

Mission:

Eliminate substance abuse in Florida by coordinating statewide efforts to protect individuals, families, and communities from substance abuse and to treat those with addiction.

Vision: A future without substance abuse in Florida



Ron DeSantis
Governor

Dr. Scott A. Rivkees
State Surgeon General

Statewide Drug Policy Advisory Council

Meeting Minutes

Betty Easley Conference Center
4075 Esplanade Way, Room 182,
Tallahassee, FL 32399
January 28, 2020
8:30 AM to 4:00 PM

Welcome, Introductions and Roll Call

The following members or designees were in attendance:

Scott A. Rivkees, MD, Chair, State Surgeon General
LTC Andrew Benard for Attorney General Ashley Moody (Office of the Attorney General)
Karen Weaver for Rick Swearingen (Department of Law Enforcement Commissioner)
Jeffrey Cece, MS, CPM for Chad Poppell (Department of Children and Family Services)
Orma Stambaugh, Director of Programs (Department of Corrections)
Jason Beck, for Simone Marsteller (Department of Juvenile Justice)
Penny Taylor, Director for Healthy Schools (Department of Education)
Lt. Jason Britt for Terry Rhodes (Department of Highway Safety and Motor Vehicles)
MAJ Nate Dinger for COL Michael Ladd (Department of Military Affairs)
Mark Fontaine (Florida Behavioral Health Association)
Beth Labasky (Informed Families)
Doug Leonardo (Chrysalis Health)
The Honorable Michelle Towbin-Singer (17th Judicial Circuit Court of FL)

Guests and Staff:

Javier Betancourt, Department of Health
Nathan Dunn, MSA, Staff Liaison
Aaron Gerson, Office of the State Courts Administrator
Michelle Harkness, Department of Health
Melissa Jordan, Department of Health
Rachel Kamoutasas, Office of the Attorney General
Karen Tozzi, DOH-Duval
Susan Williams, Agency for Healthcare Administration

Business

- 1. Welcome/Introductions/Opening Remarks:** Dr. Scott Rivkees opened the Council meeting, had all attendees introduce themselves and provided a comprehensive overview of the agenda.

The Department of Health continues to implement the CDC grant, Overdose Data to Action (OD2A). During December 2019, 14 counties were funded for projects from this grant ranging from \$65,200 to \$108,000. In addition, Marion and Clay counties received \$250,000 each to implement the Prevention Innovation Project related to paramedicine. In these two counties, paramedics will locate

a patient after the patient's discharge from the emergency room for opioid overdose every day for a set time. For the entire OD2A project, evaluation and performance measurement will be used to monitor achievement of program outcomes to build a stronger evidence base for specific program interventions. The Department has selected Dr. Samantha Goldfarb from Florida State University to conduct the evaluation.

The Statewide Task Force on Opioid Abuse has met four times, most recently at the Seminole County Sheriff's Office. There have been presentations from first responders, insurance industry advisors, data analysts, substance abuse treatment experts and local recovery communities. The website address for the Task Force is www.DoseOfRealityFL.com. The next meeting of the Task Force will be held on February 24th at 1:00 p.m. at Manatee Memorial Hospital.

2. Review and Approve Meeting Minutes from October 28, 2019 and November 19, 2019:

There was one correction noted to the minutes and the meeting minutes were approved.

3. Telehealth and Substance Use Disorders- Tabled until next Council meeting.

4. Overdose Data to Action (OD2A) update- Melissa Jordan presented plans to hire a team through the FSU College of Medicine to help with the data collection. This will include five local (EIS) fellows assigned for two years. Optimal results will allow a once-a-day focus for clinical complaints in real time. Preliminary reports and discharge reports with AHCA uploaded two quarters of data to the CDC. The 2020 report will be around data. A major theme is how do we link reports from FDLE to the hospitals. Mr. Fontaine expressed an interest in having Dr. Rivkees inform the public of the opioid epidemic in a similar manner to the Hepatitis outbreak.

5. Overdose Data to Action in Duval County- Ms. Karen Tozzi presented with DOH-Duval. There were more than 550 opioid deaths in 2017. OD2A is a CDC funded collaborative agreement to get timely data to inform regarding prevention. Duval is set to analyze data with stakeholders on February 14, 2020. They plan to work with Drug Free Duval, Premier Biotech, LSF Health systems, and the city (key in surveillance strategy) which is already working on engaging the community.

6. 2020 Legislative Session- Mr. Gary Laundry from the DOH Office of Legislative Planning shared an update on 2020 Legislative Session bills that are relevant to the work of the Council.

