

## 2023 SURG Response Subcommittee Preliminary Submissions

### Recommendation #1

<b>Response Subcommittee Member Name:</b>	Dr. Terry Kerns
<b>Please describe your recommendation. You will need to submit a new survey response for each subcommittee recommendation you would like to submit.</b>	Resolve the conflict between the Good Samaritan Law and the Drug Induced Homicide Law.
<b>Please describe your justification/background information for this recommendation.</b>	Already submitted.
<b>Please include any associated research or links for your recommendation.</b>	Already submitted.
<b>Please select AB374 Section 10 Requirement(s) that have been assigned to the Response Subcommittee that aligns with your recommendation. Please select all that apply.</b>	(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.
<b>Please select the AB374 Section 10 Requirement(s) that are cross-cutting elements assigned to all three subcommittees that aligns with your recommendation. Please select all that apply.</b>	
<b>If your recommendation focuses on a special population, please select all that apply. If your recommendation does not focus on a special population, please select that response.</b>	e. People who inject drugs; (as revised)
<b>Please describe the Action Step aligned with your recommendation.</b>	Other (please specify): Possibly legislative change
<b>Is this a short-term or long-term recommendation?</b>	Long-term (2+ years)
<b>If your recommendation requires a fiscal note, please approximate the amount.</b>	No fiscal note
<b>On a scale of 1-3, please rate the urgency of your recommendation.</b>	2
<b>On a scale of 1-3, please rate the impact of your recommendation.</b>	2
<b>On a scale of 1-3, please rate the current capacity to implement your recommendation.</b>	2

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<b>Response Subcommittee Member Name:</b>	Dr. Terry Kerns
<b>How the recommendation advances racial and health equity</b>	
<b>Please list who you would like to present on this recommendation.</b>	Presentations have already been made on this, Christine Payson and Lisa Lee/Karla Wagner.

**Recommendation #2**

<b>Response Subcommittee Member Name:</b>	Shayla Holmes
<b>Please describe your recommendation. You will need to submit a new survey response for each subcommittee recommendation you would like to submit.</b>	<p>Revise NRS 453c.150 to include language similar to the State of Delaware:                  "Defendant made a good faith effort to promptly seek, provide, or obtain emergency medical or law enforcement assistance to another person who was experiencing a medical emergency after using a Schedule I or II controlled substance, and whose death would otherwise form the basis for criminal liability."                  or                  Rhode Island:                  "An eligible person will not be charged or prosecuted for the offense of controlled substance delivery resulting in death if a person, in good faith, without malice and in the absence of evidence of an intent to defraud, sought medical assistance for someone experiencing a controlled substance overdose and the evidence for the charge was gained because of the seeking of medical assistance. The protection only applies to the death of an adult and does not apply to the offense of controlled substance transaction resulting in death of a minor"</p>
<b>Please describe your justification/background information for this recommendation.</b>	These states, and Vermont are the states that currently do not prosecute for Drug induced homicide or drug delivery resulting in death in relation to the good Samaritan laws

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<b>Response Subcommittee Member Name:</b>	Shayla Holmes
<b>Please include any associated research or links for your recommendation.</b>	<a href="http://legislativeanalysis.org/wp-content/uploads/2021/12/GOODSA1.pdf">http://legislativeanalysis.org/wp-content/uploads/2021/12/GOODSA1.pdf</a>
<b>Please select AB374 Section 10 Requirement(s) that have been assigned to the Response Subcommittee that aligns with your recommendation. Please select all that apply.</b>	(i) Develop strategies for local, state, and federal law enforcement and public health agencies to respond to and prevent overdoses and plans for implementing those strategies.
<b>Please select the AB374 Section 10 Requirement(s) that are cross-cutting elements assigned to all three subcommittees that aligns with your recommendation. Please select all that apply.</b>	
<b>If your recommendation focuses on a special population, please select all that apply. If your recommendation does not focus on a special population, please select that response.</b>	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
<b>Please describe the Action Step aligned with your recommendation.</b>	BDR
<b>Is this a short-term or long-term recommendation?</b>	Long-term (2+ years)
<b>If your recommendation requires a fiscal note, please approximate the amount.</b>	No fiscal note
<b>On a scale of 1-3, please rate the urgency of your recommendation.</b>	2
<b>On a scale of 1-3, please rate the impact of your recommendation.</b>	3
<b>On a scale of 1-3, please rate the current capacity to implement your recommendation.</b>	3
<b>How the recommendation advances racial and health equity</b>	
<b>Please list who you would like to present on this recommendation.</b>	I am unsure who. Lisa Lee presented previously. I am not a subject matter expert but can present on the findings from the document listed.

