

Tennessee Opioid Abatement Council Emergency Meeting

Date	February 8th, 2024
Time	9:00am-10:00 a.m. CST
Location	Microsoft Teams Virtual Meeting

Council Members Present via Microsoft Teams: Stephen Loyd, Brian Buuck, Ken Moore, Shayne Sexton, Charme Allen, Armando Fontes, Timothy Fournet, Michael Flynn, Karen Pershing, Stephanie Vanterpool, Wayne Wyckoff, Clay Jackson

Guest Attending via Microsoft Teams: Wendy Komac, Engie Trivett, Kristina Peters, Elizabeth Millsaps, Nicholas Glenn, Maury Long, Chloe Ligon, John Gleason, Greg Keeling, Kristen Zak, Loren Ginn, Dorothy Saxon Greene, Christopher Dougherty, Marcille, Kate Durst, Orisha Bowers, Calvin Whitehead, Rebecca Bergman, Sarah Tanksley, Sarah McCall, Sarah Harrison, Brien Lunn, Brad Bowie, Meredith Allan, Julie Barnes, Sam Kocher, Kate Crisco, Tara Harris, Sarah Gwinn, Chris Hammond, Terri Ibarra, Peter Phillips, Michelle Cole, Lea Anne Spradlen, Stephanie Hardy, Tracey McKinney, Ariel Clark, Rob Frazier, Bridget DelBoccio, Sherlean Lybolt, Kelly Moore, Jane Hamrick, Liz Beatty, Rebecca Amantia, Annie Carlisle, Anna Gamino, Heather Kaiser, Keaton Higgins, Cassidy Newman, Sascha Henderson, Michael Stahl, Wesley Geminn, Penny Knight, Jessica Rackley, Leigh Ellen Madden, George Newman, Melissa Moon, Matthew White, Pearson Balatow, Jerry Mailhot, Scott Davis, Deanna Wood, Ashley Holliday, Ashley Clinard, Keaton Higgins, Jessica Youngblom, Lee Dilworth, McCaa Russum, Lyle Cooper, Holly Jones, Robert Merritt, McKenzie Snyder, Kristopher McNeil, Anthony Jackson, Lindsay Bice-Shirley, Ginger Storrar, Mitchell Cathy, April Clark, Danielle Gomez, Jeff Grandia, Alanna McKissack, Taryn Sloss, Terry Topping, Nancy Hooper, Maggie McNally, Anthony Pudlo, Adul Sawas, Tricia Christensen, Amy Jordan, Michael Bermes, Victoria Crowell, Adam Clark, April Ponnuru, Pam Henson, Lynsey Stubbs, Chris Thomas, Lisa Binkley, Bill Gibson, Lindsay Zimmerman, Rob Cotterman, Michael Wardrop, Dan Myers, Beth Boniface, Gail Reilly, Genoa Clark, Laura Durham, Amy Murawski, Kristina Dixon, Elliot Pinsley, Tina Ross, Valerie Tanguay-Masner, Trenton Canada, Chad Elkins, Matt Holder, Rachel Morris, Jeff Archer, Belen Garcia-Rivas, Mike Wegman, Camilla Bibbs, Paula Shoup, Olivia Welter, Justin Coggins, J Burns, LaChelle Lee, Erin Delullo, Lori Prew, Ben Lentchner, Tracy Bacchus, & Troy Sandifer. Numerous other guests were in attendance virtually using non-identifying devices/connections.

Staff: Mary Shelton, Sejal West, Ella Reding, Elizabeth Rickman-Vaden, Sam Boukli, David Sappington, Mark Carillo, Debbie Bresee

Presenter	Topic	Discussion
M. Shelton	Welcome, Introductions & Council Roll Call	M. Shelton conducted roll call for attendance of Council members. M. Shelton introduced herself, welcomed all, and read OAC Emergency Meeting Necessity Statement.
M. Shelton	Agenda	M. Shelton introduced agenda, to include:

		<p>-Approval of 2024 Community Grant Budget -Expedited Review of the Meharry RISE Project -Update on Community Grant Contracting Process</p> <p>M. Shelton stated 2 of these items will need motion and vote from the Council.</p>
S. West	Explanation of Expedited Review Process (XRP)	<p>S. West reviewed XRP and 3 criteria for an application to qualify for expedited review.</p> <p>Of 29 Harm Reduction applications, 3 met criteria.</p> <p>During the December 14th, 2023 meeting Council approved expedited review of these 3 applications. These applications were assigned for scoring.</p> <p>Only 1 of these applications scored 85 or higher, and this was the Meharry RISE Project.</p>
S. West	Presentation of Meharry RISE Project	<p>S. West presented overview of RISE project, and reminded council members that they have all received details on this project prior to today's meeting.</p> <p>S. West explained that this project is an emergency six-month statewide initiative to increase Naloxone distribution throughout all 95 counties in TN.</p> <p>The project also proposes to gather and track distribution data and provide linkage to care.</p> <p>Funding request for this project is \$7.5 million for one year.</p>
S. West	Overview of Current State Efforts with Opioid Overdose Reversal	<p>S. West shared summary of current state efforts, including TN Save a Life Program.</p> <p>Statistics were presented including Training and Education efforts, Naloxone Distribution, and Overdose Reversals.</p>
M. Shelton	Overview of Community Grants Budgeting Process	<p>M. Shelton opened discussion on community grants budgeting.</p> <p>S. Loyd commented that Tennessee has 2 of the highest overdose death rates nationwide for</p>

