

Substance Abuse Working Group

Meeting Minutes November 14, 2011

*Nevada Legislature
401 S. Carson Street, Carson City, Nevada*

*Via Videoconferencing
Nevada Legislature
Room 4412E, Grant Sawyer Building
555 Washington Ave., Las Vegas, Nevada*

1. Call to order and roll call of members.

Chair Masto called the meeting to order at 2:00 p.m. and requested roll call of members in attendance.

Members Present

Carson City:

Catherine Cortez Masto, Attorney General – Chair

Mark Jackson, Douglas County District Attorney

Richard Varner, Washoe Tribe Chief of Police

David Marlon, President, Solutions Recovery, Inc.

Kent Bitsko, Executive Director Nevada HIDTA

Kathlyn Bartosz, Nevada Statewide Coalition Partnership, EUDL Program

Mike Willden, Executive Director Nevada Department of Health and Human Services

Kevin Gehman, Chief, Fallon Police Department

Rory Planeta, Chief, Carson City Department of Alternative Sentencing

Las Vegas:

Anne Pongracz, Deputy Attorney General

Members Absent

Peter A. Mansky, M.D., Director Nevada Professionals Assistance Program

Others Present

Wayne Howle, Solicitor General, Office of the Attorney General

Edie Cartwright, Office of the Attorney General

Layne Wilhelm, SAPTA

Deborah McBride, Director SAPTA

Chris Ferrari, Ferrari Public Affairs

Cheryl Bricker, PCR Douglas County Coalition

Paula Penrod, Citizen

Martha Washington, Office of the Attorney General going into fy2013

Kevin Quint, Executive Director, Join Together Northern Nevada

Linda Lang, Nevada Statewide Coalition Partnership

Sign in sheets for Carson City and Las Vegas are attached as **Exhibit A**.

2. Comments from the Public.

Paula Penrod stated that her son had been killed on January 31, 2011, by a taxi cab driver who was high on methamphetamines.

Ms. Penrod stated that after an exhaustive search of state and federal agencies she had been unsuccessful in determining who is responsible for enforcing commercial carrier laws for vehicles carrying less than nine passengers. She also stated that the Nevada Revised Statutes defer to federal dui law for commercial carriers in implementing Nevada laws and that because there no Nevada that governs them, it is left to the taxi cab companies to govern themselves. Ms. Penrod explained that the federal guidelines require random drug testing of taxi drivers but that the driver who killed her son had not been tested in 11 months. Ms. Penrod cited a statistic from "a reliable source" that 60%-70% of all taxi drivers on the road in the Reno-Sparks area would be found to be driving under the influence and believes this is a public safety issue.

Ms. Penrod seeks a bill that would create a Nevada Revised Statute governing the enforcement of motor carrier laws for vehicles carrying less than nine passengers. She believes there would be no fiscal impact to the state and in fact there may be a fiscal benefit if fines are levied for lack of compliance.

General Masto asked Ms. Penrod for her contact information and stated that the Office of the Attorney General would follow up with her to address the issues.

No other comments from the public were made.

3. Overview of Assembly Bill 61, Ann Pongracz, Sr. Deputy Attorney General. (Exhibit B)

Ann Pongracz stated that Assembly Bill 61 followed up on work that had been done in this state since 2007 when the then governor established by executive order the Working Group on Methamphetamine Use in Nevada. That working group was charged with setting the impact of meth use on this state including the impact on law enforcement, correctional facilities, social services and community services. The 2007 working group completed the report of its recommendations and findings and since then the Governor provided for the continuation of the working group by amending the original executive order in 2008 and 2009. The working group continued until December 31, 2010.

The 2011 session of the Nevada Legislature adopted Assembly Bill 61 that creates the Substance Abuse Working Group within the office of the Attorney General to study similar issues with respect to substance abuse in the state until June of 2015. The bill also provides that the attorney general will serve as the ex officio chair of the

working group and will appoint 9 members who will serve without compensation and will not be entitled to per diem or travel expenses. The bill requires the working group to hold meetings at least every three months, specifies the issues for the working group to study and requires the working group to submit a report of its findings and recommendations to each regular session of the legislature.

