

**New Hampshire Opioid Abatement Advisory Commission**  
**Regular Meeting**  
**Department of Justice, 1 Granite Place South**  
**January 8, 2024, at 1:00 p.m.**

**Attending:**

Senator, Cindy **Rosenwald** (Chair)  
David **Mara** (Governor's Designee)  
Attorney James **Boffetti** (Designee for the Attorney General)  
Rachel **Miller** (Treasury)  
Helen **Hanks** (Commissioner, Department of Corrections)  
Jennifer **Sabin** (DHHS Commissioner's Designee)  
Jason **Henry** (County Corrections Superintendent appointed by Governor)  
Kathryn **Kindopp** (Governor's Appointment)  
Bobbie **Bagley** (City with 75k+ appointed by Governor)  
Bianca **Monroe** (Appointed by the Attorney General)  
Traci **Fowler** (NH Charitable Foundation)  
Emily **Rice** (Appointed by Governor's Commission on Alcohol and Drug Prevention, Treatment and Recovery)

**Attending Virtual :**

Patrick **Tufts** (Chair of Governor's Commission on Drug and Alcohol Treatment)  
Patricia **Conway** (County Attorney appointed by Governor)  
James **Watkins** (Municipal Fire Chief appointed by Governor)  
Peter **Spanos** (County of <100k appointed by Governor)  
Dr. Seddon **Savage**, MD, (Appointed by Governor's Commission on Alcohol and Drug  
Ellen **Riiska**: (Appointed by the New Hampshire School Administrators Association)

**Absent:**

Representative David **Nagel** (House)  
Kevin **Rourke** (Municipal Police Chief appointed by Governor)  
Toni **Pappas** (County of +100k appointed by Governor)  
Elizabeth **Dragon** (City with < 75k appointed by Governor)  
Benjamin **Gaetjens-Oleson** (Governor's Appointment)

- Agenda Items
- Welcome and Roll Call - Attendance
  - Senator Cindy Rosenwald (Chair) opened the meeting at 1:00 pm with a roll call of Commission members.
  - A quorum of the Commission members physically present was not established<sup>1</sup> so the commission could not vote on the approval of the December 11, 2023, minutes at that time, and they would revisit the topic when a quorum had been reached later on in the

---

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

meeting.

- Senator Rosenwald suggested that with the Chief Justice Gordon MacDonald joining the meeting today they should push the Presentation on expanded Judicial Branch Community Housing Program to the first order of business.
- Presentation on expanded Judicial Branch Community Housing Program
  - Chief Justice presented before the commission a proposal to expand the Community Housing Program (CHP). Presenting with the Chief Justice today is Alex Casale, who oversees all drug courts, mental health courts, and veterans’ courts in NH as the state’s first statewide treatment court coordinator for the NH Judicial Branch. This proposal is looking to increase current funding to existing CHP individuals diagnosed with Opioid Use Disorder (OUD) and expand CHP to include those on probation and participants in Mental Health Courts (MHC) with OUD.
  - Summary of Proposal for funding:

<b>FY24</b>	\$400,000 to increase current funding for existing Community Housing Program for individuals diagnosed with Opioid Use Disorder (OUD)	NA
<b>FY25</b>	\$400,000 to increase current funding for existing Community Housing Program for individuals diagnosed with (OUD)	\$1,000,000 to pilot expansion of Community Housing Program to include those on probation and Mental Health Courts (MHC) with OUD
<b>FY26</b>	\$650,000 to increase current funding for existing Community Housing Program for individuals diagnosed with OUD	\$1,500,000 to expand Community Housing Program for those on probation and MHC with OUD
<b>FY27</b>	\$800,000 to increase current funding for existing Community Housing Program for individuals diagnosed with OUD	\$2,000,000 to expand Community Housing Program for those on probation and MHC with OUD
<b>Total</b>	\$2,250,000.00	\$4,500,000.00
<b>Full Proposal Total:</b>		\$6,750,000.00

- Attorney General Boffetti asked to make a clarification that while the Opioid Abatement dollars have to target individuals with OUD it can also include those that have co-

occurring substance use disorders (SUD) and mental health disorders. This is a great opportunity to help address the housing options that are not available to those who need it. Commissioner Spanos concurred with Attorney General Boffetti and Chief Justice commenting that securing housing is a way to provide positive outcomes to those who need it. Commissioner Sabin asked how the funds would be used in coordination with Governor's Commission on Alcohol and Other Drugs Funding. Alex answered that the current program is for those in drug court, but not specifically with OUD. Current funding structure from Gov. Commission is not allowing CHP to reach all individuals.

