

INDIANA COMMISSION TO COMBAT SUBSTANCE USE DISORDER

August 3, 2023

MINUTES

The Indiana Commission to Combat Substance Use Disorder met on August 3, 2023, at 10:00 a.m. EST at the Indiana State Library, History Reference Room 211.

Present: Chairman Douglas Huntsinger (Executive Director for Drug Prevention, Treatment and Enforcement); Mr. Steve Balko (representing the Indiana Secretary of Education); Ms. Bernice Corley (Executive Director for the Indiana Public Defender Council); Mr. Shane Hatchett (representing the Indiana Department of Health); Ms. Lindsay Hyer (Executive Director of the Indiana Professional Licensing Agency); Mr. Caleb Jackson (representing Indiana State Representative Cindy Ledbetter); Mr. Cris Johnston (Director of the Office of Management and Budget); Mr. Devon McDonald (Executive Director of the Indiana Criminal Justice Institute); Mr. Chris Naylor (Executive Director of the Indiana Prosecuting Attorneys Council); Ms. Christina Reagle (Commissioner of the Indiana Department of Correction); Dr. Daniel Rusyniak (Secretary of the Indiana Family and Social Services Administration); Mr. Jacob Sipe (Executive Director of the Indiana Housing & Community Development Authority); Mr. Cory Voight (representing the Office of the Attorney General); Indiana State Senator Shelli Yoder

Call to Order & Consideration of Minutes

Chairman Douglas Huntsinger

Chairman Huntsinger calls the meeting to order at 10:00 a.m. Chairman Huntsinger asks for a motion to approve the minutes for the May 4, 2023, meeting. Mr. Daniel Rusyniak moves to approve the minutes as presented. Mr. Steve Balko seconds. Minutes are approved unanimously.

Chairman Huntsinger updates the Commission on the completion of the Indiana Mental Health and Addiction Conference in June. He says the conference will take place every two years.

Chairman Huntsinger shares the Indiana Family and Social Service Administration awarded over \$76 million in new funding to be devoted to improving mental health and recovery services for Hoosiers. This includes \$57 million in American Rescue Plan funds to advance the state's integrated crisis response system and \$19 million in state Opioid Settlement Funds to support community-driven responses to the drug epidemic.

Chairman Huntsinger introduces the recovery speaker, Ms. Erin Davis. Ms. Davis is a peer recovery coach at PACE, an organization in Indianapolis that assists justice-involved individuals with reentry.

Recovery Speaker

Erin Davis, Peer Recovery Coach, PACE

Ms. Davis is celebrating five years and eight months in recovery. She recounts her experience with severe panic disorder and substance use disorder, which she says began with alcohol in high school. She has served as a certified peer recovery coach at PACE since 2019.

Grant Opportunities

**Kelly Welker,
Director of Addiction and Prevention Services,
Indiana Family and Social Services Administration's
Division of Mental Health and Addiction**

Chairman Huntsinger says the State Budget Committee approved in December 2022 a \$52 million plan for the Family and Social Services Administration to utilize its 35% share of the state's 2022-2023 payments from the National Opioid Settlement.

Chairman Huntsinger introduces Ms. Kelly Welker, Director of Addiction and Prevention Services at FSSA's Division of Mental Health and Addiction, to share how these funds are being spent and forthcoming grant opportunities.

Ms. Welker introduces the Opioid Settlement Match Grant. Applications for the grant opportunity went live on January 31, 2023, and responses were due by February 28, 2023. FSSA received 78 proposals totaling \$93 million in requests. Local units of government were required to provide match settlement funds for this initiative. Ms. Welker thanks the team that reviewed all 78 proposals, explaining that it was a months-long process, and says each proposal was scored, reviewed, and discussed in thorough detail.

Ms. Welker says the Opioid Settlement Match Grant was intended to help communities and counties collaborate and build connections to improve infrastructure and implement evidence-based programming. This one-time funding was used to support evidence-based prevention, treatment, recovery, and harm-reduction services. It was also used to expand the behavioral health workforce and implement other services and initiatives across the state.

FSSA awarded 30 local units of government, service providers, and community organizations spanning 28 unique counties with a total of \$19 million. Ms. Welker says awarded initiatives include access to treatment for uninsured mothers and first responders with co-occurring disorders, reliable transportation to places of employment, treatment and other services, and substance use education to adolescents, prescribers, service providers, and stakeholders to promote prevention and harm reduction.

