

**Substance Abuse Services Commission
Meeting of December 10, 2014
State Office, DHHS, Conference Room C
41 Anthony Avenue
Augusta, Maine**

ATTENDANCE

Members Present:

Peter McCorison, Provider, Aroostook County, Chair for SASC (Phone)
Bill Lowenstein, President, Board of Dir. of Sexual Assault & Response Services (Phone)
Bob Creamer, Community Volunteer
Scott Gagnon, Prevention, Healthy Androscoggin
Robert Rogers, KBH
Darren Ripley, MAAR
Rep. Ann Dorney (phone)

Members Absent/Excused:

Irene Laney
Ann Giggey
Tom Leonard
Diehl Snyder, MD
Sen. Colleen Lachowicz
Rep. Carol A. McElwee
Rep. Katherine Cassidy
Rep. Peter Stuckey

Office of Substance Abuse and Mental Health Services:

Sheldon Wheeler, Acting Director, SAMHS
Linda Frazier, Associate Director for Treatment & Recovery, SAMHS

Guests:

Marietta D'Agostino, Program Manager, Medical Marijuana Program, DHHS Licensing & Regulations Office
Raya Kouletsis, Coordinator, MAPSA
Michael Savage, Public
Matthew Braun, PFS II Grant Director, SAMHS
Neill Miner, Director, AdCare Maine
Deborah Doiron, AdCare Maine, Recorder

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Meeting of December 10, 2014
State Office, DHHS, Conference Room C
41 Anthony Avenue
Augusta, Maine**

DECEMBER MINUTES

DRAFT Date:	December 22, 2014	SASC Approved:	
Signed: Recorded by: Deborah Doiron, AdCare Maine			

Meeting Convened: 9:00 A.M.

Adjourned: 12:00

Meeting Convened: By Peter McCorison

Agenda:

- General Meeting Opening: Introductions, Review November 12, 2014 Minutes; Public Forum

New Business:

- Presentation by Marietta D'Agostino, Program Manager, Medical Marijuana Program
- SAMHS Update – Sheldon Wheeler, Acting Director, and Linda Frazier, Treatment Manager, SAMHS

Old Business:

- Commission Membership
- Coalition for Addiction Treatment regarding methadone – continued discussions from November SASC Meeting
- SAMHS Recovery Letter and Request Letter regarding Marijuana Information

Prepare Agenda Items for Next Meeting on January 14, 2015

Adjourn meeting 12:00

SASC Meeting – General Opening Statements

Peter McCorison, Chairperson Introductions and Public Guest Comments

Scott Gagnon from Healthy Androscoggin was designated by Peter McCorison to Chair the SASC Meeting for December 10th. Scott welcomed and thanked members and guests for coming to the meeting. Introductions were made and Scott then opened up the meeting for public comments. No comments were provided.

Conclusions or Actions and Responsible Lead Person; timeline if applicable:

N/A

NEW BUSINESS - December Agenda

Topic #1 – Review of Minutes of Previous Meeting – November Minutes

Discussions: feedback on minutes

Scott stated that there were not enough members present for a quorum, but asked members if anyone had any recommended changes to the November 12th minutes. Bill Lowenstein recommended that the minutes be accepted the next time the Commission has enough members for a forum. It was also decided by the members to add the last names in the minutes of the youth presenters from Young People in Recovery (YPR).

Conclusions or Actions:

- Motion accepted with corrections or amendments to be made to previous month's minutes, Responsible Lead Person – Deb Doiron will make additions to the November Minutes for review and acceptance at the next meeting in December.**

Topic #2 – Presentation by Marietta D'Agostino, Program Manager, Medical Marijuana Program, DHHS Licensing & Regulations Office

Marietta D'Agostino introduced herself to the members. Marietta began by describing the Maine Medical Marijuana Program (MMMP), stating that the program advocates for, regulates, and runs a Medical Marijuana Program in the State of Maine. The Medical Marijuana Program is self-supporting. There are no general funds being used for this program. However, they do have funding to provide outreach services and are very willing to partner with other agencies and organizations to educate providers, patients and the public regarding safe procedures regarding marijuana. The program is for those persons who have a certified medical need to use medicinal marijuana for certain conditions allowed by State of Maine Law. The program does not promote substance use of any kind. Marietta distributed copies of the Maine Medical Use of Marijuana Program PowerPoint handout to the Commission members. An important goal of this program is to provide clear messages to all about how the Medical Marijuana Program functions.

