



## OFFICE OF THE ATTORNEY GENERAL

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# RESPONSE SUBCOMMITTEE

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Substance Use Response Group (SURG)

April 11, 2022, 3:00-4:30 pm

<https://us06web.zoom.us/j/82967159192>

**1. CALL TO ORDER AND  
ROLL CALL TO ESTABLISH  
QUORUM**

Chair Tolles

# 1. Call to Order and Roll Call to Establish Quorum Cont.

Name	SURG ROLE	Committee Role
Jill Tolles	Assembly Minority Appointee	Chair
Christine Payson	Sheriffs' & Chiefs' Assoc.	Member
Dr. Stephanie Woodard	DHHS Director Appointee	Member
Dr. Terry Kerns	Attorney General Appointee	Member
Shayla Holmes	Rural Human Services (Lyon County)	Member
Gina Flores-O'Toole	SUD Treatment Provider	Member

## **2. PUBLIC COMMENT**

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# Public Comment

- Public comment will be received via the Zoom Meeting. Public comment shall be limited to three (3) minutes per person (this is a period devoted to comments by the general public, if any, and discussion of those comments). No action may be taken upon a matter raised during a period devoted to comments by the general public until the matter itself has been specifically included on an agenda as an item upon which action may be taken pursuant to NRS 241.020.

# **3. MEMBER INTRODUCTIONS**

# Member Introductions

Name	SURG ROLE	Committee Role
Jill Tolles	Assemblywoman, Assembly Minority Appointee	Chair
Christine Payson	Sheriffs' & Chiefs' Assoc.	Member
Dr. Stephanie Woodard	DHHS Director Appointee	Member
Dr. Terry Kerns	Attorney General Appointee	Member
Shayla Holmes	Rural Human Services (Lyon County)	Member
Gina Flores-O'Toole	SUD Treatment Provider	Member
*SEI Team	Crystal Duarte, Laura Hale	Support

# Committee Scope

*Response Subcommittee will recommend strategies to improve coordination between local, state, and federal law enforcement and public health agencies, with representation from those different agencies. Information sharing regarding trafficking and distribution of legal and illegal substances will be reviewed. The effects of substance use disorders on the criminal justice system will include a deep dive into the sources and manufacturers of substances, and the effectiveness of criminal and civil penalties, with attention to shared responsibility.*



# Committee Scope

The Response subcommittee is tasked with making progress to:

- (e) Evaluate ways to improve and expand evidence-based or evidence-informed programs, procedures and strategies to treat and support recovery from opioid use disorder and any cooccurring substance use disorder, including, without limitation, among members of special populations.
- (k) Recommend strategies to improve coordination between local, state and federal law enforcement and public health agencies to enhance the communication of timely and relevant information relating to substance use and reduce duplicative data collection and research.
- (l) Evaluate current systems for sharing information between agencies regarding the trafficking and distribution of legal and illegal substances which are associated with substance use disorders, including, without limitation, heroin, other synthetic and non-synthetic opioids and stimulants.
- (m) Study the effects of substance use disorders on the criminal justice system, including, without limitation, law enforcement agencies and correctional institutions.
- (n) Study the sources and manufacturers of substances which are associated with substance use disorders, including, without limitation, heroin, other synthetic and non-synthetic opioids and stimulants, and methods and resources for preventing the manufacture, trafficking and sale of such substances.
- (o) Study the effectiveness of criminal and civil penalties at preventing the misuse of substances and substance use disorders and the manufacture, trafficking and sale of substances which are associated with substance use disorders, including, without limitation, heroin, other synthetic and non-synthetic opioids and stimulants.

# Committee Scope pt. 2

With shared responsibility to:

- B. Assess evidence-based strategies for preventing substance use and intervening to stop substance use, including, without limitation, the use of heroin, other synthetic and non-synthetic opioids and stimulants
- H. Examine qualitative and quantitative data to understand the risk factors that contribute to substance use and the rates of substance use and substance use disorders, focusing on special populations.
- Q. Study, evaluate and make recommendations to the Department of Health and Human Services concerning the use of the money described in section 10.5 of this act to address substance use disorders.

# Committee Scope pt. 3

And attention to special populations:

- a. Veterans, elderly persons and youth;
- b. Persons who are incarcerated, persons who have committed nonviolent crimes primarily driven by a substance use disorder and other persons involved in the criminal justice or juvenile systems;
- c. Pregnant women and the parents of dependent children;
- d. Lesbian, gay, bisexual, transgender and questioning persons;
- e. People who inject drugs; (as revised)
- f. Children who are involved with the child welfare system, and
- g. Other populations disproportionately impacted by substance use disorders.

