



RESPONSE SUBCOMMITTEE

SUBSTANCE USE RESPONSE WORKING GROUP (SURG)

SEPTEMBER 17, 2026 | 12:00 PM



1. CALL TO ORDER AND ROLL CALL TO ESTABLISH QUORUM

Terry Kerns, Ph.D, Response Subcommittee Chair



ROLL CALL TO ESTABLISH QUORUM CONT.

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



2. PUBLIC COMMENT

(Information Only)



PUBLIC COMMENT

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If you are dialing in from a telephone:

- Dial (719) 359-4580
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- Please press *6 so the host can prompt you to unmute.

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3. REVIEW AND APPROVE MINUTES FOR MAY 14, 2026 RESPONSE SUBCOMMITTEE MEETING

(For Possible Action)

Chair Kerns



4. PRESENTATION ON DATA HIGHLIGHTS AND METHODS FOR SCORING AND RANKING FUND FOR RESILIENT NEVADA RECOMMENDATIONS

(For Discussion or Possible Action)

Heather Kerwin, MPH, CPH, Opioid & Infectious Disease
Epidemiologist, Office of State Epidemiology, DPBH



5. SUBCOMMITTEE REORIENTATION

(Information Only)

Crystal Duarte, Social Entrepreneurs, Inc. (SEI)



ATTENDANCE

- Attendance is tracked and any member who goes below a 75 percent attendance rate for subcommittee or SURG meetings will be asked if they wish to continue serving.
- If you cannot attend a meeting, please email SEI staff at least four business days in advance to ensure a quorum or rescheduling of the meeting if necessary.



RECOMMENDATIONS PROCESS

- Review survey in SurveyMonkey.
- The earlier recommendations are submitted, the more time we have to schedule presentations and to refine the recommendation. **Please submit your ideas as early as possible!**
- All subcommittee members are encouraged to submit at least one recommendation.
- Questions?



6. REVIEW 2025-26 SURG RECOMMENDATIONS

(Information Only)

Chair Kerns



2025-26 RESPONSE RECOMMENDATIONS (PART 1)

1. 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 mitragynine 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 I of NAC 453.510.



2025-26 RESPONSE RECOMMENDATIONS (PART 2)

2. 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.

Explore taxation options for education and prevention.



2025-26 RESPONSE RECOMMENDATIONS (PART 3)

3. Work with prevention coalitions to make available mechanisms for safe disposal of opioid prescriptions (i.e., Detera Bags) and to provide education to community members (i.e., youth and senior groups). Prevention coalitions will also provide a one-page document with information about opioid overdoses, disposal, and available addiction assistance to be provided with opioid prescriptions. Board of Pharmacy will provide education via their website and work with the Nevada Opioid Center of Excellence for a continued education course.
4. Recommend state agencies under the legislative, judicial, and executive branches involved with adult 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.



2025-26 RESPONSE RECOMMENDATIONS (PART 4)

5. Prohibit the sale of phenibut (β -phenyl- γ -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.

Explore taxation options for education and prevention.



7. REVIEW AB374 SECTION 10 REQUIREMENTS AND SUBPOPULATIONS ADDRESSED IN PRIOR RECOMMENDATIONS

(For Discussion Only)

Crystal Duarte, Social Entrepreneurs, Inc. (SEI)



LEGISLATIVE LANGUAGE AND PREVENTION SUBCOMMITTEE ASSIGNMENTS OVERVIEW

- AB374 (2021 Session) Sec. 10, Subsection 1 is comprised of components A-Q. In 2021, guidance from Vice Chair Tolles, Dr. Woodard and Dr. Kerns determined subcommittee alignment.
- Please reference pages 5-7 and Appendix C in the 2025-26 Annual Report for more information.



LEGISLATIVE LANGUAGE AND RESPONSE SUBCOMMITTEE ASSIGNMENTS

- **(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.
- **(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.



LEGISLATIVE LANGUAGE AND RESPONSE SUBCOMMITTEE ASSIGNMENTS (CONT.)