Selected topics discussed during presentation:

Education:

The dispensaries have agreed to assist with educating their patients about safe packaging – treating this drug as medicine. Like any other medicine it should be kept out of the reach of children and youth to prevent accidental poisoning, especially with edible or ointment products.

Recent Rule Changes and issuing notices to patients:

The old method of certifying eligibility is ending. New procedures for documenting certification of eligibility will be in effect on January 5, 2015, and apply to individuals who are new patients, starting January 5, 2015 and thereafter. The providers and patients will need to go through a new process of obtaining certification of eligibility for the MMMP, which will now consist of a wallet size card, instead of the existing paper letter of certification. Marietta stated that the MMMP has sent out notices to a variety of providers and professional trade organizations about these rule changes. Providers are being asked to go to the DHHS Licensing and Regulations website and take a webinar course that will educate them on a new process of obtaining a physician's certificate card to identify the patient as legally eligible for the program. Because registration on the patient's part is voluntary, the State does not have a legal right to names and addresses of patients receiving medicinal marijuana. Marietta stated this will make sending out notifications to people on upcoming changes very difficult. Marietta asked the Commission members for any other ideas about how to communicate this information to providers and patients. A few ideas were discussed.

Number of Dispensaries:

There are eight dispensaries in the State of Maine who can legally operate – one in each medical district – these are listed on their website. Program staff meet quarterly with each dispensary and organizes forums.

Caregivers:

Marietta reviewed descriptions of what a caregiver's duties can look like, such as cultivating; transporting product or patient; assisting patient with a vaporizer; preparing edibles for a patient; and the use of caregiver employees. The use of interns or volunteers are not allowed in this program. As of November 30, 2014, there were 1704 registered caregivers serving 4,484 patients in Maine.

Medical Marijuana Program – a regulatory authority to ensure a safe and consistent medicinal product for patients:

Marietta stated that she brings everything back to safety with regard to MMMP program. They are always working with providers to educate them and their patients regarding safety for everyone concerned. Marietta also talked about Section 4 – Declaration. They are still working on this form and are using cautionary statements in the language. The program wants patients to understand their own responsibilities when taking this medicinal medication, especially with regard to impairment issues. Certain medications have varying effects on the impairment of an individual. For example, even if a patient is legally certified to take this kind of medication and they are arrested for an OUI, this legal certification doesn't absolve the patient from responsibility for being impaired while driving a vehicle.

Program goals and ongoing activities:

- a) Goal – to utilize the new system to collect the number of patients being served;
- b) Notices will be placed on the on-line website link, which will allow the program to communicate with voluntary providers and patients;
- c) Marietta has been working with law enforcement teams to update them through continuing education regarding any program changes that may have taken place;
- d) The MMMP has also been working with the Criminal Justice Academy to create and offer a new course on this subject.

Lab Testing of Marijuana:

Ann Dorney mentioned there is some movement to establish companies that would be able to lab test marijuana. Ann asked Marietta if this would fall under the Marijuana Program. Marietta said this is a question for the Maine legislature. She stated that it would probably fall under the organization that creates the rules and regulations language. Marietta mentioned that during the last session there was a directive or resolve brought forward on how this type of testing would occur. Some other states have been doing this. The State currently has departments that oversee labs and the services they provide. She would not be opposed to having lab testing on medical marijuana, but a Statute would need to be created and passed to allow Maine to do this. Peter McCorison recommended that the Commission bring forth a recommendation to the Legislature that Maine should consider establishing a lab for testing marijuana. He also suggested that an external entity should perform these lab tests. Marietta suggested that Peter McCorison contact Kenneth Albert, the Director of DHHS Licensing and Regulations Office to talk with him about gathering more information on this recommendation. Marietta reviewed the contact page of her presentation with the members and stated that anyone can contact her with any other questions they may have about the program. The Commission members created a list of questions they still had regarding the Medical Marijuana Program. These additional questions will be submitted to Marietta D'Agostino, Program Manager from Medical Marijuana Program, DHHS Licensing and Regulation Office.