SB 58 - Prescription Drug Donation Repository Program - Designating the "Prescription Drug Donation Repository Program Act"; creating the program within the Department of Health; prohibiting donations to specific patients; requiring inspection of donated prescription drugs and supplies by a licensed pharmacist; prohibiting the sale of donated prescription drugs and supplies under the program; requiring the department or contractor to establish, maintain, and publish a registry of participating local repositories and available donated prescription drugs and supplies; authorizing the Governor to waive program patient eligibility requirements during a declared state of emergency, etc. Effective Date: 7/1/2020 – Passed through two committees and now in Appropriations Committee.

SB 298 Prior Authorization for Opioid Alternatives - Prior Authorization for Opioid Alternatives; Prohibiting health insurance policies from requiring that treatment with an opioid analgesic drug product be attempted and have failed before authorizing the use of a nonopioid-based analgesic drug product, etc. Effective Date: 1/1/2021 - No House Companion. Bill assigned three Senate Committees and is currently not moving.

HB 331 / SB 120 Naloxone in Schools - Authorizes public school to purchase supply or enter into arrangement to receive supply of opioid antagonist naloxone for certain purpose; specifies requirements for maintenance of naloxone; requires school district to adopt protocol for

administration of naloxone; provides that school district & its employees & agents & physician who provides protocol are not liable for any injury arising from administration of naloxone pursuant to protocol; provides exceptions. Effective Date: July 1, 2020 - Senate Bill passed first of three committees. House Companion is not moving.

HB 743 Nonopioid Alternatives - Revises requirement for certain health care practitioners to inform patient or patient's representative of nonopioid alternatives before prescribing or ordering an opioid drug. Effective Date: July 1, 2020 - Assigned to three committees. Passed Health Quality Subcommittee on January 21, 2020.

SB 1080 Nonopioid Alternatives - Revising exceptions to certain controlled substance prescribing requirements; clarifying that a certain patient or patient representative must be informed of specified information, have specified information discussed with him or her, and be provided with an electronic or printed copy of a specified educational pamphlet, etc. Effective Date: July 1, 2020. - Assigned to three committees. Passed Health Policy Committee on January 14, 2020.

SB 820 Health Insurance Prior Authorization - Prohibiting health maintenance organizations from excluding coverage for certain cancer treatment drugs; prohibiting health insurers and health maintenance organizations from requiring, before providing prescription drug coverage for the treatment of stage 4 metastatic cancer and associated conditions, that treatment has failed with a different drug; requiring health insurers to provide and disclose procedures for insureds to request exceptions to step-therapy protocols; prohibiting health insurers, under certain circumstances, from retroactively denying a claim at any time because of insured ineligibility, etc. Effective Date: 1/1/2021 - This bill is not moving.

HB 1081 / SB 1554 Substance Abuse and Mental Health - Revising the definition of the term "mental illness" to exclude conditions manifested by dementia or traumatic brain injury; revising eligibility requirements for certain substance abuse and mental health services; revising distribution of funding for substance abuse and mental health services; requiring the Department of Children and Families to request certain medical information from jails, etc. Effective Date: 7/1/2020. – This bill is not moving.

HB 339 Drug Trafficking Offenses - Revises minimum & maximum quantities for certain trafficking offenses; renames certain offenses; removes specified offenses; provides that courts may depart from mandatory minimum sentences for certain offenses if specified findings are made; authorizes certain persons to petition for resentencing. Effective Date: July 1, 2020 – This bill is not moving.

SB 704 Mental Health and Substance Use Disorders

Defining the term "first episode psychosis program"; revising requirements for the annual state behavioral health assessment; revising background screening requirements for certain peer specialists; requiring the Department of Children and Families to develop a training program for peer specialists and to give preference to trainers who are certified peer specialists; requiring the department to certify peer specialists directly or by approving a third-party credentialing entity, etc. Effective Date: 7/1/2020 - This bill is not moving.

SB 1638 Nicotine Products

Revising the punishment for certain civil infractions; defining the terms "characterizing flavor" and "flavored liquid nicotine"; prohibiting the sale, delivery, bartering, furnishing, or giving of flavored liquid nicotine to any person; prohibiting a person from engaging in certain activities relating to the promotion of nicotine dispensing devices and nicotine products for unlawful use; requiring retailers of electronic nicotine delivery systems to take certain actions when selling the devices, etc. Effective Date: 7/1/2020 – This bill is not moving.