- **(l) Evaluate current systems for sharing information between agencies regarding the trafficking and distribution of legal and illegal substances** which are associated with substance use disorders, including, without limitation, heroin, other synthetic and non-synthetic opioids, and stimulants.
- **(m) Study the effects of substance use disorders on the criminal justice system**, including, without limitation, law enforcement agencies and correctional institutions.
- **(n) Study the sources and manufacturers of substances which are associated with substance use disorders**, including, without limitation, heroin, other synthetic and non-synthetic opioids and stimulants, and methods and resources for preventing the manufacture, trafficking, and sale of such substances.
- **(o) Study the effectiveness of criminal and civil penalties at preventing the misuse of substances and substance use disorders and the manufacture, trafficking and sale of substances** which are associated with substance use disorders, including, without limitation, heroin, other synthetic and non-synthetic opioids, and stimulants.
- **(p) Evaluate the effects of substance use disorders on the economy of this State.**



CROSS-CUTTING ASSIGNMENTS (PART 1)

- (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;
- (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.**



CROSS-CUTTING ASSIGNMENTS (PART 2)

(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.

NUMBER OF TIMES **RESPONSE** RECOMMENDATIONS ALIGNED WITH ASSIGNED AB374 COMPONENTS

Number of Times Component Aligned with 2022-2026 Recommendations	AB374 Sec 10, Subsection Component
5	(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.
12	(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.
5	(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.
1	(l) Evaluate current systems for sharing information between agencies regarding the trafficking and distribution of legal and illegal substances which are associated with substance use disorders, including, without limitation, heroin, other synthetic and non-synthetic opioids, and stimulants.
3	(m) Study the effects of substance use disorders on the criminal justice system , including, without limitation, law enforcement agencies and correctional institutions.
7	(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.
6	(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.
5	(p) Evaluate the effects of substance use disorders on the economy of this State.

NUMBER OF TIMES ALL SURG RECOMMENDATIONS ALIGNED WITH CROSS-CUTTING AB374 COMPONENTS

Number of Times Component Aligned with 2022-2026 SURG Recommendations (Out of 69)	AB374 Sec 10, Subsection Component
36	(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;
11	(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.
25	(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.

NUMBER OF TIMES SPECIAL POPULATIONS IMPACTED BY RECOMMENDATIONS ACROSS 2024 AND 2025-26

Subcommittee	Veterans, Elderly Populations, & Youth	Persons who are involved in the criminal justice/juvenile systems	Pregnant women and the parents of dependent children	Lesbian, gay, bisexual, transgender and questioning persons	People who inject drugs; (as revised)	Children who are involved with the child welfare system	Other populations overly impacted by substance use disorders
2024	6	7	3	5	6	5	11
Prevention & Harm Reduction	3	2	0	2	2	2	6
Response	2	4	2	2	3	2	3
Treatment & Recovery	1	1	1	1	1	1	2
2026	5	5	2	1	4	5	4
Prevention	2	1	2	1	1	2	2
Response	3	4	0	0	3	3	1
Treatment & Recovery	0	0	0	0	0	0	1
Total	11	12	5	6	10	10	15
Total Response	5	8	2	2	6	5	4



8. REVIEW 2026 RESPONSE SUBCOMMITTEE AND SURG MEETING TOPICS AND TIMELINE

(For Discussion or Possible Action)

Chair Kerns



SUBCOMMITTEE MEETING TOPICS AND TIMELINE

November 12, 2026

- Topic TBD

December 10, 2026

- Topic TBC



FULL SURG MEETING TOPICS AND TIMELINE

October 2026

- Overview of Open Meeting Law (pending)
- Morbidity and Mortality Rates
- Fund for Resilient Nevada (FRN) Assessment Prioritization

January 2027

- Crisis Response System (pending)
- Final FRN Assessment (pending)
- Elect Officers (Vice Chair)



9. PUBLIC COMMENT

(Information Only)



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10. ADJOURNMENT

Chair Kerns

ADDITIONAL INFORMATION, RESOURCES & UPDATES AVAILABLE AT:
https://ag.nv.gov/About/Administration/SURG_Info_Page/



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