

Mission:

To protect, promote & improve the health of all people in Florida through integrated state, county & community efforts.

**Ron DeSantis**

Governor

Scott A. Rivkees, MD

State Surgeon General

Vision: To be the **Healthiest State** in the Nation

Statewide Drug Policy Advisory Council Meeting Minutes

**Betty Easley Conference Center
4075 Esplanade Way, Room 182
Tallahassee, FL 32399
April 23, 2019
8:30 AM to 4:00 PM**

Welcome/Introductions/Opening Remarks: Jennifer Johnson, MPH, Interim Assistant Deputy Secretary for Health, introduced herself as the Chair and opened the meeting. She asked all members to introduce themselves and provided an overview of the agenda.

The following members or designees were in attendance:

Jennifer Johnson (Chair, State Surgeon General Designee)
Mark Fontaine (Gubernatorial Appointee, Florida Alcohol and Drug Abuse Association)
Karen Weaver (Florida Department of Law Enforcement Commissioner Designee)
Penny Taylor (Department of Education Designee)
Lorraine Austin for Jeff Cece (Department of Children and Families Secretary Designee)
Mary Booker for Jeff Cece (Department of Children and Families Secretary Designee)
Patrick Mahoney (Department of Corrections Secretary Designee)
Secretary Mark S. Inch (Department of Corrections)
The Honorable Michelle Towbin-Singer (17th Judicial Circuit Court of FL)
Lt. Jason Britt (Department of Highway Safety and Motor Vehicles Executive Director Designee)
Peggy Sapp (Gubernatorial Appointee, Substance Abuse Prevention)
Dr. John VanDelinder (Gubernatorial Appointee, Sunshine State Association of Christian Schools)
Michael Anderson (Florida National Guard designee)
Vince Monlyn (Keeton Corrections)

Guests and staff:

Tom Wallace, AHCA	Nick Boutwell, FDLE
Cornelia Wielgus, FDLE	Zackary Gibson, EOG
Sandra Neidert, OSCA	Brenna Kavar, DOH
Aaron Gerson, OSCA	Greg Yevtich, Florida National Guard
Daniel Hand, DOH	Brian Meyer AHCA
Sara Craig, AHCA	Eric Moontin, US DOJ
Mary Alice Nye, DOH	Priscilla Davidson, DOH

Business

1. Review and Approval of Meeting Minutes from January 29, 2019:

Penny Taylor motioned to correct the spelling of Nichole Wilder, who is provided on the list of attendees. Motion seconded. The minutes were approved as corrected.

2. Substance Use Disorder (SUD) Data Dashboard, Tom Wallace, Assistant Secretary for Medicaid Finance and Analytics, Agency for Health Care Administration (AHCA), provided a PowerPoint presentation and a brief history of the SUD project. The dashboard series explores the demographics, diagnoses, and deaths associated with substance use disorders among the Florida Medicaid enrollees in Florida and uses Medicaid Encounter data, Medicaid Pharmacy data, and Vital Statistics records from January 2017 – December 2017. The project is the result of collaboration across Florida Medicaid, created through participation in the *Fall 2018 Innovation Accelerator Program Substance Use Disorder Cohort*, sponsored by IBM and the Centers for Medicare and Medicaid Services (CMS).

The Medicaid Innovation Accelerator Program (IAP), a partnership between CMS and IBM, supports states' ongoing payment and delivery system reforms through targeted technical support. IAP aims to improve the health and health care of Medicaid beneficiaries and to reduce costs while driving innovation. The Medicaid IAP represents CMS's unique commitment to support state Medicaid agency efforts toward system-wide payment reform and delivery system innovation. AHCA was one of six agencies selected through an application process nationwide to participate in the *Fall 2018 Substance Use Disorders Data Dashboards Flash Track* program.

3. Opioid Surveillance Workgroup – Melissa Jordan, Director, Public Health Research, Department of Health, provided a PowerPoint presentation and a brief history on opioid surveillance and reporting. The workgroup was formed in 2018. The short-term goals are to develop an Opioid Surveillance Plan and improve the data dissemination through a county profile report. Identifying end user needs, improving data visualization tools and timeliness, and supporting data linkages are the long-term goals of the workgroup.