- Commissioner Rice is now physically present, making the meeting a quorum.
  - Boffetti- would like to motion that NHJB 4 years 6.75 million laid out to SFY 24, 25, 26, and 27. Motion was seconded by Commissioner Janson Henry and Commissioner Peter Spanos.
  - Discussion: Commissioner Sabin asking if we could support some type of evaluation measure to help show the outcomes of those served. AG Boffetti suggested a yearly reporting. Sabin discussed that funding the data might be an option to find information. Chari suggested that NHJB come back at the next meeting with a proposal on how the program would collect data on those served and outcomes. Alex replied that they do have drug court data base, the court is currently hiring someone to analyze the data. Commissioner Henry suggested that they might be able to collaborate some of the data collected from DOC. Senator Rosenwald completed a unanimous roll call for commission members physically and virtually present, with 18 in favor and 0 apposed.
- Adoption of Minutes of December 11, 2023
  - Commissioner Henry motioned to approve the minutes; the motion was seconded by Chief Mara. Chair Senator Rosenwald presented two edits for the December 11<sup>th</sup> minutes.
    - Page 4, remove the fifth order of business
    - In the meeting minute notes about the policy for unsealing non-public minutes, it needs to be added that the commission determined a policy for non-public meeting minutes was no longer necessary because the commission has already incorporated their policy of unsealing non-public minutes.
  - A roll call was completed with Commissioner Patricia Connelley, James Watkins, and Bianca Monroe abstaining.
- Public Comment
  - Ronaldo Rosa from Somersworth Health Care Resource Center had a question for the February OAC meeting and was wondering what time he was going to be presenting. The Chair asked if he had a preference, but we would need him available by 1pm.
  - Cheryle Pacapelli from Habor Homes Peer Recovery Support Services commented that she noticed people are coming to the meetings for fundings with proposals, is the commission going to be putting another RFA out in the future or is the best way to discuss future funding opportunities is to come present at the commission meetings. Chair Rosenwald answered Cheryle's question saying that the commission discussed a few months ago about working on a housing grant. so, they are working on

- presentations to help get a housing grant started. The commission has not had a determination on whether or not we want to have an open application for a set amount of money or is we will do something specific.
- Cheryl Pacapelli- so is the money you are putting out going to still be going through the normal contract process where we will have access to apply to an RFP? Senator Rosenwald- NH housing will be a sole source contract with them. And we will get guidance from Dept of Justice that says as long as it is clear that they are the grantee they can subcontract too non-profit. There are different ways the Commission can spend funding. The public is wondering when they can expect an open procurement or do we need to come to the commission. The commission requested these last two proposals.
  - Commissioner Emily Rice commented that people are wondering about process. There is a lot of money just sitting and would like to get the money out in the community and ensuring it is going to where it is needed. The first RGA was a broad spectrum and we learned that was a lot of work for all involved. We need to broaden and focus our efforts to get the money out and having a transparent process.
  - Senator Rosenwald- we have to be aware of what the Dept bandwidth is. How much can we throw at HHS.
- Discussion of Core Principles
    - Commissioner Fowler presented the commission members with a draft of the Core Principles documents. She discussed with the commission members that with the holiday break and the legislative session starting we didn't get to meet we are proposing this as a draft. Ways to communicate to the public in ways that is understood. These strategies are pulled in alignment with our State Statute. We have been working on strategy 9. Working with State Representative Dr. Nagel on language. These are ways to help clearly communicate to talk about how we are prioritizing funding. Senator Rosenwald discussed that working with medical society is great, but we should not forget the board of medicine with all the standards that they have the authority over.
    - Commissioner Savage discussed that she wanted to point out that the documents do support the coordination, and the importance of prescribing is a final distributors document.
    - Commissioner Fowler said she would like to have this as something for the public to view on the website. To help support the commission being more transparent.
    - Commissioner Sabin- Thinks the commission should continue to think about while there are prescribing narratives, some people have been considering self-tapering because of stigma that surrounds opioids. There is an overwhelming public narrative that any use of opioids is bad even when beneficial to the patient.
    - Senator Rosenwald- we can't be substituting our judgement, medical advice as a non-medical person. Harm reduction is before us legislatively. There are a lot of strong feelings on what harm reduction is, and isn't, and should be. We should keep our ears open to what people are saying what harm reduction is, because it is not universally understood.
    - Commissioner Savage- I just wanted to highlight, you mentioned decisions should be made between dr. and patient but it is also to consider that the public has been