	<p>major metro areas with both Shelby and Davidson counties in the top-10.</p> <p>He added that Knox County has the highest overdose rate in TN but did not meet the population requirement to make the national list.</p> <p>Tennessee now ranks #2 in the nation in overdose deaths per 100,000 people, second only to West Virginia.</p> <p>M. Shelton shared current trust fund balance as of 12/31/23, along with updated information from AG office through 2028 showing expected settlement payment amounts, current balance minus county payments, and funds available for community grants.</p> <p>M. Shelton stated OAC Office recommends a rolling 3-year budget for community grants.</p> <p>She added that experience has shown a likelihood that some of the grant dollars will be unspent or underspent.</p> <p>There is also consideration for possible fluctuations in the funds received based on timing, potential bankruptcies, etc.</p> <p>M. Shelton stated the OAC Office recommends 'front-loading' the community grants budget in order to best address the current opioid crisis in TN, and there are currently funds available in the trust fund from 2022 and 2023 settlements to fund projects.</p> <p>M. Shelton shared that the OAC Office recommends a total funding budget of \$80 million for 2024 community grants, and this number is in addition to any funds allocated for the expedited review process.</p> <p>M. Shelton then shared the targeted breakdown by percentage and dollar amount for each of the 6 abatement strategies for 2024 community grants as follows:</p>
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S. Loyd	Budget Discussion	<p>S. Loyd summarized the need for discussion and motion, then opened the floor.</p> <p>K. Pershing asked for clarification on the subject if proposed figures included the Meharry RISE project XRP.</p> <p>M. Shelton responded that the Meharry proposal was pulled out of the overall 2024 amounts and is separate.</p> <p>S. Loyd added clarification that strategy percentages were decided and voted on by Council previously, and that 10% would still be the allocation for harm reduction after pending approval of the Meharry RISE project funding.</p>

		<p>B. Buuck asked which strategy/category would recovery housing fall under.</p> <p>S. West clarified that recovery housing would fall under the Recovery Support strategy, which would receive 20% or \$16 million for 2024.</p> <p>B. Buuck asked about total requested funding for all applications received.</p> <p>M. Shelton responded and referenced the OAC website showing total funding request by year and by strategy, with total funding request exceeding \$700 million.</p> <p>K. Moore asked for clarification about funding reserves for 2024-2026, expressing concern that there be sufficient reserves for any unexpected funding needs.</p> <p>S. Loyd commented that this was a subject of discussion prior to the meeting and deferred to OAC staff to elaborate.</p> <p>S. West responded that projected figures are a conservative estimate and take into account the ability to have some funds left over, with a projected reserve of approximately \$18 million after 3 years.</p> <p>She shared that there are many variables in projecting a 3-year budget and staff tried to be very conservative in their estimates.</p> <p>S. West further stated that Council will be updated regularly and decisions can be made on an annual basis as needed to adjust.</p>
<p>S. Loyd</p>	<p>Motion to Approve & Discussion</p>	<p>K. Moore made a motion to approve the budget as reported.</p> <p>K. Pershing seconded the motion.</p> <p>S. Loyd opened the floor for discussion.</p> <p>S. Vanterpool asked to see funding reserves broken out by year-by-year.</p>

