

Nebraska Opioid Settlement Remediation Advisory Committee Meeting
May 8, 2024
Nebraska Association of County Officials (NACO) Offices, 1335 H Street, Lincoln, NE
10:00 a.m. – 1:00 p.m.
Meeting Minutes

1. Call Meeting to Order:

Chairperson Todd Stull called the meeting to order at 10:02 a.m. and welcomed all attendees to the meeting. In accordance with § 84-1411(2)(b) of the Open Meetings Act, a copy of all documents being considered at the meeting, an electronic copy of this agenda, and a current copy of the Open Meetings Act are available at the Nebraska Opioid Settlement Remediation Advisory Committee's webpage at <https://dhhs.ne.gov/Pages/Opioid-Settlement-Workgroup.aspx>. The Open Meetings Act is also located at the front of the meeting room.

- a) Chairperson Stull reminded Committee members that for virtual meetings, Committee members may attend virtually or be physically present at the meeting site to be counted for quorum, and to vote. Chairperson Stull expressed thanks to NACO for the use of their facilities and their continued support.
- b) Roll call was conducted, and a quorum was determined to exist, with 15 voting members present.

Voting Members

Members in Attendance: Ann Anderson-Berry, Mary Ann Borgeson, Amy Holman, Sara Howard, Brandon Kelliher, Christopher Kratochvil, Paul Lambert, John Massey (late arrival), Paul Price, Amy Reynoldson, Cory Schmidt, Jason Scott, Kevin Spencer, Todd Stull, Paul Vrbka, Christa Yoakum.

Members Absent: Susanna Batterman, Kevin Borchert, Rick Hickstein, Jerome Kramer, Charity Menefee, Bill Tielke.

Others in Attendance: Tony Green, Karen Harker, Jeri Keller-Heuke, Erin Maier, L. Lynn Rex.

- c) Chairperson Stull stated that on April 24, 2024, a notice of this meeting with the agenda and other materials were provided to the public and all members of the Committee. Notice of this meeting with the agenda and other materials were available for public inspection at the Nebraska Department of Health and Human Services (DHHS), Division of Behavioral Health (DBH), 301 Centennial Mall South, 4th Floor in Lincoln, Nebraska. An electronic copy of the agenda, all documents being considered at the meeting, and a link to the current version of the Open Meetings Act were posted on the DHHS website at <https://dhhs.ne.gov/Pages/Opioid-Settlement-Workgroup.aspx>.
- d) Chairperson Stull informed attendees about the location of the Open Meetings Act, which is accessible to members of the public in the meeting room, and at <https://dhhs.ne.gov/Pages/Opioid-Settlement-Workgroup.aspx>, along with a copy of all reproducible written materials to be discussed at this meeting.
- e) Public Comment: Pursuant to the Open Meetings Act, the Chair of the Committee reserves the right to limit comments on agenda items. Chairperson Stull stated that agenda items 5, 6 and 8

will be open for public comments. Chairperson Stull stated that each commenter will have five minutes to speak. Pursuant to § 84-1412(3), any member of the public desiring to address the body shall identify their name, including an address and the name of any organization represented by such person. Public members may sign up on the list at the front of the room or submit their name via the virtual chat box if attending virtually.

2. Consider a Motion to Approve the Minutes from February 28, 2024:

Chairperson Stull opened the floor for a motion to approve the minutes from the February 28, 2024, meeting.

Motion was made by Amy Reynoldson and seconded by Christa Yoakum to approve the minutes as written. Chairperson Stull opened the floor for discussion. Hearing none, the motion to approve the February 28, 2024, minutes passed with the following results:

Yay=14: Ann Anderson-Berry, Amy Holman, Sara Howard, Brandon Kelliher, Christopher Kratochvil, Paul Lambert, Paul Price, Amy Reynoldson, Cory Schmidt, Jason Scott, Kevin Spencer, Todd Stull, Paul Vrbka, Christa Yoakum.

Nay=0

Abstain=1: Mary Ann Borgeson.

Absent=7: Susanna Batterman, Kevin Borchert, Rick Hickstein, Jerome Kramer, John Massey (late arrival), Charity Menefee, Bill Tielke.

3. The Following Committee Members Have Resigned from the Committee:

Due to competing priorities, Yohance Christie and John Lawson have resigned from the Committee. Chairperson Stull expressed thanks for their service.

4. Consider a Motion to Acknowledge the Following Committee Members Recently Appointed to Fill Vacancies:

Chairperson Stull opened the floor for a motion to acknowledge the following Committee members recently appointed to fill vacancies:

- a) Mike Tefft, Treatment Recovery/Consumer appointed by the Nebraska Attorney General Mike Hilgers to fill the vacancy of John Lawson.
- b) Riley Slezak, Region 5 Municipal Representative appointed by League of Nebraska Municipalities Executive Director L. Lynn Rex to fill the vacancy of Yohance Christie.