The issues that will be considered by the Substance Abuse Working Group includes a wide range of issues including the effect of substance abuse on law enforcement, prisons and other correctional facilities, the sources and manufacturers of substances which are abused, c) the methods and resources to prevent substance abuse, d) methods and resources to prevent the manufacture, traffic and sale of substances which are abused, e) the effectiveness of civil and criminal penalties in preventing substance abuse, f) the effectiveness of civil and criminal penalties in preventing manufacture, trafficking and sale of substances which are abused, g) research that is available to assist substance abusers to rehabilitate and recover from substance abuse, h) programs available to educate families and friends of substance abusers about the manner in which to provide support and assistance to the substance abusers and j) the effect of substance abuse on the economy. On or about January 15th of each odd numbered year the Working Group is required to submit a report of its findings and recommendations to the Director of the Legislative Council Bureau for distribution to the next regular session of the legislature.

4. Election of Vice Chair and Secretary.

Motion to nominate Mark Jackson for Vice-Chair

Motion: Mike Willden

Second:

Action: Passed unanimously

Motion to nominate Kathy Bartosz for Secretary

Motion:

Second: Mark Jackson

Action: Passed unanimously

5. Presentation by Mike Willden, Executive Director, Nevada Department of Health and Human Services, regarding substance abuse treatment update. (Exhibit C)

Mike Willden provided copies of a power point presentation to the Working Group, (Exhibit B) and advised that Health and Human Services administers the Marijuana Registry. Mr. Willden explained that Marijuana users who have obtained a prescription from their medical doctor and also pass an FBI background check can obtain a medical marijuana card which allows the user to possess 7 marijuana plants for personal use and that there is no law enforcement element to the registry.

Mr. Willden stated that the registry is now generating approximately \$700,000 annually after expenses. These funds are generated by the collection of the \$50 initial application fee and the \$150 fee charged when the user has passed the background check and is actually issued the card. There are between 4100 and 4200 initial applications, approximately 2000 - 2200 actual registrations and approximately 1400 renewals annually.

Child Welfare Administrator, Diane Cuomo worked with the other child welfare agencies on the passing of AB 528 which allows the \$700,000 generated from the medical marijuana registry to be transferred to the SAPTA budget and is earmarked for treatment for families of child abuse, neglect cases, child welfare cases. The Pilot program began on November 1, 2011.

Mr. Willden stated that the program has funded seven treatment providers state wide thus far: Bridge Counseling; Bristlecone; Quest; New Frontier; CCCLV; Family Counseling and West Care. This money will be used first and when the funds are exhausted the families will then move to other regular SAPTA funding for those types of services. The reimbursement method is on a fee for service basis. The program uses a modified data base tracking system so that they can track the referrals in and out and who is getting what services. Approximately \$50,000 has been reserved in case there are fluctuations or issues during the year but it is the intent of the program to use all the dollars. The intent is to serve 335 adults within these child welfare families.

Mr. Willden stated that treatment admissions have remained consistent over the past six years. He explained from 2007 – 2011 there was a 44% decline in admissions where Meth was the drug of choice. Benzodiazepine (valium) admissions are up by 341% and heroin is up from 564% to 1148%. Inhalants have the biggest percentage increase but the smallest actual numbers, followed by opiates, synthetic opiates (Darvoset, Oxycontin, Codine, Vicodin) which are up from 346% in 2007 to 734% in fy2011. The chart on page 10 of the Power Point presentation tracks the primary, secondary and tertiary drug of choice of admitted parties. The drugs that are up are benzodiazepine, heroin, opiates and sedatives.

Page 11 shows that admission with alcohol as primary drug of choice is at 36% of overall admissions, meth abuse at 22% and marijuana at 18%. Those figures equal 76 percent of admissions having one of those three drugs as their drug of choice.

Mr. Willden explained that there is a treatment waitlist of 131. The average number of days on the wait list is 18. The priority clients are (in order of priority) pregnant injecting drug users as the top priority, pregnant substance user, non-pregnant injecting drug users, and all other substance abusers.