HB 1389 / SB 1860 Availability of Marijuana for Adult Use

Revising the punishment for certain civil infractions; defining the terms “characterizing flavor” and “flavored liquid nicotine”; prohibiting the sale, delivery, bartering, furnishing, or giving of flavored liquid nicotine to any person; prohibiting a person from engaging in certain activities relating to the promotion of nicotine dispensing devices and nicotine products for unlawful use; requiring retailers of electronic nicotine delivery systems to take certain actions when selling the devices, etc.

Effective Date: 7/1/2020 - This bill is not moving.

HB 149 Medical Marijuana Centers

Requires DOH to license any entity that cultivates, processes, transports, or dispenses low-THC cannabis, medical cannabis, & cannabis delivery devices as medical marijuana treatment center; removes provisions limiting number of applicants that may be licensed within specified timeframes as medical marijuana treatment centers; removes provisions limiting number of dispensing facilities that may be established or operated statewide or regionally by medical marijuana treatment center.

Effective Date: upon becoming a law. - This bill is not moving.

7. Discussion regarding Annual Report- This agenda item was omitted due to time constraints.

8. Agency and Member updates:

Jeff Cece – Department of Children and Families

The Office of Substance Abuse and Mental Health (SAMH) has extended a program providing disaster behavioral health services in counties impacted by Hurricane Michael. The FEMA-funded Crisis Counseling Program (CCP) will continue to serve Bay, Gulf, Jackson, Calhoun, Holmes and Washington counties through May 29, 2020. The CCP provides community outreach, counseling, educational, and resource linkage services to support communities experiencing traumatic stress following a natural disaster. Services have been active since October 11, 2018, provided by Life Management Center in Circuit 14 and Apalachee Center in Circuit 2, under subcontracts with Big Bend Community Based Care. Through 1/15/20, the program has provided services to 88,515 contacts.

- a. Individual and Family Counseling to 7,811 contacts
- b. Group Counseling and Educational services to 27,207 contacts
- c. Brief educational and informational supports to 88,515 contacts

The Department’s Overdose Prevention Program provides naloxone to community-based organizations throughout the state in an effort to save lives from opioid-related overdose. Organizations enrolled in the program distribute free, take-home naloxone kits directly to people who use drugs, people with a history of drug use, others at risk of overdose, and to friends/family that may witness an overdose. There are currently 120 organizations enrolled in the program, including SAMH providers, FQHCs, homeless shelters, hospital emergency departments, peer recovery organizations, harm reduction programs, and other community-based providers. The Department also conducts overdose prevention trainings across the state to providers interested in increasing access to naloxone in their communities. Since the start of the program on August 31, 2016 – December 31, 2019:

- a. 62,858 naloxone kits were distributed by providers to individuals at risk of experiencing or witnessing an overdose
- b. 3,605 overdose reversals were reported
- c. 152 overdose prevention trainings were conducted
- d. 4,129 individuals were educated on overdose recognition and response

The State Opioid Response (SOR) Grant will be extended for at least another year beyond September 2020. SAMHSA will release a new Funding Opportunity Announcement and Florida will need to apply. New language will make addressing stimulant abuse an allowable use of funding.

Since the beginning of the SOR grant (10/1/18) through December 2019, approximately 8,093 individuals received treatment and recovery support services. Most of these individuals (7,568 or 94%) received medication-assisted treatment services as follows:

- 43% served with methadone
- 48% served with buprenorphine
- 9% served with long-acting naltrexone (Vivitrol)

Karen Weaver– Florida Department of Law Enforcement

Overdose Detection Mapping Application Program (ODMAP) Update

Nationally:

- 48 States actively entering data and receiving weekly reports (Law Enforcement Sensitive)
- 193,000 + overdose incidents entered since inception (01/18/2017)
- 2,750 agency agreements – hundreds of individuals representing federal, state, & local public safety, health, and policy groups

Florida:

- Initiated January 2018
- As of 12/12/2019---90% of FL counties have at least one agency on ODMAP; constituting 60 counties
- Currently over 255 agencies (Fire, EMS, Law Enforcement, Health Care, & Federal)
- DOH HEROS Program – recent application cycle ended 12/31/2019
- Snapshot through November 30, 2019:
 - 16,403 Fatal & Non-Fatal overdoses entered
 - 8,995 overdoses involved the deployment of one or more doses of Naloxone
 - Of the total number of overdoses entered, 1,757 were fatal
 - Of the 1,757 fatal overdoses, Naloxone was deployed in 490
- Naloxone/Narcan use in the field is increasing and during the four-month period August – November 2019, the majority of those overdoses are suspected to be due to two primary drugs—heroin and fentanyl.