**Recommendation #3:**

<p><b>Response Subcommittee Member Name:</b></p>	<p>Dr. Stephanie Woodard</p>
<p><b>Please describe your recommendation.</b></p>	<p>SUD/MH/MOUD assessment, treatment, recovery support, pre-release case management availability in incarcerated settings, implementation challenges and opportunities, and the 1115 waiver for Medicaid coverage 90 days pre-release.</p>
<p><b>Please describe your justification/background information for this recommendation.</b></p>	<p>The Federal government is encouraging states to apply for the new 1115 waiver. Readiness of the state jails and prisons to implement EHR's, billing systems, services and supports need to be assessed.</p>
<p><b>Please include any associated research or links for your recommendation.</b></p>	<ul style="list-style-type: none"> <li>• <a href="https://www.medicaid.gov/federal-policy-guidance/downloads/smd23003.pdf">https://www.medicaid.gov/federal-policy-guidance/downloads/smd23003.pdf</a></li> <li>• <a href="https://www.kff.org/medicaid/issue-brief/state-policies-connecting-justice-involved-populations-to-medicaid-coverage-and-care/">https://www.kff.org/medicaid/issue-brief/state-policies-connecting-justice-involved-populations-to-medicaid-coverage-and-care/</a></li> <li>• <a href="https://www.dhcs.ca.gov/CalAIM/Pages/Justice.aspx">https://www.dhcs.ca.gov/CalAIM/Pages/Justice.aspx</a></li> <li>• <a href="#">The Common Wealth Fund: State Pushes for Innovative Ways to Improve Health Outcomes for Justice-Involved Individuals</a></li> </ul>
<p><b>Please select AB374 Section 10 Requirement(s) that have been assigned to the Response Subcommittee that aligns with your recommendation. Please select all that apply.</b></p>	<p>(d) Work to understand how residents of this State who are involved in the criminal justice system access supports for treatment of and recovery from substance use disorders at various points, including, without limitation, by reviewing existing diversion, deflection and reentry programs for such persons.</p> <p>(i) Develop strategies for local, state and federal law enforcement and public health agencies to respond to and prevent overdoses and plans for implementing those strategies.</p> <p>(m) Study the effects of substance use disorders on the criminal justice system, including, without limitation, law enforcement agencies and correctional institutions.</p> <p>(p) Evaluate the effects of substance use disorders on the economy of this State.</p>

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<p><b>Response Subcommittee Member Name:</b></p>	<p>Dr. Stephanie Woodard</p>
<p><b>Please select the AB374 Section 10 Requirement(s) that are cross-cutting elements assigned to all three subcommittees that aligns with your recommendation. Please select all that apply.</b></p>	<p>(b) Assess evidence-based strategies for preventing substance use and intervening to stop substance use...</p> <p>(c) Assess and evaluate existing pathways to treatment and recovery for persons with substance use disorders, including, without limitation, such persons who are members of special populations.</p> <p>(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.</p> <p>(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, with a focus on: (1) The use of the money described in subsections 1, 2 and 3 of section 10.5 of this act to supplement rather than supplant existing state or local spending; (2) The use of the money described in section 10.5 of this act to support programs that use evidence-based interventions; (3) The use of the money described in section 10.5 of this act to support programs for the prevention of substance use disorders in youth; (4) The use of the money described in section 10.5 of this act to improve racial equity; and (5) Reporting by state and local agencies to the public concerning the funding of programs to address substance misuse and substance use disorders</p>
<p><b>If your recommendation focuses on a special population, please select all that apply. If your recommendation does not focus on a special population, please select that response.</b></p>	<p>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</p>
<p><b>Please describe the Action Step aligned with your recommendation.</b></p>	<p>Bill Draft Request (BDR) Expenditure of Opioid Settlement Funds Other (please specify): Budget request for next biennium</p>
<p><b>Is this a short-term or long-term recommendation?</b></p>	<p>Long-term (2+ years)</p>
<p><b>If your recommendation requires a fiscal note, please approximate the amount.</b></p>	<p>Unsure</p>