Mr. Willden stated the Synar Legislation dictates that a state is required to have a less than 20% retailer violation rate or it can lose 40% of its drug and alcohol federal

block grant. Nevada's rates have been well below the federal tracking rate and have been improving.

Mr. Willden discussed State funding for SAPTA which he stated has been just over \$10 million since 2009 with approximately \$5 million allocated for treatment, \$450,000 allocated for meth education, approximately \$2 million for prevention, and \$1million for treatment for co-occurring disorders, those with both a mental health diagnosis and a drug or alcohol issue. The new category is the \$700,000 from the medical marijuana registry for child welfare families. Alcohol tax provides approximately \$950,000 annually.

The alcohol tax, by statute must be used to fund two primary programs, civil protective custody and detox. The six programs that are funded by this tax are Bristlecone, Community Counseling Center, New Frontier, Vitality Unlimited, Washoe County Sheriff's Office and WestCareNevada, Inc..

Mark Jackson asked if there were any statistics on the treatment related to users of synthetic cannabinoids. Mr. Willden had no information. Mr. Layne Wilhelm responded that there were no current statistics on the bath salts or synthetics as they are new on the market and typically are recorded in the data base with other stimulants. It would be included in "other" or "other stimulants" depending on how they were classified when they came in.

Mark Jackson asked if the synthetic cannabinoids are being tracked as a central nervous system depressant or as a central nervous system stimulant. Mr. Wilhelm responded that they would be classified as a depressant under the "other synthetic opiates." in the statistics on treatment.

Chair Masto asked if all of the funding in the state is through the SAPTA. Mr. Wilhelm stated that for profit, private sector numbers are not included in the data base. He estimated that half the treatment market in Nevada is SAPTA funded.

Chair Masto noted there SAPTA funding had increased from at \$3.5 million in fy2006 and closer to \$10.5 million going into fy2013 , and inquired what the increase could be attributed to.

Mr. Willden responded that it was attributable to many factors. He gave credit to former First Lady, Dawn Gibbons for her work in bringing attention to the substance abuse issues and also to the work of the board, key legislators and police and sheriff's associations. Mr. Willden also clarified that the SAPTA budget is actually \$25.5 million, \$10 million in state dollars and \$15 million in non-state dollars.

Chair Masto inquired if this was the first year the state had put dollars into prevention. Layne Wilhelm responded that the legislature had previously allocated \$34,000 for prevention. Deborah McBride commented on the importance of

prevention and the movement in SAPTA toward prevention and behavioral health noting an article in the paper about babies being born addicted to pain killers. Chair Masto asked if the difference between the treatment admission statistic and the statistic for those that actually received treatment reflected parties who could not get treatment or fell out of the program for some reason. Ms. McBride responded that not all people admitted for SAPTA services stay to receive treatment. They'll leave and come back for another service or drop out entirely. Each time they return for service they are treated as a new admit. Chair Masto confirmed that if the parties admitted had stayed, they would have received treatment.

Mr. Jackson stated that under Section 4 of the Governor's Methamphetamine Working Group a report is to be generated discussing the methods and resources for preventing substance abuse. The group decided that that the community coalitions that were in place were the best way to use those prevention dollars. Mr. Jackson asked if SAPTA had come up with any alternative methods. Mr. Willden agreed that community coalitions were still the best vehicle for delivering prevention services. Ms. McBride added that the coalition structure in Nevada has been seen as the notable practice by SAPTA and they use this model to talk to other states citing how well this has worked in Nevada. For every dollar spent on prevention ten dollars is saved on treatment.

Mike Willden asked Mr. Wilhelm how many of the people in in-patient treatment are court ordered and how many are voluntary commitments. Mr. Wilhelm replied that those numbers are available and that data can be compiled in any manner to show a different type of information.

A question was asked about whether a patient is counted twice if they leave detox and are then admitted to residential treatment. Mr. Wilhelm responded that if they are admitted to detox, released and then admitted to residential treatment they will be counted twice.

