

Opioid Settlement Advisory Committee

Date: 5/28/2024
Location and Time: 10 - noon
Present: Mark Levine, MD, Caroline Butler, Monica Hutt, Stacey Sigmon, Dane Whitman, Jess Kirby, Madeline Motta, Shawn Burke, Shayne Spence
Absent: Michael Doenges, Heather Stein, MD, Senator Ruth Hardy, Scott Pavek, Deb Wright
Meeting Facilitator and Note Taker: Mark Levine, and Kelly Dougherty

| Meeting Objectives: | | |
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| Agenda Item | Discussion | Next Steps |
| Sarah Russell – Low Barrier Shelter Update | <p>Since the timing was not conducive to receiving opioid settlement funding, Sarah worked out arrangement with DSU for funding from one-time supplemental funds. The pilot project that we implemented over the winter and embedded medical services in low barrier shelter. Nursing staff of CHCB provided nursing support and medical services at the Burlington warming shelter, at the Elmwood community shelter and at the Champlain Inn.</p> <p>We are waiting to see what happens with the shelter system this winter given upcoming changes to the General Assistance housing program.</p> <ul style="list-style-type: none"> Starting July 1, motel lengths of stay will be capped at 80 days. We haven't had caps for quite some time. The average length of homelessness is 274-342 days, so a limit of 80 days is not sufficient. The current capacity of the motel program statewide is around 1700 rooms, which will be reduced to 1100. We will see many people leaving shelter this fall. For well over a decade, during the winter months, the adverse weather conditions policy has provided anyone in need of shelter to access the motel program if there was no room in shelters. This year, that will not be the case. Rather, only those who meet criteria for vulnerable population will be eligible even during adverse weather. | |

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| | <p>One of the biggest barriers to expanding shelter capacity is to respond to those who are actively using substances. Having medical services available is critical. We really need to think about how these medical services can be implemented not just in winter but year-round and beyond Chittenden County.</p> <p>See Presentation Here</p> | |
| <p>Vermont State Ethics Commission presentation on ethics and conflict of interest - Thomas Jones</p> | <p>Professor at University of Connecticut school of public policy. Consults with states on codes of ethics. Also, a member of the Citizens' Ethics Advisory Board in CT.</p> <p>Vermont Ethics Commission was formed in 2017. It has 5 members and is independent and non-partisan. Next year, it will expand to 7 members with the addition of 2 members representing municipalities. Has a skeletal staff, 0.5 FTE Executive Director and 0.5 FTE administrative assistant.</p> <p>The Code of Ethics passed in 2022 so has only been in effect for a year and a half. Some tweaks made this by legislature. The code itself is similar to codes in other states with some provisions identical to other states.</p> <p>Contains a variety of substantive prohibitions if you are a public servant, which does include committee/board members.</p> <ul style="list-style-type: none"> • The first main code provision is "it's the state's stuff" prohibition. Using the state's resources or using your position/authority to take some kind of benefit for yourself personally is prohibited. • The second large provision is prohibition on accepting gifts. There is a blanket rule and then a number of exceptions. • The third area is outside employment. While you are a public servant you cannot take any job or position that is incompatible or in conflict with your state position. When you leave state service, it's one of the rare areas where the code of ethics continues to follow you. You can't in a new position "tear down what you built" when you were in state service. This remains in effect in perpetuity. • Conflicts of interest: there is nothing inherently wrong with the existence of a conflict of interest, it happens all the time. The question is what to do about it | |

when you face it as a public servant. The state is interested in a particular kind of conflict – there must be an interest you have that conflicts with your duties with the state, the interest either benefits you or avoids a loss to you, your family, business associates, etc. If you are not sure if it's a conflict, you should ask. Calling the commission is best practice.