Conclusions or Actions and Responsible Lead Person; timeline if applicable:

- Action: Timeline/Lead Person: Peter McCorison and Scott Gagnon will send a list of draft questions to the members for review and then will forward to Marietta D'Agostino.**

Topic #2 – SAMHS Update – Sheldon Wheeler, Director, SAMHS and Linda Frazier, Associate Director, Treatment and Recovery, SAMHS

Discussion:

Sheldon Wheeler introduced himself to the Commission members and presented an overview of his past and present experience. He stated that because of his legacy of a mental health monitor, different from Guy Cousin's legacy of a substance abuse monitor, he will experience a learning curve going into this acting position. Sheldon is looking forward to reaching out to the Commission membership both individually and collectively to enhance his service and systems knowledge, as quickly and efficiently as possible. He will be looking for support from members to help him prioritize identified needs and then move on to the more difficult discussion of resource allocation. He also stated that SAMHS has a very deep bench and he will be relying on staff to assist him with his orientation process.

Sheldon talked about Maine's county jail systems and its need for support regarding inmates who have alcohol, opiate and mental health issues. Ann Dorney suggested the SASC invite someone from DOC or the county jail system to come and present to the Commission. The members agreed. Bill asked Linda who would be the best person to contact. Linda said Colin O'Neill would probably be the best contact. Linda will provide e-mail contacts to Peter. Bill and Peter also suggested other people and organizations to be invited to speak to the group.

Sheldon also talked about SAMHS, DHHS Licensing, MaineCare benefits manuals and DHHS contract policy and procedures. He will be attending a meeting today at the Commission's Office and will be informing management regarding the quantity of paperwork expected from both internal state staff and providers. In some situations these people are asked for the same information form over and over again, creating redundancy. Sheldon is hoping to bring more efficiency to Maine SAMHS. He believes SAMHS has done well with accountability, but it needs to review current practices and procedures, and reduce redundant requests for data/documentation.

Sheldon stated if anyone would like to contact him, please contact Stephanie Kadnar at 287-4243 or send a message to her e-mail address: <Stephanie.Kadnar@Maine.gov>. She is helping him with his schedule. He will also be available by his cell phone number: 215-9151. He will make every effort to return calls, except when he is in a meeting. The best times to contact him are between 7:30 – 8:00 or between 5:00 -5:30. After 5:30 his phone will be off.

Peter McCorison told Sheldon that the SASC stands as a resource to the State of Maine, the Governor, the Legislature and also SAMHS and is not considered an oversight committee. The Commission has been identified as a resource for providing recommendations, ideas, and how to work for citizens of the State of Maine. Peter told Sheldon that the Commission would be looking forward to working with him and his team and gave them all the best as they take on the significant task of substance abuse and mental health issues in our State. Scott Gagnon then asked if there were any other questions. Mike Savage asked Sheldon if he would be able to meet with the public. Sheldon responded by saying he would be able to meet with individuals from the public. He recommended connecting with Stephanie Kadnar to schedule a date and time for any of these meetings. Sheldon stated that he will be speaking at a public meeting in Portland in the coming week, which will most likely be one of many.

Conclusions or Actions and Responsible Lead Person; timeline if applicable:

N/A

BREAK

Old Business:

Topic #4 – Commission Membership

Discussion:

Peter McCorison talked with staff from the House and Senate Offices last week and reminded them of their responsibility to appoint new house and senate members to the SASC Commission. Peter has also sent out information to people in the community for potential submission of applications to the Governor's Office to apply for membership to the SASC Commission. Peter announced that Scott Manorman is no longer working in his old position and he is now working with Tyler Lamansky. Peter has sent application information to Ann Giggey for a lawyer she knows who may be interested, and sent the same information to Bryn Gallagher at YPR. He hasn't heard back from either party. Ann Dorney said that she has filled out her forms for the physician position and will be submitting all the needed documents soon. Peter stated there are still three available education positions. These include representatives from higher education in a college setting, high school, and elementary school levels. Bill reminded the members that at the November meeting they made a motion to recommend that Bryn Gallagher, Education Lead, YPR apply for the post-secondary position. Peter said he will contact Bryn again regarding the necessary application information in order for her to apply for the college level position.