6. Presentation by Kent Bitsko, Executive Director, Nevada HIDTA regarding trends in drug trafficking and substance abuse. (Exhibit D)

Mr. Bitsko provided some history of HIDTA. HIDTA was established in 1990 and is out of the office of National Drug Control Policy and out of the office of the President. Nevada HIDTA began in 2001 in Clark County. Washoe County was added in 2006. Nevada HIDTA currently has 14 initiatives. 12 are enforcement initiatives and 2 are administrative initiatives. There are 2.5 initiatives in Washoe County; the Northern Nevada Drug Task Force, the Interdiction Initiative and the Washoe County District Attorney where HIDTA funds one prosecutor. HIDTA is currently funded at \$3.26 million. The goal of HIDTA is cooperation between all 17 member agencies and HIDTA is governed by the heads of the member agencies.

Mr. Bitsko stated that Nevada HIDTA seized 135 kg of cocaine in 2006 and 70 kg in 2010. Workplace testing across the country show cocaine use is down although Nevada's 2011 numbers were skewed due to the seizure of 452 lbs. of cocaine in Nevada during transport from Southern California to the northeast.

Mr. Bitsko stated that Meth is the biggest drug problem in Nevada. 2007 use declined a little due to the arrest and seizure in Mexico of Mr. Woo, the largest supplier of pseudoephedrine to Mexico coming out of China in conjunction with Mexico enacting an anti-pseudoephedrine law. These factors almost doubled the price of meth and diminished the purity substantially for about 1 year. Currently the numbers are back up, with the prices stabilized and the purity at 98-99%.

Mr. Bitsko stated that 2011 had double the number of seizures from the prior year. These seizures were not through interdiction but from three significant cases primarily in southern Nevada, in which 213 lbs. of meth, 76 lbs. of meth and 35 lbs. of meth were seized. Most numbers will be out of Southern Nevada where there are 10 enforcement initiatives compared with 2 in Northern Nevada.

Mr. Bitsko stated that cartels have been found to be responsible in only 4 cases in Nevada although 95% of narcotics coming in to Nevada come from Mexico. He attributes cartel responsibility when a cell head is able to call directly to Mexico and order drugs from a cartel member. There has though been a significant uptick in proven cartel involvement in Nevada.

Mr. Bitsko discussed emerging trends and stated that there has been a significant increase in the use of heroin which can be tied directly to pharmaceutical abuse. The numbers for treatment admissions are going up at the same rate for both substances. Mr. Bitsko explained that young kids are getting addicted to pain killers from family members and escalating to heroin because it is cheap.

Prescription and heroin abuse crosses all demographic lines. Two operations in 2008 and 2009 showed heroin dealers were specifically targeting affluent high school age kids and offering samples of heroin to them. Mr. Bitsko cited a Florida study that showed babies being born addicted to prescription drugs has more than tripled in the last 3 years.

Mr. Bitsko stated that Florida has been the epicenter of pharmaceutical abuse but expressed concern that the epicenter could move to Nevada due to the increase of aggressive laws against doctors, pharmacies and street dealers in Florida. The pharmaceutical task force reports doctors in Southern Nevada that have no diagnostic equipment, and their so called patients obtaining prescriptions for cash payments. They also report pain management clinics with "patients" lined up as early as 7:00 a.m. All but five states, including Nevada, have a prescription monitoring system although access is difficult even for law enforcement so the system is fairly ineffective.

Mr. Bitsko stated that another emerging trend is indoor marijuana growers which have increased by 30% since 2008. 129 indoor grows were found in Clark County in 2011. Indoor grows are not a problem in Northern Nevada as they are on the main route from Central California. Clark County reports 11 homicides directly related to marijuana distribution in 2009, 8 homicides in 2010 including a 14 year old girl. Clark County is rated number 9 in the country for indoor grows. The prevalence of

empty houses in Clark County contributes to this problem. The modifications made to the houses in order to grow marijuana encourage the growth of black mold and other effects which render the homes unlivable without substantial reconstruction.