The sources of opioid data are:

- The Electronic Surveillance System for the Early Notification of Community-based Epidemics (ESSENCE) is the Department of Health's (DOH) biosurveillance system that collects data from various sources, such as emergency department chief complaint data from participating hospitals and urgent care centers in Florida; call data from the Florida Poison Control Information Center Network (FPICN); and mortality data from the DOH's Bureau of Vital Statistics.
- Surveillance data from the Florida Enhanced State Opioid Overdose Surveillance (FL-ESOOS) program provide timely and comprehensive information on fatal and non-fatal opioid overdoses. Non-fatal opioid overdoses consist of utilizing Florida's Prehospital Emergency Medical Services Tracking and Reporting System (EMSTARS) data for timely, aggregated data. EMSTARS collects incident-level data from participating emergency medical services (EMS) agencies for benchmarking and quality improvement initiatives. Currently, 71 percent of EMS providers participate in EMSTARS, which accounts for approximately 90 percent of patient incidents in Florida.
- Prescription Drug Monitoring Program (PDMP) Data, is a statewide electronic data system that collects, analyzes, and makes available prescription data on controlled substances dispensed by non-hospital pharmacies and practitioners. PDMPs can provide health authorities timely information about prescribing and patient behaviors that contribute to the opioid epidemic and facilitate a nimble and targeted response.
- Florida Drug-Related Outcomes Surveillance and Tracking System (FROST) collects a wide-range of drug-related data sources to promote surveillance capacity, drug-related policy, and research for addressing the opioid epidemic. Data sources include the PDMP, Drugs Identified in Deceased Persons by Florida Medical Examiners, drug and alcohol crash data from the Florida Department of Highway Safety and Motor Vehicles (HSMV), and drug arrest data from the Florida Department of Law Enforcement (FDLE)

The DOH developed an online FLHealthCHARTS, county-level data resource that provides opioid-

related data for county health departments and key partners. This profile will be updated both quarterly and annually and includes data such as pre-hospital response, hospital admission, and death data and is available by visiting <http://www.flhealthcharts.com/charts/Default.aspx>.

- 4. Department of Children and Families (DCF) Opioid Response Initiatives** – Lorraine Austin, Opioid Response Grant Project Director, Office of Substance Abuse and Mental Health, DCF, provided a PowerPoint presentation. Behavioral health services are delivered via seven managing entities in Florida. Section 394.9082, Florida Statutes, requires DCF to contract with behavioral health managing entities to plan, coordinate, and contract for the delivery of community mental health and substance abuse services, to improve access to care, to promote service continuity, to purchase services, and to support efficient and effective delivery of services. A managing entity is a corporation under contract with DCF to manage the daily operational delivery of behavioral health services through a coordinated system of care.

The goals for opioid response are to reduce opioid related deaths, prevent prescription opioid misuse among young people, increase access to medication assisted treatment (MAT), and increase the number of people trained in MAT and recovery support services. The opioid response approach is to provide evidence-based opioid misuse prevention, treatment and recovery support services with focus on medication-assisted treatment; hospital bridge programs, recovery opportunities, and training providers, child welfare, justice, and other community partners.

The opioid State Targeted Response (STR) Grant outputs and outcomes were provided and discussed. Over 13,000 individuals have been served to include; 4,642 with methadone; 3,568 with buprenorphine; and 946 with Vivitrol. Over 80 entities networked to help distribute over 35,000 naloxone kits. Additionally, evidence-based *Botvin LifeSkills Training* was provided to over 3,000 middle and high school students in six rural counties. The STR Grant outcomes detailed that the individuals retained in treatment for 180 days, the number of nonfatal overdoses dropped by 94 percent; stable housing increased from 84 percent among those retained during the first 28 days in treatment up to 95 percent among those retained for over 180 days; employment increased from 21 percent among those retained during the first 28 days in treatment up to 53 percent among those retained for over 180 days. Additionally, there were 2,500 overdose reversals reported.

