

**OPEN MEETING MINUTES**

Name of Governmental Body: State Council on Alcohol and Other Drug Abuse		Attending: Members in Attendance: Kevin Florek, Tina Virgil, Jennifer Stegall, Autumn Lacy, Jan Grebel, Subdhadeep Barman, Christine Ullstrup, Nichol Wienkes, Representative Dave Considine, Ann DeGarmo, Fil Clissa, Elizabeth Salisbury-Afshar, Denise Johnson, Christina Malone, Paul Krupski  Guests: Chris Wardlow, Roger Frings, Hannah Huffman, John Achter, Lakesha J, Latisha Spence-Brookens, Sarah Johnson, Beth Collier, Terry Schemenauer, Michelle Devine, Tom Vonck, Felice Borisy-Rudin, Kathy Peterson, Liz Adams, Marcy Hulburt, Miah Olson, MJ Griggs  Department of Health Services Staff: Kimberly Dawson, Ryan Stachoviak, Allison Weber, Hannah Foley, Holly Audley, Julie Nalepinski, Teresa Steinmetz, Michelle Haese, Leilani Nino, Nancy Michaud, Saima Chauhan, Cindy Matz, Leilani Nino, Annie Vulpas, Micah Nickey
Date: 3/8/2024	Time Started: 9:30 a.m.  Time Ended: 12:51 p.m.	
Location: Online via Zoom		Presiding Officer: Kevin Florek

**Minutes**

**1. Call Meeting to Order**

K. Florek, SCAODA Chairperson, called the meeting to order at 9:32 a.m.

*Review and approval of the minutes of December 1, 2023.*

T. Virgil moved to accept the minutes. C. Ullstrup seconded the motion. Motion carried; minutes approved.

*Public Comment*

Miah Olson, Substance Use Disorder Counseling Department Chair at Fox Valley Technical College provided comment to the Council. M. Olson raised the issue that professionals with Substance Abuse Counselor in Training (SAC-IT) and Clinical Supervisor In Training (CS-IT) certifications who have left the profession are facing challenges re-entering. There is currently a limit on the number of times a SAC-it and CS-IT certificate can be renewed (twice), with no path to re-entry once renewals are exhausted, even for professionals who may have left to pursue additional education, or temporarily work in an adjacent field. The Council discussed this issue and had questions concerning the reasoning behind renewal limits; acknowledging the barriers they create, particularly given the high demand for substance use disorder (SUD) Counselors. The Council is interested in inviting DSPS to the June 7<sup>th</sup>, 2024, SCAODA Council Meeting to provide context on this issue.

**2. Updates from the Wisconsin Council on Mental Health**

R. Stachoviak provided updates from the Wisconsin Council on Mental Health’s activities. The Council is working on strategic planning and considering how best to operationalize their plans. Additionally, the Council wants to change their chair composition. They currently operate with one chair and two-co chairs but want to switch to a tri-chair model. This change would require an update to the Council’s bylaws. The next Wisconsin Council on Mental Health Meeting will be held March 20<sup>th</sup>, 2024, and is open to the public.

**3. Synar report and Tobacco 21 Presentation**

Nancy Michaud, Youth Access Program Coordinator with Wisconsin Tobacco Prevention and Control Program, presented on the 2024 [Annual SYNAR Report](#). N. Michaud explained that each year, states are required to report on progress made in enforcing youth and young adult tobacco access laws and future plans to ensure compliance with the Synar requirements. The Synar amendment was enacted in the 1990s to require states to prohibit tobacco sale to minors, provide training to tobacco retailers, and maintain a retailer violation rate under 20%. Noncompliance can result in the loss of up to 10% of Substance Use Block Grant (SUBG) funding. The retailer violation rate is calculated via random, unannounced visits to retailers. These visits are done in partnership with the University of Wisconsin Survey Center. Through this partnership, 1,000 tobacco retail sites are inspected. Besides the annual Synar Survey, year-round compliance checks are conducted through Wisconsin Wins. Despite, year-round compliance checking, enforcement proves to be a challenge when there are 10 inspectors for roughly 7,000 tobacco retailers.

In previous years the retail violation has been well below the 20% limit, at 5.5%. However, the violation rate worsened when the federal legal age of tobacco sale was raised from 18 to 21 years old and was exacerbated by the pandemic - these two events impacted the tripling of violation rate (14.1%). This high rate has continued, with this year's Synar Survey indicating a 13.6% violation rate.

When the Federal Government enacted the Tobacco 21 law (raising the legal sales age to 21) on December 20, 2019, states were given a three-year grace period to align their state laws, without penalties on SUBG funding. Another one-year extension was provided, acknowledging the impact the pandemic had on state operations. The extension is set to expire on December 20, 2024, and Wisconsin has yet to amend existing state law to align with federal regulations.