# Roles for Committee Members

Attend

Attend meetings and communicate to the chair when unable to do so

Provide

Provide recommendations in advance of meetings

Review

Review materials provided in advance of meetings

# Roles for Committee Members Cont.

SURG subcommittees are expected to meet monthly and will have a chair and targeted administrative support. Groups will engage subject matter experts (SMEs) from Nevada and beyond to inform their study and recommendations. The term for the subcommittee membership is expected to be one year, beginning in March 2022 and extending to February 2023. Other important milestones are listed below:

- March: DHHS Needs Assessment Update; Announce Subcommittee Members and Chairs; Presentations.
- June: Subcommittee Progress Reports and presentations (based on monthly meetings).
- September: Subcommittee Recommendations Report and Discussion.
- January: Final Report Presentation and Approval.

# **4. REVIEW SUBCOMMITTEE RECOMMENDATION TRACKING TOOL**

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Chair Tolles

# Spreadsheet Demonstration

Sponsoring Member(s)	Recommendation	AB374 Section 10 requirements	Cross-cutting elements (B,C,H,Q)	Special Populations (Please cut and paste from the list below, include all that apply)	Justification	Research/Links	Action Step (e.g., BDR request, expend. of settlement funds, DHHS Policy, etc.)	Short Term or Long Term?	Fiscal Note? If yes, approximate amount.	Member Comments and Feedback	Urgency	Impact
<b>EXAMPLE</b>	Improve data sharing between Law Enforcement and Public Health	I. Develop LE-PH prevention strategies	H,Q	b. Persons who are incarcerated, persons who have committed nonviolent crimes primarily driven by a substance use disorder and other persons involved in the criminal justice or juvenile systems; e. People who inject drugs; (as revised); f. Children who are involved with the child welfare system; g. Other populations disproportionately impacted by substance use disorders.	Current systems limit data sharing	<a href="https://www.samhsa.gov/criminal-juvenile-justice/sim-overview/intercept">https://www.samhsa.gov/criminal-juvenile-justice/sim-overview/intercept</a>	BDR	Long	Yes, \$1,000,000			
Presentation at February Interim Health - Elyse Monroy	A statewide forensic lab that would support surveillance sample testing and other types of bio-surveillance using standardized protocol	D. Criminal Justice System Supports	B									
Presentation at February Interim Health - Elyse Monroy	Standardized data sharing agreements between public safety and public health that support data sharing and allow for redisclosure to inform risk messaging.	I. Develop LE-PH prevention strategies	H, Q	This would likely help all populations experiencing SUD and overdoses	Current systems limit data sharing and often first responders and public health don't fully understand the investigations, procedures, language, and sometimes conflicting priorities of the other discipline.	<a href="https://www.cdc.gov/php/docs/forensic_epidemiology_course/semguide.pdf">https://www.cdc.gov/php/docs/forensic_epidemiology_course/semguide.pdf</a>	Create and implement a joint forensic epidemiology course for drug overdose investigations similar to the forensic epidemiology course for investigative responses to bioterrorism events (see research link).	Long term	Likely yes for developing course and then to provide funding for participants to attend. Not sure of exact dollar amount.	I have taught and participated in the referenced course as well as responses and found that those who have participated in the course are more open and understand the need to share data/joint responses. This course opens lines of communication and has often led to those who participated to data sharing agreements.	Mid-level urge	High impact



# **5. BASELINE INFORMATION FOR RESPONSE TO SUBSTANCE USE**

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Stephanie Woodard, PsyD, Senior Advisor for Behavioral Health,  
Department of Health and Human Services



# **Overview of DPBH Prevention and Treatment Programs**

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# **OVERVIEW OF SUBCOMMITTEE AREAS OF INQUIRY**

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From the Joint Interim Health and Human Services Committee Meeting

February 17, 2022

# Data and Information Sharing

## **Assets**

- High Intensity Drug Trafficking Areas (HIDTA) program
- Overdose Data to Action (OD2A)
- Overdose Detection Mapping Application Program (ODMAP)
- Regional action teams and coordinating bodies
- Overdose Response Spike Plans in each county

## **Gaps & Recommendations**

- Optimize use of technology:
  - Prescription Drug Monitoring Program (PDMP)
  - Health Information Exchange
  - Registries
- Analyze data to drive resource allocation and early intervention
- Policies and procedures to share data, e.g., MOUs for data sharing

# Law Enforcement-Public Health Prevention and Coordination

## **Assets**

- Sequential Intercept Model
- Crisis Response System
- High Intensity Drug Trafficking Areas (HIDTA) Program
- Relationships with federal agencies (DEA, CDC, FDA)
- Overdose Response Spike Plans in each county
- Naloxone distribution
- Test Strips

## **Gaps & Recommendations**

- Data sharing across agencies
- Understanding public health implications and outcomes of mixing various drugs together
- Harm reduction, distribution of Naloxone, and safe houses
- Within AB236, prioritize recommendations for funding the behavioral health field response grant program to allow behavioral health teams to respond along with law enforcement in communities

# Criminal Justice

## **Assets**

- Justice Reinvestment Initiative, Nevada Local Justice Reinvestment Coordinating Council (*to be discussed in detail in the next presentation*)

