



OFFICE OF THE ATTORNEY GENERAL

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Statewide Substance Use Response Working Group Meeting

December 13, 2023

1. Call to Order and Roll Call to Establish Quorum

Chair Ford

2. Public Comment

(Discussion Only)

Public Comment

- Public comment shall be limited to three (3) minutes per person. We will begin with comments from Las Vegas and then invite comments from Carson City, followed by virtual participants.

In Person

- Please form a line.
- Before commenting, please state your full name for the record.

Public Comment

Attending Virtually

If you are dialing in from a telephone:

- Dial 719-359-4580
- When prompted enter the Webinar ID: 841 1615 6896
- Then enter the Meeting Passcode: 676835
- Please press *9 so the host can prompt you to unmute.

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Before commenting, please state your full name for the record.

*Comments can also be emailed to lhale@socialent.com. These comments and questions will be recorded in meeting minutes.

3. Review and Approve Minutes for October 11, 2023, SURG Meeting

(For Possible Action)

Chair Ford

4. Reappointment of SURG Members

(Information Only)

Chair Ford

Reappointments for 1/1/2024 – 1/1/2026

- One advocate for persons who have substance use disorder and family members of such persons – **Debi Nadler**
- One person who is in recovery from a substance use disorder – **Jeff Iverson**
- One person who provides services relating to the treatment of substance use disorder – **Nancy Lindler**
- One representative of a substance use disorder prevention coalition – **Erik Schoen**
- One representative of a program to reduce the harm caused by substance misuse – **Chelsi Cheatom**
- One representative of a hospital – **Steve Shell**
- One representative of a school district – **Angela Nickels**

5. Update on Opioid Litigation, Settlement Funds, and Distribution

(Information and Discussion)

Mark Krueger, Office of the Attorney General, or designee

6. Subcommittee Reports and Remanded Recommendations

(For Possible Action)

- Harm Reduction – Jessica Johnson, Prevention Chair
- Prevention - Erik Schoen, Vice Chair
- Treatment and Recovery – Steve Shell, Vice Chair
- Response – Dr. Terry Kerns, Chair

Subcommittee Reports and Recommendations

- Subcommittee Chairs/Vice Chairs to provide overview of changes for recommendations remanded to subcommittees for additional work.
- Please refer to *SURG Combined Recommendations December 2023* handout for the full recommendations.
- SURG members are invited to ask questions and identify any recommendations they would like to revise or pull from consideration following each subcommittee report.
- SURG members will identify their Top 5 recommendations for prioritization in Agenda Item 7.

Subcommittee Reports and Recommendations Continued

- Prevention Subcommittee: Abbreviated to PS for Numbering of Recommendations
 - Harm Reduction: Abbreviated to HR for Numbering of Recommendations
- Treatment & Recovery Subcommittee: Abbreviated to TRS for Numbering of Recommendations
- Response Subcommittee: Abbreviated to RS for Numbering of Recommendations

Harm Reduction Remanded Recommendations (Part 1)

- ***AS REVISED:*** HR 2. Provide for shipping costs for evidence-based harm reduction supplies (e.g., naloxone, sharps, fentanyl test strips, etc.) and for travel costs for the pickup of used sharps products to be returned for destruction. Increase advertising about shipping programs to rural Nevada. In collaboration with local agencies and through community conversations, establish local support for harm reduction efforts. Establish an alternative strategy for harm reduction supply delivery if people can't receive delivery of the supplies directly.
 - *Ms. Cheatom provided more thorough recommendation language; the Prevention subcommittee added "evidence-based" and examples of the harm reduction supplies.*
 - *The justification/background and qualitative elements (impact, capacity and feasibility, urgency, and racial and health equity) were also updated based on Ms. Cheatom's input.*

Harm Reduction Remanded Recommendations (Part 2)

- *AS REVISED*: HR 4. Create a bill draft request at the legislature to change the **Nevada paraphernalia definition** as it relates to smoking supplies. **(See proposed draft language change to N.R.S. 453.554 in justification.)**
 - *The justification in the full recommendation table includes proposed draft language to change NRS 453.554, based on changes the Maine legislature made in 2021 to remove many items from the drug paraphernalia law, including smoking equipment.*

Harm Reduction Remanded Recommendations (Part 3)