The lack of alignment with federal law leads to confusion amongst the public, tobacco retailers, and those tasked with enforcement of tobacco laws. N. Michaud shared anecdotes ranging from sheriffs to municipal clerks, to tobacco retailers unwilling to observe federal Tobacco 21 laws due to the State's lack of adoption.

Additionally, noncompliance poses a risk for penalties to SUBG funding. If a state Tobacco 21 law is not adopted before December 20, 2024, Wisconsin is at risk of losing up to 10% of SUBG funding (~\$2.8 million).

Lastly, but most importantly, without a state Tobacco 21 law, we risk more young people being sold tobacco products, that could lead to a lifelong addiction to nicotine.

Wisconsin Wins continues to promote outreach via retailer education, compliance checks, community events, and a [Tobacco 21 media awareness campaign](#).

Following N. Michaud's presentation, the Council asked how best to support state Tobacco 21 efforts. N. Michaud stated that supporting legislation, and any effort that can promote the media campaign and educating the public. The Council discussed potential reasons why Tobacco 21 (previously passed by Assembly with bi-partisan support) was not voted on in the Senate. The Council discussed opportunities for increased political momentum.

#### **4. Wisconsin Association of Sober Housing Presentation**

Michelle Devine and Tom Vonck provided a presentation on the Wisconsin Association of Sober Housing (WASH). WASH was started in 2018 as Wisconsin's state affiliate of the National Alliance of Recovery Residences (NARR). WASH is tasked with certifying recovery residences statewide according to National Standards. They engage Recovery Residence Operators in ongoing quality improvement, providing training and technical assistance. Recovery Residences operate under many names (sober living, transitional house, ¾ house) and their purpose is to bridge from treatment to living independently in long-term recovery. These Residences acknowledge that bundling outpatient programs and housing may not be aligned with individualized care nor person-driven recovery for all individuals. They identify four level of

support ((1) Peer-Run, (2) Monitored, (3) Supervised, (4) Clinical) – with most organizations seeking WASH certification at levels 2 and 3. Presenters concluded with sharing opportunities for WASH to be a resource: Conversation partners, facilitating communication with residence operators, advising when implementing policy related to recovery housing, and providing technical support with DHS and county health departments.

In the Question & Answer portion of the presentation the Council asked how WASH compares to other state's certifications. Presenters responded that prior to its formation in 2018, WASH spent about 5 years visiting other state's certification teams to learn their processes. They found a wide range of state sponsored certification and compliance approaches.

Next the Council asked about options for individuals unable to pay. Presenters discussed the Recovery Voucher program funded by opioid settlement dollars, via Division of Energy, Housing and Community Resources (DEHCR) and Department of Administration (DOA). Residencies must apply for the voucher. The dollars then go to Recovery Voucher Administrators who act as the administrators on behalf of the resident. The voucher program has provided sponsorship, but still with some gaps in coverage. More information is available online:

<https://energyandhousing.wi.gov/Pages/AgencyResources/RecoveryVoucherGrant.aspx>. T. Steinmetz added that individuals can also be funded by their county or tribal system, so long as it's part of their treatment plan. This is another way for recovery to be paid for besides opioid settlement funded recovery vouchers.

The Council asked if Recovery Residencies are open to youth, or if they are only available to adults in recovering. Presenters responded, only adult.

The Council asked if Recovery Residences allow MOUD? Presenters responded that NAAR requires you to have policy to explain if you are able to support MOUD, but not all homes are certified.

T. Steinmetz, Bureau of Prevention Treatment and Recovery Director explained that in order for Department of Health Services (DHS) to have state oversight there would need to be legislative approval for oversight. DHS is not able to create state certification without legislation. There is however language for recovery centers receiving state or federal funding, that requires they be on the DHS Registry.

M. Haese, Director of Substance Use Initiatives in the Office of the Secretary, shared that DHS is collaborating with DOA on the \$2 million overseen by DOA, supporting people in recovery at risk of experiencing homelessness (Recovery Vouchers). M. Haese notes that litigation dollars have specific requirements; opioid settlement dollars are required to be used to support those with opioid use disorder, cannot be used for other substances use disorder. M. Haese suggests inviting a representative from DOA to speak at June 7<sup>th</sup>, 2024, SCAODA Council Meeting.

## **5. SCAODA Committee Updates**

### *Executive Committee*

K. Florek discussed Council engagement and asked for suggestions for building attendance and having a bigger voice. Council members are asked to email K. Florek at [kflorek@tellurian.org](mailto:kflorek@tellurian.org). According to SCAODA bylaws (Article 3, Section 6) two absences without notice within a 12-month period will result in being contacted by Council Secretary to inquire about ability to continue serving.