## **Gaps & Recommendations**

- Re-evaluate Civil Protective Custody legislation
- Examine legislation and regulation that criminalizes in-utero drug exposure
- Legislation to support diversion and deflection
- Include MAT, peers, social determinants of health, and harm reduction strategies in criminal justice services and promote telehealth for MAT
- Examine policy considerations around essential services and MAT
- Application of drug court best practices
- Provide linkage to care for court-involved individuals and families and people who are or have been incarcerated
- Ensure there are adequate and comprehensive evaluations for specialty-court involved populations to identify co-occurring disorders
- Strengthen connections to and role of Public Defenders



# Manufacture and Trafficking

## **Assets**

- High Intensity Drug Trafficking Areas (HIDTA) program
- Law Enforcement Agencies

## **Gaps & Recommendations**

- Collection and sharing of seizure data
- Poly drug use complicates investigation and law enforcement's ability to reduce supply
- Quantity and quality of methamphetamine has increased, while legal changes have reduced Nevada labs
- Increased availability and purity, combined with low cost



# Economic Impacts

## **Assets**

- Nevada using 1915(i) waiver process for to provide reimbursement for supportive housing

## **Gaps & Recommendations**

- Consistently implement housing first initiatives to decrease drug related harms
- People experiencing homelessness
- Address gaps for supportive housing
- Availability of housing



# Additional Considerations

- Justice Department Guidance on Protections for People with Opioid Use Disorder under the Americans with Disabilities Act
- Nevada has many assets and resources that are not yet at scale
- Engage individuals with lived experience in programming design considerations
- Linkage of care for incarcerated, court involved individuals and pregnant women with OUD
- Establish a bridge MAT program in emergency departments
- Consider the parity in coverage and participation in a statewide hub-and-spoke model across all payers with limitations on fail-first treatment options, prior authorization, and coverage limits



# **6. PRESENTATION FROM THE NEVADA SENTENCING COMMISSION**

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Victoria Gonzalez, Executive Director,  
Nevada Department of Sentencing Policy

# Introduction

- Nevada Department of Sentencing Policy created in 2019
  - Nevada Sentencing Commission (moved from the Legislature)
- Make data-driven recommendations for sentencing and corrections policies
- Facilitate the collection and aggregation of criminal justice data

# Issues

## AB 236 (2019)

- Justice Reinvestment Initiative: Reduce recidivism, slow prison growth, maintain public safety
- Tasks the Sentencing Commission with tracking the outcomes from the enactment of the bill
- Sentencing Commission recommends funding to the Nevada Local Justice Reinvestment Coordinating Council to make grants to counties and programs for treating persons involved in the criminal justice system
- Created the Nevada Local Justice Reinvestment Coordinating Council
  - Make recommendations to the Sentencing Commission regarding AB 236 at the local level
  - Identify county-level programs and treatment needs for persons involved in the criminal justice system
  - Make recommendations to Sentencing Commission regarding grants to local governments and oversee grants
  - Identify opportunities for collaborating with DHHS at state and local level for treatment services and funding

# Relevant Activities

- Coordinating Council collecting qualitative information about programs and treatment available in each county
- Coordinating Council working to make a request for an appropriation for an “upfront reinvestment” to fund grants administered by the Coordinating Council

# Special Populations

- AB 236 revised penalties for certain drug crimes and other non-violent crimes
  - Sentencing Commission collects and analyzes data regarding these reforms
- AB 236 focused on treatment of behavioral health and substance use of persons involved in the criminal justice system to reduce recidivism
  - Nevada Sentencing Commission collects and analyzes data to evaluate programs and treatment

# Gaps

Many gaps in being able to collect data to evaluate:

- Programs
- Participation
- Recidivism
- Success rates

# Recommendation(s)

- Recommendations from SURG on which programs to focus grant funding
- Support for appropriation to Coordinating Council to administer grants
- Support to any agency or program who needs help collecting data (this will support the data collection efforts of the Sentencing Commission)
- Collaboration with the Coordinating Council, other stakeholders, and partners to collect data for requests and measuring outcomes

# Contact Information

Name	Victoria Gonzalez
Title	Executive Director
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# **7. CONSIDER RECOMMENDATIONS FOR PRESENTATIONS FROM SUBJECT MATTER EXPERTS FOR FUTURE MEETINGS**

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Dr. Terry Kerns

# **8. MAY MEETING DATES**

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Chair Tolles

# May Meeting Dates

- May 9, 2022 from 12:30-2:00 p.m.
- May 17, 2022 1:00-2:30 p.m.

# **8. PUBLIC COMMENT**

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# Public Comment Cont.

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# ADDITIONAL INFORMATION, RESOURCES & UPDATES AVAILABLE AT:

[https://ag.nv.gov/About/Administration/Substance  
Use\\_Response\\_Working\\_Group\\_\(SURG\)/](https://ag.nv.gov/About/Administration/Substance_Use_Response_Working_Group_(SURG)/)



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# **9. ADJOURN**

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