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<b>Response Subcommittee Member Name:</b>	Dr. Stephanie Woodard
<b>On a scale of 1-3, please rate the urgency of your recommendation.</b>	2
<b>On a scale of 1-3, please rate the impact of your recommendation.</b>	3
<b>On a scale of 1-3, please rate the current capacity to implement your recommendation.</b>	2
<b>How the recommendation advances racial and health equity</b>	
<b>Please list who you would like to present on this recommendation.</b>	Stacie Weeks, DHCFP Administrator on the 1115 waiver possibilities Bill Teel, DHHS FRN consultant, evaluating Nevada jails for MOUD treatment capabilities.

**Recommendation #4**

<b>Response Subcommittee Member Name:</b>	Shayla Holmes
<b>Please describe your recommendation. You will need to submit a new survey response for each subcommittee recommendation you would like to submit.</b>	"wastewater-based epidemiology (WBE) has emerged as a powerful tool for monitoring public health trends by analysis of biomarkers including drugs, chemicals, and pathogens. Wastewater surveillance downstream at wastewater treatment plants provides large-scale population and regional-scale aggregation while upstream surveillance monitors locations at the neighborhood level with more precise geographic analysis. WBE can provide insights into dynamic drug consumption trends as well as environmental and toxicological contaminants. Applications of WBE include monitoring policy changes with cannabinoid legalization, tracking emerging illicit drugs, and early warning systems for potent fentanyl analogues along with the resurging wave of stimulants (e.g., methamphetamine, cocaine)"
<b>Please describe your justification/background information for this recommendation.</b>	This has been utilized at UNR for COVID on an opt in voluntary engagement this similar technology is being used for tracking substance use at a community/neighborhood level.
<b>Please include any associated research or links for your recommendation.</b>	<a href="https://www.ncbi.nlm.nih.gov/pmc/articles/PMC8366482/pdf/13181_2021_Article_853.pdf">https://www.ncbi.nlm.nih.gov/pmc/articles/PMC8366482/pdf/13181_2021_Article_853.pdf</a>

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<p><b>Response Subcommittee Member Name:</b></p>	<p>Shayla Holmes</p>
<p><b>Please select AB374 Section 10 Requirement(s) that have been assigned to the Response Subcommittee that aligns with your recommendation. Please select all that apply.</b></p>	<p>(i) Develop strategies for local, state, and federal law enforcement and public health agencies to respond to and prevent overdoses and plans for implementing those strategies.                  (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.                  (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.                  (p) Evaluate the effects of substance use disorders on the economy of this State.</p>
<p><b>Please select the AB374 Section 10 Requirement(s) that are cross-cutting elements assigned to all three subcommittees that aligns with your recommendation. Please select all that apply.</b></p>	<p>(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, with a focus on: (1) The use of the money described in subsections 1, 2 and 3 of section 10.5 of this act to supplement rather than supplant existing state or local spending; (2) The use of the money described in section 10.5 of this act to support programs that use evidence-based interventions; (3) The use of the money described in section 10.5 of this act to support programs for the prevention of substance use disorders in youth; (4) The use of the money described in section 10.5 of this act to improve racial equity; and (5) Reporting by state and local agencies to the public concerning the funding of programs to address substance misuse and substance use disorders.</p>
<p><b>If your recommendation focuses on a special population, please select all that apply. If your recommendation does not focus on a special population, please select that response.</b></p>	<p>My recommendation does not focus on a special population.</p>
<p><b>Please describe the Action Step aligned with your recommendation.</b></p>	<p>Expenditure of Opioid Settlement Funds</p>
<p><b>Is this a short-term or long-term recommendation?</b></p>	<p>Long-term (2+ years)</p>