Mr. Bitsko stated that outdoor marijuana growth has not until recently been a problem. 2011 saw 7 outdoor grows between Clark and Lincoln counties with more than 59,000 plants. These grows require air operations and overtime for officers and additional manpower to locate and eradicate. HIDTA has requested \$150,000 for air operations in 2012 as the expectation is that there will be more grows.

Mr Bitsko stated that the number of medical dispensaries in Clark County increased in 2010 from 1 at the beginning of the year to 66 at the end of the year. A Special Investigations Unit headed by DEA and including Henderson, Metro and NLV police departments served over 18 warrants, seized over 300 lbs. of finished product, arrested 19 people and closed down the locations where the warrants were served. There is currently only 1 dispensary openly operating in Clark County. Other dispensaries are operating underground.

Mr. Bitsko stated that the DEA has passed an emergency measure to make synthetic stimulants illegal and categorize them as a schedule 1 drug. Mr. Bitsko explained that the main problem is that there is a very lucrative market. There is already available on the shelf, a formula to change one molecule and remarket the product. On November 7, 2011, a manufacturing center was raided and 237 lbs. of the substance used to make synthetic marijuana as well as pallets of potpourri that they use to spray the synthetic cannabinoid on for smoking were seized.

The synthetic marijuana is 60 – 80 times more potent than that found in herbal marijuana. A host of medical issues for users have been discovered. Synthetic stimulants are sold in head shops and x rated book stores under various names such as ivory wave, purple wave, vanilla sky, etc. Most of the product comes from China.

Mr. Jackson commented that 200 lbs. is approximately 100,000 grams on the street. Mr. Bitsko commented that synthetic marijuana sells for \$80 for 3 grams so there is a tremendous amount of money in this. Chair Masto commented that a gram is approximately equal to a packet of sweet and low.

Chief Varner inquired about HIDTA prevention initiatives. Mr. Bitsko responded that there is a tribal initiative that has \$35,000, managed by the FBI's Safe Trails Task Force. The prior ONDCP administration did not provide for prevention initiatives but the current administration does although there has been no budget increase which prevents progress.

Mr. Planeta inquired if HIDTA is dealing directly with the shops selling the synthetic marijuana. Mr. Bitsko explained that HIDTA is designed to go after major drug dealers and that street level enforcement is better suited. However, there are HIDTA operations against shops marketing synthetic cannabinoids and synthetic stimulants as bath salts or plant food or anything else.

Mr. Gehman asked if the DEA was developing language that would encompass all of the synthetics. Mr. Bitsko replied that The DEA is working on language that would cover the effect rather than the chemical compound.

Chair Masto stated Larry Pinson, Executive Director of Pharmacy Board was unable to attend but would be presenting at the next meeting.

Mr. Jackson thanked Mr. Bitsko for their work in getting drugs off the street. He asked if HIDTA had an opinion as to why Nevada was back to the 2007 levels of price and purity of meth. Mr. Bitsko responded that new sources for pseudoephedrine have been found and the Mexican government is having limited success impacting the drug market. The manufacturers have gone back to using the old p2p method of cooking meth. Mr. Jackson commented that the p2p method has a highest purity rate of 18% and that there is a vast difference between the purity and the product. Some reports say that as much as 40% of the meth coming across the border is p2p.

Mr. Jackson asked if Mr. Bitsko had any information about smurfing. Mr. Bitsko replied that the DEA Intelligence Support Center analyzed all pseudo purchases from several Target stores in Southern Nevada and organized it by the state licenses that were used. The licenses from Los Angeles County were 87% suspect. The assumption was that they were there to smurf pseudoephedrine. No suspicious purchases were found where Nevada licenses were used.

Mr. Bitsko stated that there was a settlement in a case involving a pharmacy worth multi-million dollars that involved Nevada, Arizona and California. Despite interviews with every supervisor in Clark and Washoe County that work narcotics, they have not been able to determine that there has been significant smurfing activity. There were only 7 labs in the entire state in 2010 and the number is not expected to go up in 2011. However, if it becomes impossible to get it out of Mexico they will start manufacturing here.