- exposed to pain management that opioids are avoided at all costs, which means that sometimes people are not getting adequate pain management. Some MD's are afraid to prescribe opioids when needed. Senator Rosenwald- that is why it is so important that the BOM get out inside of this with their best practices are for their licenses so Dr's are not afraid to prescribe. Commissioner Fowler shared that the commission is opening the door to support that, but not saying they have to do that. We are not creating the content but supporting the work so that it will be done.
- Commissioner Rice asked Commissioner Fowler how they envisioned this document being used going forward.
  - Commissioner Fowler said they would like to see the dashboard and see what it shows on what is currently being funded and where we need to lean in further to zone in on. Use as a two step tool for the commission to use to make decisions on funding.
  - Chief Dave Mara- feels this document makes sense, it is very specific, as a State we have area's we know we need to take care of. Housing we know is an issue, the Commission made a subcommittee, then we discussed transportation.
  - Commissioner Fowler discussed that the document helps carve out the lane that is Opioid Abatement Dollars vs. all the other Funding. Commissioner Sabin said that if we are going to get very specific on strategy 9 we need to get specific on the other strategies. Getting something finalized and getting a time stamp on it, and then reassess as things evolve. For example, Narcan, Naloxone, now pushing for "overdoes reversal medication". Exhibit E specifically goes into what we as a commission are doing.
  - Chief Mara- my concern is with the purpose, I don't mind using this as guidance but to vote on it when we already have the gov's comm on alcohol and other drugs we have a plan we are going to use to help support what the state needs. Is this document tying our hands to what we are going to need to do. Where is transportation. Commissioner Fower said that this is not to say the bullet points are everything, but things are lumped into warm hand off services and supports that lump under recovery housing / child care/ transportation – exhibit E lumps things together and breaks down silos in how we present it. We are just saying housing, or child care. Commissioner Savage explained that this document provides a warm hand off and maybe should be broken out to all things that both make people vulnerable to OUD.
  - Commissioner Bagley commented that the language and in combination with the RSA is effective.
  - Senator Rosenwald commented that maybe we should say the bullet points are examples what a warm hand off is, then it wouldn't lead the public to think this is what we are doing but is to help to inform decisions and reporting requirements and build understanding. Commissioner Rice agreed and commented that she hopes we can move this along because it is useful to help our Commission with a sense of direction.
  - Commissioner Bobbi shared that this is helpful to show what we are doing at this level. Even when the statue is referenced people still have a lot of questions about what the commission does. Senator Rosenwald asked the commission to look at the draft and send comments to Commissioner Fowler and we will take it up at next meeting as an action as a tool to guide our thinking.
  - Commissioner Hanks commented that statue 126-A 86 has a list of things, that are not

- all listed under the strategies but thinks it's important to add them to the list.
- Commissioner Fowler agreed and said she and Commissioner Sabin will work to drop things from the dashboard onto the core principles
  - Presentation from DHHS on Behavioral Health Workforce Development Efforts
    - Presented by Jenny O'Higgins Sr. Policy Analyst DBH DHHS
    - DBH with Dartmouth Health and the NH Community College network worked together to develop a NH Peer Support Specialist workforce training curriculum.
    - First cohort started today, January 8, 2024.
    - Certification Program includes 9 sessions:
      - Roles & settings
      - Person centered support
      - Recovery planning
      - Sharing lived experience
      - Crisis and crisis support
      - Suicide
      - Ethic and boundaries
      - Co-occurring substance misuse
    - Human Services 3-year Bachelor Program
      - NH Community Mental Health Centers in partnership with DHHS and participating colleges, launched a Human Services Bachelor program that focuses on community mental health.
      - Includes classroom learning and paid internships at a community mental health center.
      - The DBH supports the program by offering staffing waivers for students enrolled in the program, employed at the CMHCs.
      - The program launched in 2023 and is expected to expand to other college settings.
    - Additional MH Workforce Efforts
      - Significant amount of ARPA funding
      - Developed the Peer Workforce Advancement Plan
      - Conducted mental health, suicide prevention, and crisis intervention training for more the 275 staff from state corrections, county jails, judicial branch, and probation and prole officers in 2021.
    - BDAS contracts with Growth Partners, LLC to offer Four Community of Practices.
      - Peer Recovery Support Services, Substance Use Disorder Treatment Providers, Hospital Systems of Addiction Care, Prevention.
      - For more information <https://nhtac.org>
    - BDAS contracts with the New Hampshire Training Institute to offer trainings for professionals working in substance misuse and mental health prevention, early intervention, harm reduction, treatment and recovery.
      - <https://www.nhadaca.org/Training-Events>
    - Crisis Certification
      - Support to establish and implement a state-wide mobile crisis responder training and certification program to support NH Rapid Response systems