Conclusions or Actions and Responsible Lead Person; timeline if applicable:

- Peter McCorison will contact YPR Education Lead and send all needed information for this person to start the process of applying for the post-secondary position with the SASC**

Topic #5 – Coalition for Addiction Treatment regarding methadone – continued from November SASC Meeting

Discussions:

- 1) **Methadone 2-year limit:** The members asked about the methadone tapering and if the Opioid Group would be able to give them some feedback on the preparation and how things are going. Linda informed the members that this is the first round of the 2-year limit, which will be initiated January 1, 2015. She said the Treatment Program Team has been working with OMS in obtaining prior authorizations, essentially a continuation of eligibility for clinical services, with justification. A team is working with Katherine Kouletsis around how to incorporate these into the process. Things seem to be progressing well. Linda stated that if the members would like a report out at the January or February meeting, she can ask Katherine to put it in her agenda to attend the SASC Meeting. Peter McCorison asked if APS would be monitoring and reviewing the approval of continued stays. Linda stated this language has not been put into the APS contract. The continued stays have been monitored by OMS, with Dr. Flanagan serving as the lead. OMS has been developing this process with Katherine and the clinics. The continued stays are tied to the ASAM Criteria in terms of the clinical justification, along with some of the other elements of the prior authorization process. Ann Dorney asked about whether or not a patient can be on Suboxone for two years and then be on methadone for two years without prior authorization. Linda stated that where suboxone and methadone are concerned, the opiate treatment providers are generally different

providers and it isn't easy to switch from one drug to the other. Ann also said she would like to know how many patients who didn't have insurance were being tapered down. Linda stated that Dr. Flanagan and his staff have been very supportive with continuation of treatment when there is proper justification.

- 2) **Support system for people who cannot get a continued stay** – members asked what happens with these individuals. Linda said that the federal regulations are clear about tapering. Linda stated that the expectation is the clinic is required to do a taper; the prescribing physician would identify how the taper would work; and then they would need to make a referral for aftercare. Linda acknowledged that there is limited access for people who have no payer source and she is very concerned that there are a limited number of providers available in the community. SAMHS's has seen a 123% increase in IV drug use, reported in treatment admissions in TDS during the last fiscal year. She stated that SAMHS continues to put forth budget initiatives towards these issues, but that these have not moved forward. Peter asked the Commission members where they wanted to go with this issue. Linda said she would ask Katherine Kouletsis when it would be good time to update the members on how the two-year limit is going. Bill Lowenstein stated that he feels there probably will be continued legislative issues around methadone and he thinks that as a Commission, the group should be prepared to respond to those issues. The SASC should be a voice for Best Practice.
- 3) **Monitoring of New Bills** - Scott Gagnon asked the members about continuing to monitor new bills. Members agreed it would be very informative. Scott Gagnon asked Raya Kouletsis, Coordinator from MAPSA, if she could continue to follow these bills and report to the Commission on their status. Raya agreed she would continue to follow and report on any bills.
- 4) **MAT/MAR Recommendations:** Peter said he talked with Sheldon last week about the MAT/ MAR Recommendations. It was his understanding that the recommendations haven't been passed on yet by SAMHS staff to the DHHS Committee. Sheldon has reviewed the document and indicated that he is fine with the content and composition. Sheldon stated that the DHHS Committee has not chosen their new chairs yet for this Committee. This will most likely happen in late December or early January. Sheldon asked the members if they had a preference of sending the recommendations to the existing chairs or if they would like to wait and submit it to the newly appointed chairs. Bill Lowenstein voiced his concern about the DHHS Commission not receiving our recommendations, since the extended deadline was November 17th. Ann Dorney suggested waiting until there are new chairs and then give to them. Bill Lowenstein suggested sending a cover letter with the recommendations to explain the delay in the submission of these recommendations. Several options and consequences were discussed. It was decided that Peter McCorison will draft a cover letter to go with the recommendations and then send it to SASC Commission members for review. Peter will send the final letter and recommendations to SAMHS by the end of the week.