R. Frings commented that attendance of 45-50 people says a lot about degree of interest, but urged Council to consider how momentum can be built beyond quarterly updates. R. Frings suggested attending conferences to increase visibility and continue issuing position statements sent to legislators. D. Johnson suggested using social media to post videos informing about SCAODA.

### *Diversity Committee*

D. Johnson provided update that the Diversity Committee now has 12 members. The Committee is working on their strategic plan and altering their mission. They plan to invite several Council members to be involved in their next meeting. D. Johnson reminded the Council about the DHS 75 public hearing on social worker credentialing for SUD that afternoon and wanting to better understand Council's sentiments on the topic.

#### *Intervention and Treatment Committee*

R. Frings provided update that Intervention and Treatment Committee is collecting input on the impact of Medicaid unwinding. Anecdotally, Sheila Weix is noticing roughly 30% of clients are not re-enrolling (but some opting into private marketplace).

R. Frings also shared that a recent software upgrade resulted in the Wisconsin Prescription Drug Monitoring Program tool (ePDMP) not being up to date. S. Weix is in contact with DSPS to obtain more information about how the issue is being addressed.

In January, S. Weix reported that the 4<sup>th</sup> Hub and Spoke site had been selected under pilot program.

The Intervention and Treatment Committee continues to review their strategic plan and is preparing to present to the Council at the June 7<sup>th</sup> Meeting.

#### *Planning and Funding Committee*

Christine Ullstrup provided the update that the Planning and Funding Committee is accepting new members. The Committee recently met with Bill Hanna, DHS Medicaid Director to discuss the 1115 waiver.

The Committee continues to review their strategic plan and is preparing to present to the Council at the June 7<sup>th</sup> Meeting.

The Committee has one motion for review by the Council on page 89 of the meeting booklet. The Committee would like to request that SCAODA support legislation to raise legal age for selling tobacco to 21.

Chris Wardlow notes that the Council previously wrote a letter in support of Tobacco 21, after the motion was raised by Prevention Committee at June 2023 Council Meeting. C. Wardlow appreciates Planning and Funding Committee raising awareness to this issue again, to continue the political pressure.

J. Stegall adds that session is coming to an end and recommend the Council consider strategic timing in the legislative schedule to maximize efforts. J. Stegall also suggests leaning on the co-sponsors in the Assembly who initially passed the bill. The Council discussed options for timing of the letter and ultimately decided the motion is not contingent on writing in a timeline. Executive Committee can be trusted in their determination of when to send the letter.

*Motion: That SCAODA encourage legislation to raise legal age for selling tobacco in Wisconsin to 21*

Kevin Florek moved to pass the motion.

Denise Johnson seconded the motion.

All in favor, none opposed. J. Grebel abstained.

#### *Prevention Committee*

C. Wardlow provided update that Committee is working on preventing youth access to hemp derivatives. The Committee continues to review their strategic plan and is preparing to present to the Council at the June 7<sup>th</sup> Meeting. The Committee is interested in providing recommendations for SCAODA to share with various agencies that receive budget recommendations. Felice Borisy-Rudin provided update that webinars are being held on the changes to alcohol licensing law.

## **6. Agency Reports**

T. Steinmetz introduced Michelle Haese, Director of Substance Use Initiatives in the Office of the Secretary. M. Haese's predecessor, Paul Krupski will continue to attend SCAODA Council meetings and will provide DHS agency-level updates, while H. Haese will cover opioid-specific updates. M. Haese covered all updates today in P. Krupski's absence. M. Haese's first update concerned Medicaid unwinding. Medicaid unwinding results from the fact that state agencies used temporary policies during pandemic to increase coverage but are now returning to normal (pre-pandemic) edibility criteria, by October 2024. The goal is to smoothly transition, and keep Wisconsinites covered. DHS remains committed to transparent data in this process and has an online [dashboard](#) reporting on changes in coverage.

Next, M. Haese provided additional updates on Recovery Vouchers. M. Haese explained that in 2022, Wisconsin received a settlement agreement totaling \$740 million, through 2038 in response to litigations. Act 57 – requires that 87 local government agencies receive 70% of the funding, with State of Wisconsin receiving the remaining 30%. The 30% allocated to the State is subject to an annual review process where materials are submitted by April 1 to the Joint Committee on Finance. This process does not apply to the 70% of funds issues locally. M. Haese shared that we anticipate additional settlement funds from Walgreens and Walmart to name a few. The settlement payments flux quite a bit and are subject to change. For example, one year may present \$30 million in funding, and the following year only \$8 million. This poses a challenge where services are needing to continuously be scaled up or down. This year we anticipate \$36 million in settlement funding. There is a focus to spend on ongoing investments that sustaining efforts, and to scale up investments that prove effective and beneficial. Decisions for how this funding is used is being largely driven by community feedback via listening sessions, surveys, and roundtables. Notably, Dose of Reality had an excellent turnout for a roundtable on how to spend settlement dollars. These roundtables were held in February 2024, in partnership with DOJ. The discussion generated ideas on ways to grow and overcome barriers. Individuals discussed what strategies are working and are saving lives – such as Public Health vending machines, syringe services, housing recovery vouchers, distribution of Narcan and fentanyl test strips, certified peer specialists and peer recovery coach trainings, and medication assisted treatment in jail. While these settlement dollars are funding important programs in community, M. Haese emphasized that there are no amount funds that mitigate the lives lost in the opioid epidemic.