- Prohibition against preferential treatment – even if you aren't directly benefitting,

You also cannot get someone to do something that you can't do. You must comply with all other laws that pertain to your business

Key functions of commission:

- Providing advice – confidential; advice is only as good as the facts you give
- Formal advice through advisory opinion – this is public and posted on Commission's website; usually done if you want cover/protection; can use if you are being asked to do something that you suspect is in conflict.
- Complaints – anyone in VT can file a complaint against a public servant. The Commission receives those and refers to the appropriate agency. There is a threshold review to see if the complaint is even on base. All complaints are confidential. This session the legislature gave the commission investigative powers, which takes effect in September
- Training – required within 120 days of taking state position and required every three years

Recommendations:

- Consider having someone on the committee who is liaison to the ethics commission.
- Strongly encourage you to have a policy on recusals. Have some pre-set rules so that everyone is clear.

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| | <p>A lot of people misconstrue the code of ethics as looking over shoulder or as controlling. The code is the means of the overarching goal of having ethical culture and being thoughtful about ethics matters.</p> <p>Question: People are on committee because of their outside employment. How does that factor in? Answer: Largely focused on what you do <i>after</i> you take the state position.</p> <p>Question: What if you are on a committee of the state and you work for a non-profit and that non-profit is asking for a recommendation? And how does it apply to state employees on committee? Answer: That’s something you want to call the commission on; it gets difficult when talking about business associates because it would be a conflict. Regarding dual state positions – you still want to disclose it but need to think about whether you personally benefit.</p> <p>Dr. Levine: We should as a routine, before we vote on something or engage in intense discussion, make sure there we are addressing recusals – discuss, disclose, recuse. Judge Motta: Transparency needs to happen on all fronts. Like the emphasis that everyone on this committee is a public official.</p> <p>Dane Whitman made a motion to accept the VT Code of Ethics and reviewing it before voting on specific items. Shayne Spence seconded. Unanimous vote of support. No abstentions and no opposition.</p> <p>For more information: Welcome to the Vermont State Ethics Commission Ethics Commission Quick Summary Vermont Code of Ethics_0.pdf</p> | |
| <p>New Portal Status, CT Portal – Kelly and Scott</p> | <p>Scott Pavek was not in attendance so did not get update on CT portal. For Vermont, not a “portal” per se, but rather a draft application process. Kelly emailed the draft process to the group for discussion at our next meeting.</p> | <p>Will discuss at the next meeting.</p> |

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| <p>Brave Co-op – Anti Motion Alarms and Overdose Detection Systems</p> | <p>We are a technology cooperative with a mission to end drug related deaths. We are not a conventional tech company, have a harm reduction philosophy. Each of our products is co-designed with users, providers, and front-line staff. Brave app – downloadable app for those at risk of overdose, connect to service provider or real time support. Brave buttons – for housing settings Brave sensor – reverse motion sensor; stillness sensor. See Presentation Here</p> | |
| <p>Post-legislature session: Decisions regarding the work of OSAC, the future use of settlement funds, and the decisions on use of current funds in the 2025 budget</p> | <p>Did not discuss due to time constraints.</p> | |
| <p>Public Comment</p> | <p>Ed Baker:</p> <ul style="list-style-type: none"> • Allow public comment after each agenda item rather than just at the end. Would allow the committee to hear from the public before they act on certain motions. • Regarding TJ Jones’ presentation on Code of Ethics and idea of recusing oneself from votes - not so if there is a good cause. Someone with a potential conflict can still vote if can demonstrate good cause. We have people on this committee who have lived experience and on the front lines with people dying. Recusing themselves could tip the vote in the other direction. Urge committee to take TJ Jones’ testimony seriously. It’s unjust, unfair, and unethical. • Reach out to OPCs where smoking facilities are incorporated. Make budget modification to allow for smoking room. • It’s my opinion that some sort of motion or understanding that 100% of this committee’s funding should be spent on harm reduction. Spending on anything else is just plain wrong <p>Gina Halpin Barrett:</p> | |

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| | <p>Lost nephew last year to overdose. Once that happened started following the money. Essex Town received \$37k. That money was moved to the police professional services line item and gave funding to Howard for street outreach and then the rest went into general fund. Really need a forum for education to schools/evidence-based forum for prevention. Kids are vaping. Kids can get drugs delivered to them via Snap Chat.</p> | |
| Next Meeting | 6/28/24, 9 – 11 a.m. | |