft rules, which were handed out to those present. No questions on the definitions, meetings, or membership. Concern arose and a discussion was had surrounding where the authority lies with respect to merits of the application or proposal, roles and responsibilities as it relates to the Department of Health and Human Services (DHHS) versus this Commission. Following a lengthy discussion on the role and scope of authority DHHS would have versus this Commission, Senator Rosenwald summarized the general concern the majority of members appeared to be expressing as the need to make sure the Commission has the authority on the merits vs the Department. All believe the decision making ability resides with the Commission and questions are primarily focused on what should or should not be in the Rules.

The fourth order of business was an update from Commissioner Rounds on the Commission website. The website is up and running very well. A special thank you to Jennifer Gallagher for all her assistance was noted.

The fifth order of business was an invitation for public comment made by Senator Rosenwald. No public comments were made.

The final order of business was a discussion of proposed agenda items for the next Commission meeting scheduled for October 7, 2021 starting at 9:00 a.m. Proposed agenda items discussed included: an update from the Rules subcommittee with a draft incorporating all the comments provided and agreed upon; an update on litigation and settlements; and discussion of possible legislative changes to pursue.

The meeting was adjourned at 10:58 a.m.