- ***AS REVISED*: HR 5. Recommend a bill draft request to equalize PRSS so it is equal to or exceeds CHW reimbursement. Add an educational requirement around evidence-based harm reduction to both PRSS and CHW certification.**
 - *This was originally remanded to the Treatment and Recovery subcommittee, who elected not to combine the recommendations.*
 - *The Prevention subcommittee re-worded with the language above to keep both CHW and PRSS as part of a team of outreach workers, noting both have been historically underfunded.*
 - *Changes were also made to the justification/background and qualitative elements.*

Prevention Subcommittee Remanded Recommendations (Part 1)

- *AS REVISED* PS 1. Recommend to DHHS/DPBH/the Bureau of Behavioral Health Wellness and Prevention to double the amount of investment in **SAPTA** primary prevention programming (**i.e., increase from current \$12 million to \$24 million for this biennium**) for ages 0-24 and review the funding allocations annually. **This funding should not be at the expense of existing programming.**
 - *Added additional information to recommendation language on SAPTA funding levels.*
 - *Added additional justification/background on cost effectiveness.*

Prevention Subcommittee Remanded Recommendations (Part 2)

- ***AS REVISED* PS 2. Create a bill draft request to amend the NRS for a 15 percent set aside of tobacco control and prevention funds from the Fund for a Healthy Nevada. This would be distributed using a local lead agencies model to reach \$2 per capita, a recommended funding goal from the Nevada Tobacco Control & Smoke-free Coalition and subject matter experts.**
 - *Revised recommendation language to include the percentage to equate to \$2 per capita.*
 - *Added additional information to justification stating that a 15% set aside of the approximate \$41 million received annually for the State of Nevada would be about \$6.15 million, which gets close to the \$2 per capita.*

Treatment & Recovery Remanded Recommendations (Part 1)

- *AS REVISED:* TRS 3. Implement a specialized child welfare service delivery model with follow up and referral and linkage to care that improves outcomes for children and families affected by parental substance use and child maltreatment and pregnant or birthing persons with **substance** use disorder.
 - *Replaced opioid use disorder with broader reference to substance use disorder.*

Treatment & Recovery Remanded Recommendations (Part 2)

- TRS 6. Engage individuals with living and lived experience in programming design considerations and enhance Peer Support for underserved populations to be delivered through representatives of underserved communities by increasing reimbursement rates, implementing train the trainer models, and enacting policy changes to address limitations to the use of Peers in some settings through strategies including: 1) ensure adequate funding for these priorities, 2) target special populations, 3) increase reimbursement rates, and 4) offer standalone service provision opportunities.
 - *Remanded back to Treatment and Recovery Subcommittee to combine with HR 5. Treatment and Recovery declined combining the recommendation and shared this information with the Prevention Subcommittee. (See Prevention Subcommittee recommendation HR 5.)*

Response Subcommittee Remanded Recommendations (Part 1)

AS REVISED: RS 1. Evaluate current availability and readiness to provide comprehensive behavioral health services to include but not limited to screening, assessment, treatment, recovery support, and transitions for reentry in local and state carceral facilities (**for example, implement follow up and linkage to care for individuals leaving the justice system**).

Recommend the allocation of funding to support the development of a Medicaid Reentry Section 1115 Waiver to Increase Health Care For People Leaving Carceral Facilities and to support readiness of carceral facilities to implement the 1115 waiver.

Recommend legislation to require DHCFP to apply for and implement the 1115 Waiver to Increase Health Care For People Leaving Carceral Facilities and ensure there is an evaluation of readiness for planning and implementation.

- *Combined with TRS 2.*

Response Subcommittee Remanded Recommendations (Part 2)

AS REVISED: **RS 2. Recommend the Nevada System of Higher Education (NSHE) conduct a feasibility study to understand the true cost of implementing wastewater-based epidemiology (WBE) in Nevada and its ability to support community response plans. Funding for this study may be available through the Fund for a Resilient Nevada.**

- *Revised to direct specific entity to conduct a feasibility study.*

Response Subcommittee Remanded Recommendations (Part 3)

AS REVISED RS 3. 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 those impacted by the overdose (for example, other persons with a personal and/or emotional connection to the victim, surviving family members and/or postmortem services for families)** 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. Ensure this recommendation is included as the build out of Nevada's Crisis Response System is occurring so that tailored intervention for individuals who have survived a non-fatal overdose is included.