Motion was made by Amy Reynoldson and seconded by Christopher Kratochvil to acknowledge these two new Committee members. Chairperson Stull opened the floor for discussion. Hearing none, roll call vote was conducted. The motion passed with the following results.

Yay=14: Ann Anderson-Berry, Amy Holman, Sara Howard, Brandon Kelliher, Christopher Kratochvil, Paul Lambert, Paul Price, Amy Reynoldson, Cory Schmidt, Jason Scott, Kevin Spencer, Todd Stull, Paul Vrbka, Christa Yoakum.

Nay=0

Abstain=1: Mary Ann Borgeson.

Absent=7: Susanna Batterman, Kevin Borchert, Rick Hickstein, Jerome Kramer, John Massey (late arrival), Charity Menefee, Bill Tielke.

5. Review of LB1355:

Tony Green, DHHS Director of Developmental Disabilities and Interim Director of DBH, and Cristina Prentice, Legislative Aide to Senator Tony Vargas, reviewed highlights of LB1355. This bill, which went into effect on April 16, 2024, will begin rolling out in July 2024. The 85% of settlement funds that are allocated to the state will be placed into two separate funds designated for prevention and treatment, and infrastructure.

Discussion focused on DHHS' role within this bill, how funds will be allotted and disbursed, and this committee's continued role and involvement.

Public Comment: Joseph LeDuc, Nebraska citizen, expressed gratitude that action is being taken and stated that the bill seems well structured. Mr. LeDuc inquired as to what kind of year-end reporting or summary may be expected with this new fund structure; it was clarified that DHHS would still be issuing reports related to these funds. It was also asked whether DHHS has plans for an online dashboard that would give the status of funds. DHHS does have this information online but currently in PDF form.

6. Discussion Regarding Role of the Committee:

Tony Green discussed how LB1355 was written with the Committee's purpose in mind. Joshua Shasserre is no longer with the Attorney General's staff; he has been replaced by Derek Bral, Assistant Attorney General, who can also provide clarity and feedback on the legislation. Discussion focused on the Committee's scope of work, to whom the Committee reports, and whether this Committee would continue to exist per the legislation. Comparisons were made between LB1355 and the Distributors Settlement Agreement as to the requirement of having this Committee. Further clarity on this topic is requested from the Attorney General's office before any actions will be taken.

7. Subcommittee Reports:

- a) Needs Assessment Subcommittee—Ann Anderson-Berry and Amy Reynoldson had no report.
- b) Disbursement Subcommittee—Mary Ann Borgeson had no report.
- c) Outcomes Subcommittee—Sara Howard had no report.

8. Discussion of Committee Size, Attendance, and Bylaws:

Discussions regarding the Committee's makeup and operations will be tabled until detailed feedback on LB1355 regarding the existence of this Committee is received from the Attorney General's office.

Public Comment: Joseph LeDuc, Nebraska citizen, inquired as to what Interim Director Green's role with the Committee may be, depending on the outcome of LB1355. Mr. LeDuc also expressed concern that this Committee may be disbanded, with no known oversight or accountability for the settlement money and work.

9. Discussion of Possible Next Steps and Actions to be Considered at Future Meetings:

Suggestions for agenda items should be submitted to Chairperson Stull at least ten days prior to the next scheduled meeting.

10. Dates for Upcoming Meetings:

The next meeting is scheduled for Wednesday, September 4, 2024. This meeting will be in-person at the Nebraska Association of County Officials (NACO) office in Lincoln. Future dates will be discussed at that time. Since the passing of LB287, beginning on January 1, 2025, more than one half of meetings can be held virtually as long as at least one meeting per year is in-person.

11. Consider a Motion to Adjourn:

The meeting agenda having been completed, Chairperson Stull asked for a motion to adjourn the meeting. Motion was made by Christopher Kratochvil and seconded by Christa Yoakum. Roll call vote was conducted. The motion passed with the following results.

Yay=15: Ann Anderson-Berry, Amy Holman, Sara Howard, Christopher Kratochvil, Paul Lambert, John Massey, Paul Price, Amy Reynoldson, Cory Schmidt, Jason Scott, Riley Slezak, Kevin Spencer, Todd Stull, Mike Tefft, Christa Yoakum.

Nay=0

Abstain=1: Mary Ann Borgeson.

Absent=8

The meeting adjourned at 11:40 a.m.