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<b>Response Subcommittee Member Name:</b>	Shayla Holmes
<b>If your recommendation requires a fiscal note, please approximate the amount.</b>	Estimated fiscal note amount: Unknown
<b>On a scale of 1-3, please rate the urgency of your recommendation.</b>	1
<b>On a scale of 1-3, please rate the impact of your recommendation.</b>	3
<b>On a scale of 1-3, please rate the current capacity to implement your recommendation.</b>	3
<b>How the recommendation advances racial and health equity</b>	
<b>Please list who you would like to present on this recommendation.</b>	Trying to identify someone at UNR working on the COVID waste water project.

Recommendation #5

<b>Response Subcommittee Member Name:</b>	Dr. Terry Kerns
<b>Please describe your recommendation.</b>	Resolve the conflict between the Good Samaritan Law and the Drug Induced Homicide Law.
<b>Please describe your justification/background information for this recommendation.</b>	See previously submitted justification/background
<b>Please include any associated research or links for your recommendation.</b>	See previously submitted research
<b>Please select AB374 Section 10 Requirement(s) that have been assigned to the Response Subcommittee that aligns with your recommendation. Please select all that apply.</b>	(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.
<b>Please select the AB374 Section 10 Requirement(s) that are cross-cutting elements assigned to all three subcommittees that aligns with your recommendation. Please select all that apply.</b>	No answer provided
<b>If your recommendation focuses on a special population, please select all that apply. If your recommendation does not focus on a special population, please select that response.</b>	e. People who inject drugs; (as revised)



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<b>Response Subcommittee Member Name:</b>	Dr. Terry Kerns
<b>Please describe the Action Step aligned with your recommendation.</b>	Possibly legislative change and media campaign which highlights recommendations provided by Alissa Engler
<b>Is this a short-term or long-term recommendation?</b>	Unsure
<b>If your recommendation requires a fiscal note, please approximate the amount.</b>	Funding for media campaign but may be within grant expenditures
<b>On a scale of 1-3, please rate the urgency of your recommendation.</b>	2
<b>On a scale of 1-3, please rate the impact of your recommendation.</b>	3
<b>On a scale of 1-3, please rate the current capacity to implement your recommendation.</b>	3
<b>How the recommendation advances racial and health equity</b>	
<b>Please list who you would like to present on this recommendation.</b>	NA

Recommendation #6

<b>Response Subcommittee Member Name:</b>	Dr. Terry Kerns
<b>Please describe your recommendation. You will need to submit a new survey response for each subcommittee recommendation you would like to submit.</b>	Leverage existing programs and funding to develop outreach response provider(s) and/or personnel that can respond to any suspected overdose or to those who are provided treatment for an overdose in a hospital/emergency room/EMS and offer follow-up support, referrals, and services to the individual (and loved ones) following an overdose. Provider(s) and/or personnel to be deployed to anyone being released from institutional and community settings (e.g., hospitals, carceral facilities, and other institutional settings) who is being discharged post overdose or suspected overdose. (Response #3)
<b>Please describe your justification/background information for this recommendation.</b>	Those released from facilities are at high risk of overdose. It is an evidence-based practice to provide harm reduction supplies to those who have experienced an overdose.