Mr. Jackson asked if any states had relaxed their restrictions on obtaining information through their prescription monitoring programs. Mr. Bitsko answered no but stated he is working closely with pharmaceutical boards in Florida, Georgia and Tennessee who have been in contact with the U.S. Attorney's Office to get prosecutions.

Mr. Jackson asked if the synthetic drugs could be purchased over the internet. Mr. Bitsko replied that they had no personal experience in Northern Nevada but it is readily available over the internet.

7. Kevin Quint , Executive Director, Join Together Northern Nevada, regarding prescription drug prevention efforts in Washoe County. (Exhibit E)

Mr. Quint explained that Join Together Northern Nevada is one of 13-14 coalitions in the state and is a member of a Statewide Coalition Partnership whose mission is to build partnerships for a healthy drug free community.

They work with methamphetamine prevention, underage drinking prevention, and heroin and prescription drug prevention. Mr. Quint stated that they were contacted by a family whose high school age son had died in his sleep as a result of experimenting with Methadone while taking prescribed Prozac. The parents asked the organization to do something to prevent future tragedies.

Mr. Quint reported that JTNN researched what other states were doing and created a prescription drug take back event, "Prescription Drug Roundup." JTNN has held 5 Roundups so far and has collected approximately 350,000 pills, (not including over the counter pills) which are then turned over to DEA for disposal. Sharps and liquids are collected also. There are 19 partner organizations involved including law enforcement, retail, water districts and others. Mr Quint distributed a pie chart (Exhibit C) that showed the largest percentage of pills collected were not controlled substances but rather blood pressure medication, diabetes medications, etc. The typical attendees at the "Roundup" are older people who have had a spouse pass away who frequently bring in huge bottles of hydrocodone and vicodin. JTNN also distributes lock boxes at this event through a grant with Reno PD.

Mr. Quint discussed the JTNN media campaign entitled "Most of Us" (most of us lock up our prescriptions) encouraging the community to lock up their medications to avoid accidental deaths. Washoe County had 4 documented toddler deaths last year from accidental ingestion of Methadone. JTNN has developed a 15 minute video with an appearance by the Attorney General that talks about prescription drugs and their handling. They have also developed a PSA on this topic to educate people about handling prescription drugs. Mr. Quint inquired if this group had any plans to educate health care professionals about ensuring that their patients and care givers are aware of how to properly handle and manage their prescription drugs.

Mr. Quint discussed the data JTNN has collected and the problems interpreting the data. Data was collected that showed Washoe County prescribes 2 or 3 times more Methadone than Clark County but they are currently unable to determine why. The Youth Risk Behavior Survey reports increased over the counter drug use in Nevada but does not ask about prescription drug use. The Washoe County School Climate Survey showed 20% of the students used prescription drugs illicitly in 2010 and only 7% in 2011. Mr. Quint believes those numbers are flawed. These issues need to be resolved to interpret the data correctly. Mr. Quint suggested that SAPTA might be able to take on the task of interpreting the data.

Mr. Quint concluded by stating that these issues need to be discussed not just locally but state wide.

Chief Rory Planeta stated that their coalition had approached the doctors at Carson Tahoe Regional Medical Center who were resistant at first but eventually worked with them on these issues. The coalition intends to contact other medical groups as well. Chief Planeta stated that many Tahoe, Carson, Minden people went to Reno to get their Methadone which may skew the numbers.

Mike Willden commented that he was interested in assisting Mr. Quint in his efforts to educate, particularly the elderly and their caregivers, on prescription drug care, handling and abuse. He stated that nationally 70% of the pharmaceuticals abused are obtained from friends or family.

Chair Masto agreed that there is a definite opportunity to work together to educate health care providers, care givers and the general public and that they would be continuing to work together with Mr. Quint and JTNN and the many other coalitions.