Ms. Austin provided the State Opioid Response (SOR) prevention output update. To date, 13 SOR-funded prevention providers have initiated one of the approved curriculum-based programs, most commonly *Botvin LifeSkills Training*, but also *InShape Prevention Plus Wellness*, *Project SUCCESS*, *Teen Intervene*, *Project Towards No Drug Abuse*, and *Guiding Good Choices*. Approximately 4,104 youth and 1,857 adults have been served by these programs to date. One provider that is implementing the *Use Only as Directed* media campaign reports reaching 28,106 youth and 88,936 adults.

DCF Opioid Response Initiatives – Mary Booker, State Opioid Coordinator, Office of Substance Abuse and Mental Health, DCF, provided a handout for everyone. Ms. Booker explained her role as the state opioid coordinator for tracking federal funding to address the opioid crisis and spoke about the SOR Grant for opioid funding coordination. To effectively respond to the opioid crisis, it is critical to identify the streams of federal and private sector funding coming into the state and the services being provided by these diverse resources. Compiling and sharing information among stakeholders enhances Florida's ability to target the resources to communities and individuals most impacted, identify gaps in services, and replicate successful programs and practices.

Ms. Booker briefly explained the role of Florida's recovery peer specialists. A recovery peer specialist uses their own unique, life-altering experience, to guide and support others recovering from addiction, mental health disorders, and/or abuse.

- 5. Opioid Legislation Update** - Mary Booker reported for Jeff Cece and provided an update on the current legislation recommended by the DPAC:

House Bill 171/Senate Bill 366: Infectious Disease Elimination Programs would authorize certain eligible entities to establish sterile needle and syringe exchange programs, rather than a single program established in Miami-Dade County; exempting certain persons affiliated with a program from prosecution for possession of a needle or syringe under certain circumstances, etc. HB 171

passed in the House on 4/17 with 111 yeas, 3 nays. SB 366 passed in the Senate on 4/3 with 40 yeas, 0 nays. The differences between the two bill versions still need to be ironed out.

- **House Bill 1187/ Senate Bill 528: Mental Health and Substance Use Disorders** defines the term “peer specialist,” would require a specific level of screening for peer specialists working in mental health programs and facilities; authorizing a person to seek certification as a peer specialist if he or she meets specified qualifications; requiring the DCF to develop a training program for peer specialists and to give preference to trainers who are certified peer specialists; requiring recovery residences to comply with specified Florida Fire Prevention Code provisions, etc. HB 1187 passed in the House on 4/17 with 117 yeas. SB 528 failed to pass in the Senate and on 4/18, was not considered by the Appropriations Committee.
- **House Bill 369/ Senate Bill 900: Substance Abuse Services**, would authorize DCF and the Agency for Health Care Administration (AHCA) to grant exemptions from disqualification for service provider personnel to work in certain treatment programs, facilities, or recovery residences; revises background screening requirements and exemptions from disqualification for certain service provider personnel; provides qualifications for peer specialists; authorizes DCF to approve certain credentialing entities to certify peer specialists; provides for review of certain decisions made by department-recognized credentialing entities; provides certain prohibitions and penalties. HB 369 has been added to the Special-Order Calendar for 4/23. SB 900 is currently in the Appropriations Committee.

6. Drug Endangered Children / Handle with Care Program - Zack Gibson, Chief Child Advocate and Director, Office of Adoption and Child Protection, Executive Office of the Governor, shared that his office has three responsibilities, which are the promotion of adoption, support of adoptive families, and child abuse prevention. Additionally, the office administers the Faith Based Advisory Council, to maximize the collaboration between faith-based community organizations and state agencies to help strengthen individuals and families in Florida. He also serves on the Children of Youth Cabinet, which promotes and implements collaboration, creativity, increased efficiency, information sharing, and improved service delivery between state agencies and organizations.