Following M. Haese's updates, B. Collier asked how the \$2 million that was allocated for Medication Assisted Treatment (MAT) was awarded. M. Haese cannot yet speak to that because still in interagency agreement. T. Steinmetz clarified that funds did not go out for competitive bid, and also were not added to existing contract.

D. Johnson asked about establishing group meetings focused on underserved populations and wondered how the roundtables are reaching minority groups for their inputs. M. Haese responded that they've worked to advertise the roundtables widely and make opportunities accessible, however there are not certain groups or strategies that have been deployed.

T. Virgil commented that DOJ is happy to continue collaborating with strong partnership.

## **7. Updates from the Bureau of Prevention Treatment and Recovery**

T. Steinmetz provided personnel updates: Kim Dawson (new Substance Use Planner, staffing SCAODA), Dan Bizjak (stepped into Substance Use Section Supervisor), Amber Colby (new Opioid Response Unit Supervisor) Annie Vulvas (stepped into Substance Use Harm Reduction and Intervention Unit Supervisor). DCTS currently is hiring for Prevention Intervention and Recovery Services Section Supervisor.

T. Steinmetz reminded attendees about Act 222 – Public hearing at 1pm. T. Steinmetz clarified that Act 262 passed through legislation (allowing mental health clinicians to provide SUD support without any additional certifications). There were a few professions left out of that act. Act 222, building on Act 262, allowing advanced social works and independent social workers to provide SUD counseling. Please feel welcome to attend the public hearing or submit written feedback.

D. Johnson inquired about the purpose of the public hearing, given the act has already passed. T. Steinmetz explained that with Omnibus Rule, we are required to have a hearing, but also genuinely are interested to hear what the public

think about this act. Once an act goes through legislation, we need to insert it into all administrative rule (in this case DHS 75). The Department needs to initiate once an act goes through.

Next, T. Steinmetz spoke about urgent care and observation centers, identifying that there is a gap in our crisis systems when we are not able to provide crisis support and urgent care all in one setting. A bill that addresses this has passed the Assembly and Senate. The next step is going to Governor's office for signature. With the rule making process, it will be some time before it goes into effect. Legally we cannot work on rules until a statement of scope is approved. There will be a period for public input.

Next, T. Steinmetz provided an update on Naloxone saturation planning. Wisconsin was chosen for naloxone policy academy at end of last year. This involved examining the existing naloxone saturation plan and gathering recommendations/improving plans for improving distribution. Wisconsin's plan support counties and tribes in creating their own Narcan distribution plans. In May, DHS will be hosting virtual sessions on these plans, open to all. After the virtual sessions, we'll host regional in-person events by invitation only with naloxone distribution agencies. These five regional events will have teams of 3-6 people, depending on location.

Next, K. Dawson provided updates on Substance Use Block Grant (SUBG). In September of 2023, the BPTR submitted the 2024-2025 combined plan and application for both the Mental Health Block Grant and Substance Use Block Grant, that document was provided to the SCAODA at that time and is available for continued review on the SCAODA website. On December 1, 2023, the BPTR submitted the annual report for both the MHBG and SABG. This coming September 1 the BPTR will be required to submit the annual application for the MHBG and SABG. This will be a shorter version of the application, often referred to as the mini application, that states are required to complete the year alternate the larger application. BPTR will also provide this to SCAODA in the fall. Wisconsin is currently operating with a 2024 award of \$27,855,973 through the SABG and \$14,811,489 through the MHBG. K. Dawson asked for SCAODA's input on any additional information that DHS could bring to a future Council meeting. The Council had no further questions or requests.

## **8. Agenda items for June 7, 2024, Meeting**

- Budget recommendations
- Committee presenting their strategic plans
- DOA to present on recovery voucher
- DSPS to present on SAC renewal limit

## **9. Meeting Adjournment**

T. Virgil moved to adjourn.

C. Ullstrup seconded the motion.

All in favor. None opposed.

Meeting adjourned at 12:51 p.m.

Prepared by: Kim Dawson on 3/8/2024.

Council reviewed and approved these minutes at its meeting on: 6/7/2024