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Response Subcommittee Member Name:	Dr. Terry Kerns
<p>Please include any associated research or links for your recommendation.</p>	<ul style="list-style-type: none"> <li>• Post-overdose Response Team (PORT) Toolkit – PHAST</li> <li>• Community Paramedicine and Post Overdose Response Teams - Julota</li> <li>• Post-Overdose Response Teams (naco.org)</li> <li>• Innovations in Overdose Response: Strategies Implemented by Emergency Medical Services Providers (astho.org)</li> <li>• Post-Overdose Response Team (PORT) Toolkit   RCORPTA (rcorp-ta.org)</li> <li>• Public Health and Public Safety Resources   Drug Overdose   CDC Injury Center</li> <li>• Model Substance Use Disorder Treatment in Emergency Settings Act   LAPP (legislativeanalysis.org)</li> <li>• Peer Support and Recovery Services   LAPP (legislativeanalysis.org)</li> <li>• Mobile Outreach Vans   LAPP (legislativeanalysis.org)</li> <li>• Connecting Communities to Substance Use Services: Practical Approaches for First Responders (samhsa.gov)</li> <li>• TIP 64: Incorporating Peer Support Into Substance Use Disorder Treatment Services   SAMHSA</li> <li>• Advisory: Peer Support Services in Crisis Care   SAMHSA</li> <li>• Use of Medication-Assisted Treatment in Emergency Departments   SAMHSA</li> <li>• What Are Peer Recovery Support Services?   SAMHSA</li> <li>• Innovations in Overdose Response: Strategies Implemented by Emergency Medical Services Providers (astho.org)</li> </ul>
<p>Please select AB374 Section 10 Requirement(s) that have been assigned to the Response Subcommittee that aligns with your recommendation. Please select all that apply.</p>	<p>(i) Develop strategies for local, state and federal law enforcement and public health agencies to respond to and prevent overdoses and plans for implementing those strategies.</p>

Response Subcommittee Member Name:	Dr. Terry Kerns
<p><b>Please select the AB374 Section 10 Requirement(s) that are cross-cutting elements assigned to all three subcommittees that aligns with your recommendation. Please select all that apply.</b></p>	<p>(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. Such strategies must include, without limitation, strategies to: (1) Help persons at risk of a substance use disorder avoid developing a substance use disorder; (2) Discover potentially problematic substance use in a person and intervene before the person develops a substance use disorder; (3) Treat the medical consequences of a substance use disorder in a person and facilitate the treatment of the substance use disorder to minimize further harm; and (4) Reduce the harm caused by substance use, including, without limitation, by preventing overdoses.</p> <p>(c) 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, with a focus on: (1) The use of the money described in subsections 1, 2 and 3 of section 10.5 of this act to supplement rather than supplant existing state or local spending; (2) The use of the money described in section 10.5 of this act to support programs that use evidence-based interventions; (3) The use of the money described in section 10.5 of this act to support programs for the prevention of substance use disorders in youth; (4) The use of the money described in section 10.5 of this act to improve racial equity; and (5) Reporting by state and local agencies to the public concerning the funding of programs to address substance misuse and substance use disorders.</p>

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<b>Response Subcommittee Member Name:</b>	<b>Dr. Terry Kerns</b>
<b>If your recommendation focuses on a special population, please select all that apply. If your recommendation does not focus on a special population, please select that response.</b>	<p>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</p> <p>c. Pregnant women and the parents of dependent children</p> <p>d. Lesbian, gay, bisexual, transgender and questioning persons</p> <p>e. People who inject drugs; (as revised)</p> <p>g. Other populations disproportionately impacted by substance use disorders</p>
<b>Please describe the Action Step aligned with your recommendation.</b>	Expenditure of Opioid Settlement Funds Collaboration with existing programs such as crisis response
<b>Is this a short-term or long-term recommendation?</b>	Long-term (2+ years)
<b>If your recommendation requires a fiscal note, please approximate the amount.</b>	Unsure
<b>On a scale of 1-3, please rate the urgency of your recommendation.</b>	3
<b>On a scale of 1-3, please rate the impact of your recommendation.</b>	3
<b>On a scale of 1-3, please rate the current capacity to implement your recommendation.</b>	2
<b>How the recommendation advances racial and health equity</b>	
<b>Please list who you would like to present on this recommendation.</b>	NA