Mr. Gibson introduced Brenna Kavar, from DOH’s Division of Children’s Medical Services, Bureau of Child Protective Services. Her team reviews cases of children who have died due to child abuse and neglect. Ms. Kavar shared information about Drug Endangered Children (DAC), which is missioned to break cycles of abuse and neglect by empowering practitioners to identify and respond to children living in dangerous drug environments. There are currently four county DAC programs in Florida. Drug endangered children are part of a very large, and growing population of children whose lives have been seriously and negatively impacted by dangerous drugs. Thousands of these children across our country go unnoticed and do not receive the necessary care and treatment to heal from these abusive environments. If ignored and left unmonitored, these children continue to be victims caught in a cycle of drug abuse.

The primary challenge with illegal substance abuse and drug endangered children is in aligning systems responsible for preventing, intervening, and treating these issues to achieve better outcomes. There are currently four county DAC programs in Florida, and 20 trainers who can provide the training, and are available across that state.

Another initiative in Florida is the *Handle with Care* program. Handle with Care is an intervention for any student who has experienced a recent traumatic event. Stress and trauma can make a student feel unsafe, overwhelmed, and unavailable to learn. If the student has access to key supports, then he or she will feel safer, more resilient, and more available to learn. Teachers assigned to the student are alerted by the principal or designee in two ways; a Handle with Care icon will appear next to the student’s name in focus, and an email will be received by the teacher, with a specific subject line, to alert them of the student.

7. Substance Use Disorders (SUDs) and the Florida Department of Corrections (FDC), Patrick Mahoney, Acting Director of Development, Improvement and Readiness, FDC.

Prior to Mr. Mahoney's presentation, Secretary Mark Inch spoke to the Council members. He addressed the challenges of serving inmates who need drug treatment as well as issues related to contraband and efforts to bring the department's budget back to last year's level. He spoke about efforts at the end of the process for an inmate who is leaving the system along with the importance of restructuring education and treatment and expressed that DOC needs the Council's help in the understanding of and approaches to addiction.

Mr. Mahoney provided a PowerPoint presentation on SUDs. Mr. Mahoney spoke about the challenges with drug treatment within the department and 68 percent of inmates require treatment. Inmates are targeted for treatment within 50 months of their release. He reported that FDC is funding 2,409 SUD treatment seats in 33 facilities statewide and 775 prevention seats in 6 facilities statewide. The program goal is to increase SUD treatment seats in-prison by restoration of the \$15.6 million in recurring funds from the health services shortfall and expand work release and expand in-prison SUD treatment. As of June 2018, there were 103,053 offenders on probational parole and need of community-based SUD treatment. Approximately 62 percent of those offenders on active supervision have been identified as having substance use disorder. The goal of the community-based SUD treatment in 2019-2020, is to increase residential beds from 665 to 1,217.

As of November 2018, the FDC had 95,895 inmates in its custody. Of those 4,165 had opioid related charges, 3,545 (85 percent) were male and 620 (15 percent) were female. Of the 4,165 inmates with opioid related criminal offense charges, 349 (8 percent) have successfully completed treatment for a substance use disorder, and 439 (11 percent) are currently enrolled in treatment for a substance use disorder.

8. Florida Society of Addiction Medicine (FSAM) – Jason Fields, MD, FSAM President, Dr. Fields was not able to attend.

9. Agency and Member Updates:

Patrick Mahoney - Acting Director, Development: Improvement and Readiness, Florida Department of Corrections (FDC)

The agency was not appropriated with sufficient funding for inmate health care for this current fiscal year so Secretary Jones determined that in order to provide adequate health care to inmates, that a budget adjustment was necessary. Funding from one category was moved to another in order to accommodate the shortfall. The agency has submitted their legislative budget requests to the Governor's Office for Fiscal Year (FY) 2019-20, and the recommendation was picked up. The budget appropriation on the House and Senate are in line as the appropriations bill moves forward.

Department of Juvenile Justice

Department of Juvenile Justice responded by email that they had no agency update for this meeting.