Ms. Welker shares that many proposals requested funding for peers and recovery residences. Given a large disparity in the amount of funds requested for these resources, FSSA found it necessary to standardize the process and pulled these initiatives out for additional funding opportunities.

Ms. Welker introduces the next grant opportunity, Capital Expenses for Recovery Residences. She explains that National Opioid Settlement funds may be used for capital expenditures. FSSA released the Request for Funding on June 30, 2023, and received 43 proposals totaling over \$25 million in requests. FSSA is currently reviewing proposals, and awards will be determined by August 31, 2023. Requests were limited to \$750,000 for the one-year grant and no more than \$34,000 per bed. She says the purpose of this initiative is to increase bed capacity. Matching funds are not required but are encouraged. Allowable costs include purchase of property, construction, or renovation of the building.

Ms. Welker explains that requirements for the award include becoming a DMHA-certified Level II, III, or IV recovery residence and must accept all three forms of FDA-approved medications for opioid use disorder. She says all awardees will sign a binding agreement to operate the recovery residence for a minimum of five years.

Ms. Welker says future funding opportunities will be focused on peer services and harm reduction.

Chairman Huntsinger calls for questions.

Mr. Devon McDonald asks if the increase in bed capacity could exacerbate staffing shortage issues and if there is a required ratio of patients to staff in recovery residences. Ms. Welker clarifies that recovery residences do have requirements in terms of square footage per person, bed, restroom, and other amenities. She says that a workforce grant is currently being awarded and is intended to mitigate staffing issues.

Mr. McDonald asks if the workforce grant will likely be granted to applicants of the Capital for Recovery Residences RFF. Ms. Welker clarifies the workforce grant applies to the behavioral health workforce as a whole, not just the applicants for bed expansion. Chairman Huntsinger adds that many peer recovery coaches are being transitioned into licensed roles and says the state is conscious of steadily expanding recovery residences to ensure proper staffing.

Ms. Bernice Corley asks how many of the 30 awardees of the Opioid Settlement Match Grant collaborated with other counties. Ms. Welker says regional approaches were encouraged by DMHA and that 1-2 awardees approached the grant at the county level as opposed to a smaller local unit of government.

Senator Shelli Yoder asks how many of the 43 proposals for Capital Expenses for Recovery Residences DMHA will be able to fund. Ms. Welker says DMHA is currently in the process of reviewing the proposals and will make award determinations on August 31, 2023. Senator Yoder asks if there is enough available funding to hypothetically fund all \$25 million in requests. Ms. Welker answers that as long as each proposal meets all requirements, it is possible. However, one of the main requirements is the acceptance of all three forms of FDA-approved medication for opioid use disorder, and many residences are still working toward this.

Chairman Huntsinger thanks Ms. Welker for her presentation.

Opioid Settlement Update

**Cory Voight, Assistant Chief Deputy,
Office of the Attorney General**

Chairman Huntsinger introduces Mr. Cory Voight, representing the Office of the Attorney General.

Mr. Voight announces that settlements have been reached with three large national chain pharmacies: CVS, Walmart, and Walgreens. CVS will pay the state \$105 million over 10 years.

Walmart will pay the state \$60 million in one year. Walgreens will pay the state \$114 million over 15 years. He says two manufacturers have also settled: Teva and Allergan. Teva will pay the state \$80 million over 13 years. Allergan will pay the state \$48 million over seven years.

Mr. Voight says the bankruptcy of Purdue Pharma is currently being handled in the Second Circuit and may be appealed to the Supreme Court. He continues to Mallinckrodt Pharmaceuticals, which has a plan of reorganization, including a payment of \$3.4 million to the state; however, he says Mallinckrodt may go into bankruptcy again which may impact their settlement funds.

Mr. Voight references a spreadsheet listing annual payment amounts to all 648 local units of government on the Office of the Indiana Attorney General's website and the Commission's website. Both websites also list the approved uses for settlement funds. He emphasizes that 35% of the money received by localities must go towards opioid abatement, and 15% of funds are unrestricted. Mr. Voight adds that if a locality receives less than \$5,000 in restricted funds each year, these funds will roll up to the county. The locality will still receive their unrestricted allotment.

Mr. Voight says localities and the State must monitor and report their use of funds to FSSA. He says that the process of reporting to the national administrator is still being determined.