- workforce.
    - Led to development of NH Crisis Certification curriculum.
    - Aligns with SAMHSA national crisis standards and state req's.
    - ARPA funds will pay for production of the curriculum
    - The first cohort is expected to start in September 2024
  - Additional Integrated Workforce Efforts
    - Contracted for creation of a Resource Center to provide technical assistance and trainings to promote successful implementation of evidence-based programs
    - Invested in statewide training for Child Parent Psychotherapy providers and co-occurring disorder training/consultation for mental health and substance use providers
    - Contracted with Dartmouth Health to provide evidence-based training on Assertive Community Treatment, Illness Management and Recovery Services, Supported Employment and Co Occurring Disorders
    - Expanded the State Loan Repayment Program eligibility to include behavioral health clinicians under supervision with less than 12 months of supervision
    - \$500,000 investment in ARPA funding with the Bureau of Mental Health for a co occurring disorder trainer
    - \$150,000 investment in ARPA funding for suicide prevention training for SUD providers with the Zero Suicide Institute
    - \$300,000 investment in Governor's Commission on Alcohol and other Drugs to pilot a Secondary Exposure to Trauma trainings with SUD treatment providers
  - Senator Rosenwald thanks Jenny O'Higgins for sharing the presentation and asked about the ARPA funds that will be used through 2026, asking what she thinks will happen the start of 2027. Jenny commented that they are thinking to use funding on things that won't require on-going funding. Commissioner Rice commented that this presentation was very helpful and looks like a lot is being done to help the cost of education. Wondering what about the salary of staff in these contracts, is anyone looking at that piece? Senator Rosenwald replied that the state is spending over 3 million more in Medicaid reimbursements.
- Spreadsheet showing details of Opioid Abatement Investments to date
    - Detailed investment to date including the first round RGAs, second round reimbursements, peer recovery, and housing.
    - Encumbered means this money is already spent.
  - Update on New Position at DHHS
    - Commissioner Sabin shared with the members that the position is a work in progress and will likely be posted within the next month.
  - Update on Settlements and Funds Distribution
    - Attorney General James Boffetti shared the following information with the commission members
    - Subdivision distributions payment 7 has yet to be sent out

- Amounts received to date from all settlements as of 12/15/2023
- McKinsey
  - \$2,762,394.57
  - 142,592.45
  - 142,592.45
- McKesson/Cardinal Health/AmerisourceBergen
  - \$5,213,525.02
  - 5,213,525.92
  - 4,960,767.71
- Johnson & Johnson
  - \$31,000,000.00
- Mallinckrodt (bankruptcy court)
  - \$895,744.59
  - 1,053,817.00
- Total amount received to date
  - **\$51,384,959.71**
- Amount distributed to date to qualifying subdivisions
  - **\$7,782,743.95**
- Amount deposited into dedicated Opioid Abatement Trust Fund
  - **\$43,602,215.76**
- Amount of grants awarded from Trust Fund after G&C approval
  - **\$16,116,026.00**
- Total settlements anticipated to be received from each source:
  - McKinsey \$3,332,762 over 5 years (\$3,047,579.47 received)
  - McKesson \$116,124,980 over 18 years (\$15,387,818.85 received)
  - CVS \$27,397,488 over 10 years
  - Walgreens \$29,791,899 over 15 years
  - Walmart \$15,514,733 in 2023
  - Teva \$20,900,000 over 13 years
  - Allergan \$12,400,000 over 7 years
  - Johnson & Johnson \$31,000,000 (received in a one-time payment in 2022)
  - Purdue (bankruptcy) \$46,000,000 over 18 years (subject to US Supreme Ct. appeal)
  - Mallinckrodt (bankruptcy) \$1,949,561.59 (total amount received)
  - Endo (bankruptcy) still being litigated in bankruptcy court
  - Rite Aid (bankruptcy) still being litigated in bankruptcy court
  - **\$303,605,254 total estimated opioid settlement funds expected over next 18 years**
- Date of Next Meeting and Subjects for Discussion
  - Monday, February 12, 2024, at 1pm at Dept of Justice
  - Ronaldo Rosa of Healthcare Resource Center on MOUD/Insurance interruption and access to methadone in the state prisons
  - Discussion on Core Principles documents and edits
  - Proposal from Judicial Branch on the Community Housing Program on funding specifics and outcomes measures



- Extension of North Country Health Consortium for another year, but no additional funding
  - Update on SOAR Funding
  - Next funding opportunities
  - Prevention needs
- Adjourn
    - Commissioner Sabin motioned to adjourn the meeting. The motion was seconded by Commissioner Fowler.
    - Meeting adjourned at 3:15pm