



## OFFICE OF THE ATTORNEY GENERAL

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Aaron D. Ford, *Attorney General*

100 North Carson Street  
Carson City, NV 89701  
Telephone - (775) 684-1100  
Fax - (775) 684-1108  
Web - <http://ag.nv.gov>

# RESPONSE SUBCOMMITTEE

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Substance Use Response Group (SURG)

March 12, 2026

12:00 pm

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

Chair Kerns

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

<b>Member</b>	<b>SURG Role</b>	<b>Subcommittee Role</b>
Rob Banghart	Member of General Public	Member
Peter Handy	Department of Indigent Defense Services	Member
Nicole Hicks	Nevada District Attorneys Association	Member
Dr. Shayla Holmes	Rural Human Services (Lyon County)	Vice Chair
Dr. Terry Kerns	Attorney General Appointee	Chair
Christine Payson	Sheriffs' & Chiefs' Assoc.	Member
Bud Schawl	Hospital Representative	Member
Senator Jeff Stone	Member of the Senate appointed by the Senate Minority Leader	Member

## **2. PUBLIC COMMENT**

# Public Comment

- Public comment will be received via Zoom by raising your hand or unmuting yourself when asked for public comment. Public comment shall be limited to three (3) minutes per person. No action may be taken upon a matter raised under this item of the agenda until the matter itself has been specifically included on an agenda as an item upon which action may be taken (per NRS 241.021).
- If you are dialing in from a telephone:
  - Dial (719) 359-4580
  - When prompted enter the Meeting ID: 884 0825 1817
  - Please press \*6 so the host can prompt you to unmute.
- Members of the public are requested to refrain from commenting outside the designated public comment periods, unless specifically called upon by the Chair.

**3. REVIEW AND APPROVE MINUTES  
FROM FEBRUARY 3, 2026 RESPONSE  
SUBCOMMITTEE MEETING**

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Chair Kerns

# **4. DISCUSS AND DRAFT PROPOSED 2025 RESPONSE SUBCOMMITTEE RECOMMENDATIONS**

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Chair Kerns

# Recommendation #1

**Submitted by:** Dr. Shayla Holmes

*This recommendation was split into three recommendations, the first of which is:*

**Recommend that mitragynine, 7-hydroxymitragynine, and mitragynine pseudoindoxyl including:** any isomer, ester, ether, salt, or salt of an isomer; any synthetic, semi-synthetic, or chemically modified derivative; and any compound containing mitragynine, 7-hydroxymitragynine, or mytragynine pseudoindoxyl as an active pharmacological ingredient, regardless of whether the substance is naturally derived, synthetically produced, or manufactured through chemical modification be added to the Schedule 1 of NAC 453.510.

# Recommendation #2

**Submitted by:** Dr. Shayla Holmes

**Prohibit the sale of phenibut ( $\beta$ -phenyl- $\gamma$ -aminobutyric acid), including:** any isomer, ester, ether, salt, or salt of an isomer of phenibut; any synthetic, semi-synthetic, or structurally modified derivative; and any compound that acts as a GABA-B receptor agonist or functional equivalent with similar depressant or psychoactive effects to individuals under 21 years of age, aligning with existing cannabis regulations and mandate that all products containing phenibut or its derivatives have standardized labeling, including clear warnings about potential health risks and age restrictions.

**Restrict Sales Locations:** Limit the sale of these substances to licensed establishments that can verify the age of purchasers and prohibit sales near schools and other youth-centered facilities.

**Enhance Enforcement Mechanisms:** Provide regulatory agencies with authority and resources to monitor compliance, conduct inspections, and enforce penalties for violations.

# Recommendation #3

**Submitted by:** Dr. Shayla Holmes

**Prohibit the sale of *amanita muscaria* and its psychoactive constituents, including:** muscimol, ibotenic acid, and any isomer, ester, ether, salt, or salt of an isomer thereof; any synthetic, semi-synthetic, or chemically modified derivative of muscimol or ibotenic acid; and any compound that produces hallucinogenic, dissociative, or neuroactive effects substantially similar to those substances to individuals under 21 years of age, aligning with existing cannabis regulations and mandate that all products containing such psychoactive constituents have standardized labeling, including clear warnings about potential health risks and age restrictions.

**Restrict Sales Locations:** Limit the sale of these substances to licensed establishments that can verify the age of purchasers and prohibit sales near schools and other youth-centered facilities.

**Enhance Enforcement Mechanisms:** Provide regulatory agencies with authority and resources to monitor compliance, conduct inspections, and enforce penalties for violations.

# Updates Related to Prior Recommendation #1

- Substances listed in the recommendations were discussed at the February Crime Lab Meeting
- Chair Kerns, Dr. Shayla Holmes, and SEI met with the Board of Pharmacy
- Information was requested from Dr. Karla Wagner, Associate Director, Center for Drug Use, Equity, and Policy Research at UNR's School of Public Health; Marco Méndez, Public Health Evaluator, with the Southern Nevada Health District, and Dr. Daniel Gerrity, Principal Research Microbiologist, Southern Nevada Water Authority
  - The compounds listed in the recommendation are detectable by the RADAR Laboratory at the National Institute of Standards and Technology (NIST) where both UNR and the Southern Nevada Health District(SNHD) send samples.
  - Per Dr. Gerrity, it is “possible to monitor for these compounds in wastewater, but there are a series of steps needed to develop and validate the method used before they can be implemented...” Additionally, Dr. Gerrity noted that these compounds are not yet included in their routine list, but that the Water Authority's research chemist “identified mitragynine as a high priority for future inclusion.” He noted there is a way to get information on substances that are not on their routine list, but it would not be quantifiable in the manner in which the substances from their routine list are.
- SEI staff researched and reached out to other states, such as Utah, which addressed phenibut in 2025.
- Dr. Knight, whose research is cited under the first recommendation also provided feedback and is available at today's meeting.