Conclusions or Actions and Responsible Lead Person; timeline if applicable:

- Peter McCorison will draft a cover letter, send out to members for review and send final letter to SAMHS by the end of the week for inclusion with MAT/MAR Recommendations from the SASC.**

- **Raya Kouletsis will monitor all new bills and report out to the Commission members**

Topic #6 – SAMHS Recovery Letter and Request Letter for Marijuana Information Discussions:

Peter mentioned that with the transition of Sheldon coming on board as the Acting Director of SAMHS, the SASC should update him on our outstanding issues and concerns. Below is a list of concerns discussed:

- a) **Further decriminalization of marijuana** – how will this impact our state; positive or negative – SASC is interested in forming a document, neither for nor against decriminalization of marijuana, but looking at the potential costs, benefits and how will the State of Maine manage the further decriminalization of marijuana. The SASC developed a document a couple of months ago and handed this off to SAMHS. As we look to 2016, the Commission would like to have some sort of document to inform the governor and the citizens. Peter will send a copy to Sheldon.
- b) **Recovery resources in the State of Maine:** The Commission wants to be able to identify and quantify the value of supporting recovery, not just for individuals, but also for financial costs as well. Peter stated that he will send copies of the Recovery Letter to Sheldon as well. Peter will be inviting someone from the new Ellsworth recovery home movement to talk about how they found the resources to start their program.
- c) **Updating of the SAMHS website:** Bill Lowenstein mentioned again a recommendation passed by the Commission about updating the Pillars and Mission Statement that was made at the 2013 November meeting. He stated that it took ten months for SAMHS to update their website to add additional Recovery language. Bill said he would be advocating for substance abuse to be equally represented on the website. Sheldon stated that SAMHS is currently interviewing for the Recovery Manager position, so someone should be hired soon into this position. Mike Savage asked about the current list of who is on the SASC and the minutes and Ann Dorney also suggested posting SASC vacancies on the website. Peter stated that he will be working on clearly defining what positions are open and then the Commission can see about getting these posted to the SASC website. Peter also stated that Deb has been working with SAMHS on submitting all approved minutes to be placed on the SASC section of the SAMHS website. Anyone can access this site to review or print off a copy of these minutes. As of right now, all the minutes through October are listed on the website. November's and December's minutes will be reviewed at the January meeting and if there are enough members for a forum these will be approved or corrected and approved before being placed on the website. Sheldon talked about updating the SAMHS website. He will give the Commission insight on this, as it rolls out.
- d) **PMP** – making it more user friendly
- e) **SAMHS attendance at regional conferences** – making sure representatives attend important conferences - SAMHS did not participate in the Regional Governors' Opiate Alliance Conference this year. Sheldon stated that he believes that decision was made in the Maine Governor's Office.

Conclusions or Actions and Responsible Lead Person; timeline if applicable:

- **Peter will send copies of the Recovery Letter and the MAT/MAR Recommendations to Sheldon Wheeler**

Topic #7 - Prepare Agenda Items for the next meeting on January 14, 2014:

- **An update from MAPSA and Raya on the upcoming legislative bills**
- **SAMHS Update with Sheldon Wheeler**
- **Ann Dorney wanted to see if there was any way to get data on use of medication disposal boxes being housed within local law enforcement agencies**
- **Bill suggested inviting Jayne Harper to speak about overdose prevention. It was noted that she has moved to a new position; Kelsey Cler is the person to contact now on this program**
- **Follow-up on the medical marijuana presentation: answers to questions to be posed to the MMMP**
- **Requests to SAMHS**
 - Request for a cost assessment of the impact of further decriminalization of marijuana in the state (marijuana request was delivered to Linda F a while ago);**
 - Request for expanded promotion of/reference to “Recovery”**

Documents/requests need to be reviewed and sent Sheldon and the commission members

Adjourn Meeting: 12:00