	<p>She also asked to see operational/administrative costs for staff, Smart Simple software, and overhead included.</p> <p>M. Shelton responded that the Smart Simple software is free and referred to interest income, stating that there is currently no provision for interest in the projected budget.</p> <p>She added that her projections are that all staff and operational costs would be covered by interest income.</p> <p>S. Loyd added that Council and staff have looked at operational costs and used estimates based on figures consistent with other departments and agencies.</p> <p>He further stated that this is a planned agenda item for the Council's next regular meeting in March.</p> <p>He recommended staff add an additional column to the budget spreadsheet to show annual reserve funds.</p> <p>M. Shelton asked S. West to provide these numbers and she agreed to do so.</p> <p>S. Vanterpool expressed her feeling that the Council should have these reserve and operational cost numbers prior to voting on a budget.</p> <p>She recommended that the council not vote on a 2024 budget until seeing these numbers.</p> <p>She further added concerns that depending on interest to fund operational cost is not fiscally responsible due to market volatility and uncertainty around interest rates.</p> <p>C. Jackson commented in agreement with S. Vanterpool, feeling that the Council should not vote on a budget until operational expenses and reserves are accounted for in detail.</p>
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		<p>He echoed S. Vanterpool’s concern that relying on interest income is not fiscally responsible for the reasons she stated.</p> <p>He further recommended the Council table the current motion regarding the budget until such time as these financial details can be presented to the council.</p>
<p>S. Loyd</p>	<p>Motion to Table Budget Vote</p>	<p>S. Loyd reminded members that there is a motion on the floor that needs to be addressed and asked for clarification from counsel.</p> <p>S. Boukli clarified that if the Council wishes to postpone voting on the budget, a motion to table and second will need to be made.</p> <p>C. Jackson commented that he feels a motion to table is a better option than voting and possibly rejecting the motion and voiced his intent to reject the budget as proposed if voted upon today.</p> <p>He then confirmed that he is moving to table the budget vote, and S. Boukli confirmed this is the correct procedure according to Robert’s Rules of Order.</p> <p>S. Loyd stated that we have a motion on the floor to table the current motion to approve the budget.</p> <p>Motion was seconded by S. Vanterpool.</p> <p>K. Moore asked for a date to reconsider the motion, if tabled.</p> <p>C. Jackson responded that per his understanding of the rules of order, any Council member or chair can move to remove the table at any time.</p> <p>S. Boukli confirmed this is the proper procedure and added that a tabled motion is not open for discussion unless first removed from the table.</p> <p>S. Loyd also confirmed this.</p>

		<p>S. Loyd asked for a roll call vote on the motion to table, and asked M. Shelton if a quorum was present.</p> <p>M. Shelton confirmed 13 council members present, sufficient for a quorum to vote.</p> <p>M. Shelton conducted roll call vote to table the motion.</p> <p>Motion was carried, and S. Loyd announced motion was carried and budget vote and discussion is tabled.</p> <p>M. Shelton confirmed budget discussion and vote is tabled until such time that staff can provide requested figures on operational costs and reserve.</p>
<p>M. Shelton</p>	<p>Discussion of Expedited Review Application</p>	<p>M. Shelton stated that the next agenda item is discussion and vote on approval of the expedited review application, the Meharry RISE Harm Reduction Proposal. She asked if the Council wished to discuss and vote on this today or wait for the budget approval.</p> <p>S. Loyd stated he would like to address this proposal today.</p> <p>S. Vanterpool asked if she could hear feedback from the Council member who scored the RISE application prior to a motion or vote on the project. She also asked for more information on the scoring process, and why this application merited the high score it received.</p> <p>M. Shelton asked for clarity from counsel.</p> <p>S. Boukli recommended the Council develop a process to allow the application scorers to provide feedback to the Council prior to a vote.</p> <p>S. Loyd agreed and suggested the scorers be given time to prepare any remarks before sharing that feedback with the council.</p>

		<p>C. Jackson agreed that a process needs to be put in place to allow all Council members to receive adequate feedback from scorers prior to voting on an application.</p> <p>S. Loyd summarized C. Jackson’s request.</p> <p>C. Jackson moved that the council establish a bylaw or procedure that during the discussion of any potential application or project Council members be allowed to query and receive feedback from the scorers of that application.</p> <p>S. Loyd confirmed the motion and asked for a second. S. Vanterpool seconded.</p> <p>K. Moore asked if the Council members have had an opportunity to review the application themselves and/or score the application.</p> <p>M. Shelton responded that all Council members were provided with a copy of the RISE application to review, but only the assigned scorers could score the application.</p> <p>S. Loyd commented on his own process of reading and reviewing applications and forming an opinion on the validity of said application.</p> <p>A. Fontes commented that scorers be given advance notice and time to prepare remarks if they are going to be asked for feedback on a specific application.</p> <p>S. Loyd asked for any further discussion.</p> <p>C. Allen asked how many Council members reviewed and scored the RISE project.</p> <p>M. Shelton clarified the scoring process, sharing that every application is scored by 1 Council member, 1 Grant Analyst, and the Deputy Director.</p>
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		<p>M. Shelton responded that this is not a part of the scoring process as the software is currently set up but may be a modification made prior to next year’s open application process.</p> <p>S. Loyd clarified that there were no further comments and asked for a roll call vote.</p> <p>M. Shelton proceeded with a roll-call vote.</p> <p>Motion carried.</p>
<p>S. Loyd</p>	<p>Discussion and Vote on Expedited Review application</p>	<p>S. Loyd confirmed the motion carried, and stated the remaining agenda item is a vote on whether to approve the Meharry RISE project.</p> <p>S. Loyd moved that the expedited review be approved as presented and asked for a second.</p> <p>A Fontes seconded the motion.</p> <p>S Loyd asked for discussion.</p> <p>B. Buuck asked if the individual scorers of the expedited application were prepared to offer feedback on their scoring.</p> <p>S. Loyd responded that there is not a process in place for this, and this was the reason for the previous motion.</p> <p>Therefore, the answer to B. Buuck’s question is not at this time.</p> <p>S. Vanterpool was recognized and asked for clarification on why the RISE project was presented to Council with 3 budget options.</p> <p>M. Shelton responded that in anticipation of Council concerns, she asked the applicant to present budgets of \$4 million and \$5 million as alternatives to the full \$7.5 million requested.</p> <p>C. Jackson then made a point of order that the Council could vote to table the motion until such</p>