Chairman Huntsinger reiterates that FSSA is responsible for collecting reports from 648 local units of government. In an effort to collect reports, the Governor's Office has partnered with FSSA, the Office of the Attorney General, Accelerate Indiana Municipalities, and the Association of Indiana Counties to create a set of data points that target relevant information for reporting entities, such as the legislature and the national settlement administrator. He adds that Indiana has also consulted with other states to inform its reporting process. He says the goal is to make the reporting process as streamlined as possible for communities and that information collected will be made public.

Chairman Huntsinger calls for questions.

Ms. Corley asks if the reports are being built around the idea that they will be reported on for 18 years.

Chairman Huntsinger responds yes.

Ms. Corley says all the potential uses of the funding are tremendously valuable and can continue to be valuable even after the money is used in 18 years. She says it could be valuable to track individuals who received assistance as infants up through their teenage years, providing hard, sustained evidence of the programs and services' success or failure over an extended period of time.

Chairman Huntsinger says many projects currently funded by DMHA or through settlement match dollars have evaluation built in. He continues that the settlement allows for a certain amount of money for administration in addition to a certain amount for evaluation. This money will be devoted to reviewing the efficacy of locality-spent money as well as state-spent money, all in service of developing a cohesive spending strategy. Chairman Huntsinger indicates that the

reporting forms will ideally collect more specific information so an evaluator can more effectively dig in. He continues that certain programs are simpler to evaluate than others – it is the data-heavy programs and services that will be most challenging to effectively evaluate.

Mr. Cris Johnston says the reporting document is very compliance-focused, which he supports. He points out that agencies that deal with the human condition, such as FSSA or DCS are often the most challenging when it comes to gathering metrics and reporting information; however, even if the process of gathering data may be long and arduous, it will ultimately be fruitful and help guide future decision making.

Ms. Christina Reagle says that even though funds are encumbered, they are not always spent. She recommends keeping a close eye on encumbered funds to ensure the money is being utilized in the best way possible.

Chairman Huntsinger says that for smaller communities, the reporting process will be more straightforward. He continues that the top 100 largest communities will likely have a much higher number of encumbered funds. In those cases, carryover must then be tracked and it becomes difficult to oversee the use of those funds. Chairman Huntsinger says this reporting process is intended to provide a baseline of information without burdening the local communities with the confusion of the reporting process. He adds that the inclusion of a category for funds that are encumbered but not spent would be useful for next year's reporting.

Chairman Huntsinger entertains a motion to accept the data fields that will be collected, with some minor modifications still to be made, via web form for communities to report their data.

Ms. Corley moves to accept the fields. Mr. Johnston seconds. The motion passes unanimously.

Agency Updates

**Devon McDonald, Executive Director,
Indiana Criminal Justice Institute**

Chairman Huntsinger introduces Mr. Devon McDonald, executive director of the Indiana Criminal Justice Institute (ICJI) to provide an agency update.

Mr. McDonald says the Commission is required to review and approve actions taken by the state's local coordinating councils (LCC). He says ICJI intended to have its annual report completed but analysis is still being conducted.

Mr. McDonald says law enforcement, education, and treatment centers have been the entities that are most collaborative with LCCs. He says this a positive trend since many LCCs are involved with the opioid settlement dollars flowing through the counties. He highlights the fact that over half of Indiana counties still perceive the drug issues in the state as either moderate or severe. He says that while the Commission and the state as a whole are making fantastic progress, there remains much work to be done.

Mr. McDonald says the upcoming annual report will be updated in comparison to the reports of the past two years. This latest report utilizes a mixed-method approach of data collection and will

take a more qualitative approach to provide more usable information. He says the LCC network is looking to continue efforts of technical assistance, especially considering the large amount of change at the local level with coordinators. He adds that some new “Train the Trainer” programs have started to help train coordinators.

Chairman Huntsinger calls for questions.

Chairman’s Comments

Chairman Douglas Huntsinger

Chairman Huntsinger invites the Commission to attend the public launch event of Treatment Atlas, the state’s new addiction treatment locator on September 29 at the White River Canal. He says in August, stakeholder groups, such as 988 and 211 employees, will be trained on how to effectively use the treatment finder tool. A formal invite will be sent to members of the Commission as the day approaches.

Chairman Huntsinger thanks the agencies who assisted with the settlement match grant opportunity and says he is proud that Indiana is one of a handful of states that is getting money out into communities in need, while other states are still in the preliminary stages.

The Indiana Commission to Combat Substance Use Disorder will meet Friday, November 3, 2023, at 10 a.m. EDT at Indiana Government Center South, Conference Room A.

The meeting adjourns at 11:20 a.m.