8. Presentation by Wayne Howle, Solicitor General, Office of the Attorney General regarding status of model MOU for Intergovernmental Cooperation with Nevada Tribes. (Exhibit F)

Mr. Howle stated the draft MOU is the one that had been previously presented at the last colloquium at the Reno/Sparks Colony. In an effort to refine the MOU, Mr. Howle has formed an informal email discussion group made up of volunteers from the last colloquium. Mr. Howle stated he had asked the group both for their feedback and for additional names to add to the discussion group. Mr. Howle explained that he has taken the state standard cooperative agreement form and customized it to address a situation where a tribal law enforcement agency is a party and included as an attachment a scope of cooperative action which includes the details. The purpose of separating out the scope of cooperative action is to allow for modifications to the scope for work other than just law enforcement.

Mr. Howle stated that in the past, a road block to working together has been the potential liabilities that can arise out of cooperative action. Mr. Howle has included 4 options for indemnification to address this issue and believes that there is no one MOU that will fit every situation but that they will need to be revised to reflect specific circumstances. Chief Varner will be taking the draft MOU to the meeting of the tribal police chiefs.

Mr. Howle invited everyone to participate in the discussion group and provided his contact information for anyone who might be interested. Mr. Howle stated that he specifically needed county participation and invited any district attorneys to participate. He also asked for federal volunteers from the Bureau of Indian Affairs.

He stated that he will be contacting volunteers in 2-3 weeks to set up a teleconference so that the members can speak with each other.

Chief Varner thanked Mr. Howle for his efforts and confirmed that he would hand carry the draft MOU to the meeting of the tribal police chiefs.

9. Presentation by Marti Washington, Grants & Projects Analyst 1, Office of the Attorney General regarding overview of the Drug Endangered Children (DEC) Project within the Office of the Attorney General and introduction of Allison Smith, Statewide DEC Coordinator. (Exhibit G)

Chair Masto provided a brief history of the DEC project. Ms. Washington stated that the legislation for the project passed in 2009 but was unfunded until very recently. The DEC Project currently has one planning grant, one training grant and an implementation grant. All are through the Justice Assistance Program. Ms. Washington has acted as the coordinator of the program for the past six months. A permanent coordinator, Allison Smith, was hired in November, 2011.

Ms. Washington stated that the purpose of the legislation was to assist and protect children whose lives were endangered by their parents or caregivers by manufacturing, selling or abusing drugs in the home. NRS 228 defines a drug endangered child as a child who is born affected by prenatal use of the mother, has withdrawal symptoms at birth or has complications at birth as a result of prenatal drug use by the mother. It also includes children who have a controlled substance in their body as a direct and foreseeable result of an act or omission of the parent, guardian or other person who exercises control of the child and thirdly a child who is allowed to be present during the conveyance or upon any premises where any controlled substance is possessed, used, sold, etc.

The DEC Project has four goals: public awareness; identification of stake holders in the different communities, formation of protocols to formalize a DEC response; creation of a Nevada Alliance.

Ms. Washington provided an update on these four goals.

A. She stated that she has visited all Nevada counties except Clark and delivered a presentation whose main thrust was to give the community an accurate description of the characteristics of a drug endangered child which include frequent relocation, poor hygiene, malnourishment, uninvolved parents, poor study habits and learning disabilities. Three of the communities have asked her back.

Ms. Washington stated that DEC hosted a Drug Endangered Children's Summit on September 22nd with 120 attendees from a variety of disciplines. The crux of the summit was to move the community from a crisis oriented response to the creation

of a safety net for these children. She stated that as a result of the summit, Fallon, Washoe and Clark counties are preparing to move forward with programs.

B. Ms. Washington stated that she collaborated with the Nevada Statewide Coalition Partnership for assistance in identifying the stake holders. She added it is imperative that whatever response is developed needed to be institutionalized or it would not be sustainable and that the Statewide Coalition in the various communities is best suited to know who to bring to the table.

Due to some litigation money from United Health, the Coalition was the recipient of a grant to help with this project.

C. Ms. Washington explained that the work on forming protocols has already started in a couple of the counties. The goal is to bring key policy holders to the table to develop a protocol on how to respond to these children. She explained that the children are entering the system from various disciplines and these individuals can develop a protocol with their people in their specific community. The next step would be to ensure that the first responders are aware of the protocol.