- *Combined with HR 3.*

Response Subcommittee Remanded Recommendations (Part 4)

AS REVISED RS 4: Review the operations and lessons learned from Clark County's Overdose Fatality Review Task Force when that body's report is released in December 2024 and take this into account when supporting legislation to establish regional Overdose Fatality Review (OFR) Committees allowing flexibility as to the makeup and practice and for the OFR to remain at the county or regional level, as needed, to effectively identify system gaps and innovative community-specific overdose prevention and intervention strategies in accordance with established best practices such as the Bureau of Justice Assistance's *Overdose Fatality Review: A Practitioner's Guide to Implementation*. (See also *Overdose Fatality Review* for additional resources.)

- *Removed for further consideration in 2024.*

Response Subcommittee Remanded Recommendations (Part 5)

AS REVISED: RS 5a. Recommend that a compliance study be completed on NRS 259.050 (number 3) and 259.053.

RS 5b. Provide adequate funding for medical examiner offices to include death scene investigations, forensic pathologists, forensic epidemiologists, and toxicology testing to determine specific cause of death.

- *Revised with input from the Washoe County Medical Examiner.*
- *Revisions support determining cause of death for both public health and law enforcement purposes.*

Response Subcommittee Recommendations

The following recommendations have been provided to the Joint Advisory Task Force:

- Request the recommendation to “Resolve the conflict between the Good Samaritan Law and the Drug Induced Homicide Law” be considered by the Joint Advisory Task Force to look at public health messaging best practices to educate the public on the Good Samaritan Law and create targeted messaging for people who use drugs; this should also include education and training for Law Enforcement.
- Recommend the Joint Advisory Task Force optimize available data to inform actions and update community response plans. *Should the Task Force not take this recommendation up, the Response Subcommittee will move this recommendation forward.*

Response Subcommittee Recommendations Continued

The following recommendation should be considered for further review by the Response Subcommittee:

- The Response Subcommittee will investigate where inadequacies exist in the Good Samaritan Law.
- Review the operations and lessons learned from Clark County's Overdose Fatality Review Task Force when that body's report is released in December 2024 and take this into account when supporting legislation to establish regional Overdose Fatality Review (OFR) Committees allowing flexibility as to the makeup and practice and for the OFR to remain at the county or regional level, as needed, to effectively identify system gaps and innovative community-specific overdose prevention and intervention strategies in accordance with established best practices such as the Bureau of Justice Assistance's Overdose Fatality Review: A Practitioner's Guide to Implementation. (See also Overdose Fatality Review for additional resources.)

7. Review Slido Process and Complete Ranking Exercise for Prioritization of SURG Recommendations

(For Possible Action)

Crystal Duarte, Social Entrepreneurs, Inc.

Slido Process

- Please see *SURG Preliminary Recommendation Rankings October 11, 2023*, handout for aggregate ranked scores and rankings by individual subcommittee members from October SURG meeting.
- Slido ranking is available to SURG members only, via computer or smartphone, to select their Top 5 Recommendations.
- You will be asked to enter your name and agree to terms.
- On the screen you will see a QR code and web link and code that can be used to access the ranking poll.
- Staff will provide an overview of how to use Slido and will assist members as needed.

8. Review Ranking Results to Include in the Annual Report

(For Possible Action)

Chair Ford

9. Review Draft Annual Report

(For Possible Action)

Laura Hale, Social Entrepreneurs, Inc.

10. Review and Consider Items for Next Meeting

(Discussion Only)

Dr. Terry Kerns, Office of the Attorney General, and Emma Rodriguez, Social Entrepreneurs, Inc.

January 10, 2023, Agenda Items

- Approval of SURG Annual Report
- Selection of Vice Chair
- Proposed 2024 Subcommittee Membership, Meeting Schedule & Process
- Bylaws Attendance Policy
- Presentation on Proposed Equity Lens from the Office of Minority Health and Equity
- Update on Opioid Litigation, Settlement Funds, and Distribution

2024 Proposed SURG Meeting Dates

- Wednesday, January 10th, from 2:00-5:00pm
- Wednesday, April 10th, from 2:00-5:00pm
- Wednesday, July 10th, from 2:00-5:00pm
- Wednesday, October 9th, from 2:00-5:00pm
- TBD December 2024

11. Public Comment

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12. Adjournment

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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