		<p>time that the individual scorers were prepared to present their analysis.</p> <p>He further stated that if the Council takes a ‘yes or no’ vote at this time, there is no mechanism to circle back and approve the proposal at a later time if the application is not approved.</p> <p>S. Loyd asked for clarification if C. Jackson was making a motion to table.</p> <p>C. Jackson stated it was a point of order, and he would defer to other Council members to make the motion.</p> <p>He further stated if the majority of the Council feels they have adequate information and are prepared to vote yes or no, then there is no need for a table at this time.</p> <p>He also asked for clarification from Counsel on the parliamentary procedure.</p> <p>S. Boukli then confirmed that if the application is voted on today and does not pass, the Council would not be able to go back and re-vote for approval.</p> <p>C. Jackson clarified that “a no is irreversible, but if we table it we can pick it back up at any time.”</p> <p>T. Fournet commented that at this time he would not feel comfortable voting for approval on the project. He then made a motion to table the application until such time as further feedback from the scorers can be presented.</p> <p>C. Allen seconded the motion.</p> <p>M. Shelton then proceeded with a roll call vote and clarified that the Council is voting on tabling the motion to approve the RISE project.</p> <p>The motion carried and was tabled.</p>
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	<p>S. Vanterpool recommended that the Council revisit this application at the next Council meeting in March.</p> <p>M. Shelton clarified that the next in-person Council meeting is scheduled for March 18, and further commented that waiting until that date will likely delay the funding of the grant.</p> <p>S. Vanterpool suggested the Council schedule another emergency meeting in the meantime to specifically address this project.</p> <p>M. Shelton stated that prior to said proposed emergency meeting Council staff could also get updated budget numbers ready, including operational costs and budgeted reserves.</p> <p>She added that primary scorers would also have time to prepare to present their remarks. She said she would coordinate with staff and Council members to schedule another emergency meeting.</p> <p>C. Jackson agreed stating that he did not want to wait until March 18 to consider this motion and suggested an emergency meeting be scheduled within two weeks.</p> <p>K. Moore was recognized and stated he would like to have a conversation with the Executive Director after the meeting and asked her to call. A Fontes commented his agreement that having a process for scorers to present their findings will be very helpful to the Council as they move forward in voting on applications to approve.</p> <p>S. Loyd shared his appreciation for the input from the Council and asked if there are any other processes that need to be addressed and voted on in this meeting.</p> <p>No Council members had any further comments on this issue.</p>
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<p>M. Shelton</p>	<p>Community Grants Contracting Update</p>	<p>M. Shelton presented a slide with an overview of the contracting process and asked S. West to share.</p> <p>S. West shared that Council staff is working with Central Procurement, Comptroller’s office, and Finance & Administration to determine the best path forward for contracting.</p> <p>She added that the Office of General Counsel is assisting with creating the contract with S. West and S. Boukli leading the effort to ensure we have a solid contracting process in place.</p>
<p>S. Lloyd</p>	<p>Public Comment</p>	<p>S. Loyd thanked the Council members and everyone who participated in recent training with representatives from the Attorney General’s Office.</p> <p>S. Loyd then reminded attendees that the public comment period is for comments only, and no questions will be answered during this time.</p> <p>He then opened the floor for public comment.</p> <p>M. Shelton asked that anyone wishing to make a comment use the ‘raise hand’ icon.</p> <p>L. Ryan commented that there may be applications that cross multiple strategies, and if so would like to know how those will be addressed.</p> <p>S. Loyd asked for any further comment. M. Shelton confirmed that there are no further hands raised.</p> <p>S. Loyd asked if this concludes the business of the day.</p> <p>M. Shelton confirmed that all slides have been presented and all agenda topics have been discussed.</p> <p>S. Loyd asked for clarification on rules to adjourn.</p>

		<p>S. Boukli responded that a motion to adjourn is needed.</p> <p>S. Loyd asked for a motion to adjourn and several Council members.</p> <p>A. Fontes moved to adjourn.</p> <p>K. Moore seconded.</p> <p>M. Shelton proceeded with roll call vote to adjourn.</p> <p>Motion carried and meeting was adjourned.</p>
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