Orma Stambaugh - Department of Corrections

In October Mr. Mahoney advised this group of the funding cuts that took place in July 2018. Funding for programs has been appropriately restored in 2019; and by the end of this year treatment capacity will increase to 8,564 slots statewide. This is not nearly sufficient for the inmates presenting in need of treatment, but it is a huge increase from what was provided last year. The state prison system remains understaffed within the security forces and other areas, so contraband remains an issue, with drugs being a large portion of contraband finds. Recruitment of appropriate security, clinical treatment staff, along with academic and vocational instructors remains an ongoing challenge.

Michelle Towbin-Singer - 17th Judicial Circuit Court of FL

1. Broward County Drug Court 100th graduation ceremony will be May 13th. Broward County drug court is the largest drug court in Florida and has graduated over 10,000 participants since its inception in 1991.

2. Described the state-wide drug court conference that occurred in November. There were 239 attendees from 54 adult drug courts attending. Positive feedback received from attendees. This conference was to help prepare the drug courts for the certification process that will hopefully be finalized and approved the Florida Supreme Court in March or April.

3. Certification process will be finalized in March and then submitted to Florida Supreme Court for its approval. The application process would begin this July. Eventually, state funding would be tied to certification. This certification process will ensure the fidelity of drug courts to follow best practices.

4. Medication Assisted treatment education occurred in courthouses throughout Florida.

5. Probation still does not test urine for ethyl glucuronide (ETG) or creatinine even though the price of such drug testing panels has decreased significantly. ETG testing is essential to be able to check if person is drinking alcohol. Creatinine shows whether a person is trying to dilute the urine sample.

Susan Williams- Agency for Health Care Administration Update

The Agency for Health Care Administration (Agency) fee-for-service Medicaid will be implementing intervention opportunities available to ensure medication assisted treatment (MAT) in pregnancy is accessible. Health plans cannot be more restrictive than fee-for-service Medicaid. Examples of such opportunities include:

- Pharmacy automation logic allows MAT therapy if a recipient has a diagnosis of Opioid Use Disorder (ICD 10: F11) and pregnancy (ICD 10: Z33, Z3A) within the past 365 days (12 months) of incoming claim. The 12-month period will permit MAT therapy for approximately 3 months postpartum if the recipient is diagnosed within the 1st trimester and approximately 6 months postpartum if diagnosed within the 2nd trimester or later.
- Pharmacy level overrides can be entered by the pharmacist at the point of sale if the diagnosis (OUD and Pregnancy) is provided on the prescription.
- Physicians may contact the call center and receive an authorization via phone request.

The Agency currently allows all recipients to receive seven days of induction therapy with preferred buprenorphine medications without prior authorization. The patient may receive two seven-day induction supplies in 60-day period.

Additional MAT coverage available which was discussed at the October 2019 DPAC meeting:

- Naltrexone tablets are available without prior authorization (PA).
- Vivitrol (Naltrexone) injectable has an automated prior authorization- The pharmacy computer system verifies that the recipient is 18 years of age or older and has a diagnosis of alcohol and/or opioid dependence on file. If both are confirmed, the claim will pay. This automation eliminates the need of PA paperwork submission.)
- Sublocade (buprenorphine) injectable has an automated prior authorization. When the claim information is entered, the pharmacy computer system verifies that the recipient has received a minimum of 7 days of treatment with a buprenorphine-containing oral product. If confirmed, the claim will pay for Sublocade.
- Methadone tablets are available through methadone clinics.

Mark Fontaine- Governor Appointee with expertise in substance abuse treatment

Florida Behavioral Health Association (FBHA) is supporting recommendations of the Sober Home Task Force included in SB 1120, especially related to background screening exemptions.

In March the Association will be releasing a report on hospital warm-handoffs from hospital emergency departments to community treatment. This initiative, funded by the Aetna Foundation, will provide a summary of hospital diversion/warm-handoff programs across Florida.

Utilizing DCF/SOR resources, the Association is developing a 3-hour training session for state probation officers (over 2,000) working for the Department of Corrections. This training will be field tested in February/March. It is anticipated that in April training sessions for probation officers will be commenced across the state.

10. Public Comment / Open Discussion

There was no public comment.

11. Next Steps

The next meeting is tentatively scheduled for Tuesday, April 21, 2020.

Motion was entered to adjourn meeting. Motion carried.