D. Ms. Washington stated that DEC is now a member of the National Alliance for Drug Endangered Children which has allowed for incredible opportunities for training, and for brainstorming with other states about how to overcome obstacles with communities who may not be ready to embrace this idea. Ms. Washington seeks to establish a Nevada Alliance modeled after the National Alliance with representatives from the various communities to discuss successes and problems. The National Alliance provides a template on their website for states use.

Ms. Washington stated that Allison Smith was not able to attend but had composed a letter which Ms. Washington read to the group. Ms. Smith's letter stated that through her education and experience she was well versed in the physical and psychological problems and the neglect associated with children exposed to the manufacture, sales and use of drugs. Ms. Smith further stated that proper prevention and intervention are vital to minimize the substantial and lasting impact on children as a result of the behavior of those in charge of their welfare. Ms. Smith explained that she intends to assist the diverse communities that make up this state by developing "stakeholders", forming multi-disciplinary teams, and facilitating public awareness about this issue. She intends to educate first responders and aid them in developing policy that works in their community. She is currently scheduled to meet with local communities and coalitions in Battle Mountain, Winnemucca, Lovelock and Fallon. She has been invited to address 600 Clark County School District counselors on January 23, 2012. The goal is to help these counselors identify the plight of these children which will then motivate them to present key information to the teachers and staff.

Ms. Washington directed the group to a handout in the packet giving an overview of the drug endangered children issue in the state. (Exhibit D)

Mike Willden inquired if Ms. Smith was a government employee or an outside contractor. Ms. Washington confirmed that she was an outside contractor.

10. Presentation by Kathy Bartosz, Nevada Statewide Coalition Partnership, regarding DEC grant award to the Statewide Coalition and Statewide Coalition update.

Ms. Bartosz stated that the Nevada Statewide Coalition Partnership had received a DEC grant from the Attorney General's Office. The Nevada Statewide Coalition Partnership has been in place since 2001 and is a nonprofit organization made up of 13 directors from the 13 coalitions around the state who represent all 17 counties at one level or another. Ms. Bartosz explained that it is a broad based group and each coalition represents 12-13 disciplines on their coalition board and engage every aspect of their community in decision making, specifically with regard to substance abuse issues. Every coalition tailors itself to the needs of their area and they come together quarterly to discuss ideas and problem solve. Ms. Bartosz cited Mr. Quint and the information he provided about prescription drug abuse as an example. The other coalitions have taken those ideas and started their own round-ups.

Ms. Bartosz stated that the purpose of the DEC grant is to 1) support Allison Smith and her work around the state. Each of the coalitions will be working with her to assess local DEC problems, trying to get some base line data to determine the overall impact, 2) to put together DEC development teams to look at what protocols need to be in place in the specific community. These protocols will follow a model that was outlined by Chris Baer during the Methamphetamine Working Group. It begins with a notification and response with law enforcement and child protective services working together and then immediate follow up with the District Attorney, mental health screening and any necessary medical response, and taking it one step further to provide community services for these children.

Ms. Bartosz stated that the other part built into this grant is a Nevada Drug Summit in northern Nevada which will be a two day intensive seminar.

Chair Masto interrupts at this point to advise that she was just informed the group would be losing their video link to the south at 4:30 p.m. In compliance with Open Meeting Law, Chair Masto advised the public that if anyone wished to address the working group, they should submit their comments in writing so that they can be distributed to the group members.

11. Discussion and scheduling of future meetings and agenda items.

Chair Masto stated the group is required to meet quarterly and she would have her office coordinate the date of the quarterly meetings with the other members. She asked group members to identify and email to her items that they would like to see

the board set as goals for the next two years, up to and including legislation for the next legislative session.

12. Comments from the working group.

No comments from the working group.

13. Comments from the public.

Chair Masto reiterated her request that the public put their comments in writing for distribution to the board members.

14. The meeting was adjourned at 4:31 p.m.