*Note that the justifications and updated action steps for each recommendation have been revised and updated with the information above. Please refer to the SURG Response Subcommittee Recommendation Submissions-March 2026 handout.*

# Recommendation #4

**Submitted by:** Dr. Terry Kerns

**Description:** Recommend state agencies under the legislative, judicial, and executive branches involved with deflection and diversion programs have a comprehensive definition of recidivism and desistance, and standardized policies related to measuring and reporting recidivism. Additionally, require that all publicly funded or publicly administered reentry programs define success using clear, behavior-based outcomes and that programs articulate what meaningful behavior change looks like for participants using tools for measuring engagement, goal attainment, and behavioral milestones.

**Updates:** The Bureau of Behavioral Health Wellness and Prevention within the Division of Public and Behavioral Health notes implementing the Sequential Intercept Model in its strategic plan. The Bureau is currently working to fill critical positions to support work in this area.

Washoe County is starting the [Ignite Program](#) from the National Sheriff's Association to “help jails replicate a program from Genesee County (MI) Sheriff’s Office, that offers comprehensive education, job certification, and post-incarceration work opportunities and assistance to incarcerated individuals.”

# Recommendation #5

**Submitted by:** Dr. Terry Kerns

**Description:** Work with the Board of Pharmacy to include Safe Rx Kits with opioid prescriptions and a one pager with information about opioid overdoses/addiction assistance; look into how a prescription can be written for opioid antagonists when opioids are prescribed to reduce costs.

**Updates:** Chair Kerns met with representatives from the Fund for Resilient Nevada who suggested education targeted to seniors, a social media campaign targeted toward younger individuals, and a general media campaign.

Dr. Beth Slamowitz suggested the Board of Pharmacy do education with pharmacists through the Board's quarterly newsletter and perhaps continuing education through the Nevada Opioid Center of Excellence, and also coordinating with the Nevada Pharmacy Association.

In January 2026, there were 128,757 opioid prescriptions in Nevada. At a cost of \$4 per Detera bag, the estimated total cost per month to cover all prescriptions would be \$515,028 or \$6,180,336 for one year.

# Recommendation #5 (cont.)

**Updates:** Chair Kerns also met with Jamie Ross, Executive Director of the PACT Coalition, and Wendy Nelsen, SURG Member and Executive Director of the Frontier Community Coalition. Prevention Coalitions across the state could take the lead in distributing disposal kits.

# Recommendation #5 (cont.)

**Updates:** An email was submitted to Ohio Rx Disposal about medication safety policies / resources.

The respondent noted, “As far as I know, Walmart is provided with Detera bags through health departments or through county Mental Health, Addiction, & Recovery Services (MHARS) boards. However I know that CVS has a policy where they either have a medication disposal box or they will provide a patient with a Dispose Rx packet when an opioid prescription is filled.

We have a statewide SPF Rx grant through the Ohio Department of Behavioral Health that allows us to provide Detera bags to any Ohio resident at no cost (through Ohio Rx Disposal!). Our state has an extensive substance use prevention network, so there has been a lot of advocacy to get state funds separate from treatment resources that allows for medication disposal resources to be available. Ohio also is unique in the sense that there is a lot of collaboration between agencies across the state; so often we provide a bulk amount of resources to local pharmacies/health departments who in turn distribute directly to community members, all at no cost due to grant funding. There are not any regulations or policies that require accessible disposal options in the state, it has purely been done through persistent community education, advocacy, and collaboration between public health agencies...I highly recommend one agency being in charge of ordering Detera bags. They have a tiered pricing system and it is the most cost efficient per bag if all the money is spent from one account. ”

# Placeholder for Draft Recommendation(s)

**Submitted by:**

**Description:**

**Justification:**

**Action Step:**

# **5. REVIEW 2026 RESPONSE SUBCOMMITTEE MEETING TOPICS AND TIMELINE**

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Chair Kerns

# Subcommittee Meeting Topics and Timeline

## March 2026

- Discuss Preliminary Recommendations
- Subject Matter Expert Presentations as Requested

## May 2026

- Finalize and **Rank** Preliminary Recommendations for Presentation at June SURG Meeting
- Subject Matter Expert Presentations as Requested

## June 2026

- Finalize Recommendations Based on Feedback from SURG, **if Needed**

## September, November, December 2026 (start of new report cycle)

- Subject matter expert presentations and development of recommendations

*Please email Subcommittee staff with any speaker recommendations.*

# Full SURG Meeting and Revised Reporting Timeline and Topics

## April 2026

- Presentations on Peer Certification and the State Budget Process and an **Update from the Fund for Resilient Nevada**
- Review Preliminary Recommendations from Subcommittees

## June 2026

- **Review Final, Ranked Recommendations**
- Approve 2025-26 Annual Report Template

## July 2026

- Approve 2025-26 Annual Report

## October 2026

- Presentations from Subject Matter Experts
- **Overview of Open Meeting Law (pending)**

# Planning for 2026 Response Subcommittee Meetings

*Please email Subcommittee staff with any speaker recommendations.*

# **6. PUBLIC COMMENT**

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# **7. ADJOURNMENT**

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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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