Penny Taylor – Department of Education (DOE) Healthy Schools

Information was provided on Florida's Youth Risk Behavior Survey (YRBS), which is a statewide, school-based confidential survey of Florida's public high school students. The purpose of the YRBS is to monitor priority health-risk behaviors that contribute substantially to the leading causes of death, disability, and social problems among youth, which contribute to patterns in adulthood. DOE provided 250 YRB infographics to small and rural districts, in addition to developing infographics in Spanish to share with the panhandle area educational consortium districts.

DOE/Healthy Schools conducted a district collaborative webinar on youth e-cigarette/vaping use among Florida's youth. E-cigarettes contain nicotine, which is highly addictive, and exposure can harm the developing brain by affecting parts of the brain that control attention, learning, mood, and impulse control. Resources focus on e-cigarette devices that deliver nicotine, but it is important to know that e-cigarette devices are also used to deliver marijuana. Additionally, there is free online training available for educators and nurses on Florida tobacco prevention at <https://sites.google.com/palmbeachschools.org/tobacco-home/home>.

Ms. Taylor shared information about social and emotional learning. Social and Emotional Learning (SEL)

is the process through which children and adults acquire and effectively apply the knowledge, attitudes, and skills necessary to understand and manage emotions, set, and achieve positive goals, feel, and show empathy for others, establish, and maintain positive relationships, and make responsible decisions. She provided a landscape map of Florida's districts where the SEL is taking place. The map and other information about SEL is available at <https://www.floridasel.org/map.php>.

Florida Highway Patrol

No update.

Michael Anderson - Florida National Guard

The Florida National Guard Counter Drug Program (FLNG-CDP) continues to provide a free anti-drug awareness presentation to Florida's youth. Since October 1, 2018, the FLNG-CDP has provided the "Night Vision" program to approximately 23,654 students. The presentation is designed to prepare elementary, middle, and high school students for negative peer pressure and the dangers associated with gateway drugs (alcohol, tobacco, marijuana, prescription pills and synthetics). The FLNG-CDP has also participated in the prescription drug *Take-Back Initiative*. Since October 1, 2018, FLNG-CDP has assisted with the recovery and disposal of 6,414 pounds of unused prescription drugs.

Mark Fontaine – Florida Alcohol and Drug Abuse Association (FADAA)

- Medication Assisted Treatment (MAT) – There are 61 community behavioral health providers participating in the MAT programs the Association is operating for DCF and Office of State Courts Administration (OSCA). Per legislative action, the OSCA program now also includes access to buprenorphine and methadone along with long-acting injectable naltrexone. Per federal State Opioid Response (SOR) program requirements, participants in the SOR program are now required to collect and report performance data utilizing the GPR data collection system.
- Recovery Community Organization (RCO) – Utilizing the resources of the Aetna Foundation grant, FADAA continues its efforts to assist communities in the development of Recovery Community Organizations. Volusia County is most advanced and in the process of applying for 501(c)(3) status for the local RCO. RCO development activities are also taking place in eight additional communities.
- Hospital Emergency Department Handoffs – The association continues its efforts to build relationships in eight communities between hospital emergency departments and the community opioid use disorder treatment provider in order to create a process of warm handoffs for patients who have overdosed.
- Background Screening – To address behavioral health workforce issues, the association has led the effort to modify the background screening process to accommodate individuals with “lived experience” and those with involvement in the justice system. Several proposed bills under consideration of the legislature (SB 528, SB 900, HB 369, HB 1187) address this issue.

Peggy Sapp – Informed Families

Ms. Sapp spoke about a program being developed in Florida called “Safe to Call,” which has been developed in North Carolina. Education is provided through the school board, for youths and adults to be inspired to make an emergency call when someone is suspected of drug overdosing or alcohol related issues. The North Carolina program works with law enforcement agencies and first responders. Ms. Sapp reported that Florida currently has two bills drafted this session; Senate Bill 800 and House Bill 147, both titled Duty to Assist, which would require certain persons under specified circumstances to provide reasonable assistance to another person who is exposed to or has suffered seriously bodily injury.

Karen Weaver – Florida Division of Law Enforcement (FDLE)

Ms. Weaver introduced Nick Boutwell, who is new to her unit and is the drug section inspector. Ms. Weaver shared that *Fluorobutyryl fentanyl* is a drug stated to be seen in Florida and is responsible for several deaths. She added that marijuana is continuing to come into Florida from legal states, being interdicted and routed to Florida.

Judge Michele Towbin-Singer -17th Judicial Circuit Court of Florida

The certification process for Florida's drug courts will eventually be tied to state funding. There is an explosion of medical marijuana cards being issued to drug court participants and criminal defendants in

regular criminal courts. An informal survey of drug courts was conducted throughout the country and so far, found no drug court would allow a participant to use medical marijuana or CBD products. Judge Towbin-Singer mentioned that probation is not violating probationers who have medical marijuana cards. Additionally, the recent 4th District Court of Appeal case Gincley vs. State, will have a possible impact on drug courts.

The 2018 Legislature appropriated \$8.9 million in recurring general revenue funds in one special category for problem-solving courts. The funding rolled in \$5 million in recurring funding for 10 post-adjudicatory drug courts and \$1.4 million in recurring funding for veterans' courts in nine designated counties. The appropriation infused \$2.5 million in additional recurring funds. Proviso accompanying the 2018-19 appropriation specifies, among other things, that:

- \$1.4 million is designated for veterans' courts in nine designated counties;
- The Trial Court Budget Commission (TCBC) shall allocate the remaining \$7.5 million;
- Funds must be matched by local government, federal government, or private funds at a ratio of 30 percent non-state and 70 percent state funding, other than veterans' courts, which shall use a ratio of 20 percent non-state and 80 percent state funding;
- No match is required for fiscally constrained counties as defined by statute (29 counties are fiscally constrained) or for problem-solving courts with a primary purpose or mission that addresses activities for which state dollars are typically expended;
- The TCBC shall phase in implementation to avoid disrupting services for participants in state-funded problem-solving courts as of June 30, 2018, and to provide time for circuits to request funding and meet requirements; and
- The TCBC may allocate funding to problem-solving courts that received state funding in FY2017-18 while the problem-solving court secures the required match. These problem-solving courts must comply with match requirements no later than January 4, 2019.

The Court reconstituted the Advisory Group under the Steering Committee on Problem-Solving Courts to advise the TCBC on allocations in future fiscal years. On February 1, 2019, the TCBC adopted the Advisory Group's recommendation for a three-year funding strategy that includes compliance with best practices standards and certification as a condition of problem-solving courts receiving funding beginning in FY2021-22. In the interim, data elements for each primary problem-solving court type (all drug courts, early childhood courts, mental health courts, and veterans' courts) will be developed for data reporting in FY2019-20. Performance benchmarks reporting will be required in FY2020-21 to ensure compliance with minimum standards.

Lt. Jason Britt, Florida Department of Highway Safety and Motor Vehicles

Lt. Britt discussed the difficulties associated with documenting a DUI case for those involving alcohol even where breathalyzer tests are used; the paperwork and ability to make a case involving driving under the influence of other substances is even more difficult. There was a general discussion by group regarding issues pertaining to law enforcement and the use of medical marijuana.

Sandra Neidert, Office of the State Courts Administrator

Ms. Neidert discussed a carve out from DCF of funds for training. She has taken the lead on this project and the funding expires at the end of September 2020. They need to identify champions to become experts on opioids. They have identified opioid- and court-related articles and are looking at podcasts and other self-study materials. They hope to declare July as Opioid Awareness month for the courts. The Champions are planning to have one event per month. There is an upcoming national conference in Orlando.

Mr. Monlyn, Keeton Corrections

Mr. Monlyn discussed a recent meeting at the Wakulla Correctional Institution, the development of peer specialists as a bridge to help them in discharge planning and for help with housing issues.

10. Public Comment / Open Discussion

No public comment was received.

11. Next Steps

The next meeting date will be in three months. A Doodle poll will be sent to each member with future meeting dates to choose from.

The meeting adjourned.