



John Bel Edwards
Governor

State of Louisiana

OFFICE OF THE GOVERNOR
DRUG POLICY

Kristy Miller
Director, Drug Policy

DRUG POLICY BOARD
January 27, 2022; 10:00 AM - 12:00 PM

MINUTES

Call to Order

Kristy Miller, Director of the Governor's Office of Drug Policy and Chair of the Drug Policy Board, called the meeting to order at 10:04 AM.

Special Announcement

Dr. Chaunda Mitchell welcomed everyone and pointed out that members may have noticed that Kristy called the meeting to order instead of her as is the usual practice for the Chair of the Drug Policy Board. Chaunda announced this happened because, as of November 2021, she was promoted to Director of Community Programs in the Governor's Office, and, as of January 2022, Kristy was promoted to Director of Drug Policy. Thus, Kristy will now serve in the seat reserved for ODP on the Drug Policy Board and will take over as Chair. Chaunda expressed her gratitude to all the members for their hard work and ongoing commitment to the DPB and assured everyone she would continue to support the work of the Board in her new role.

Brief Remarks

With that, Chaunda passed the baton of leadership of the Drug Policy Board to Kristy. Kristy thanked Chaunda and Dr. Adren Wilson, Deputy Chief of Staff, for entrusting her with the responsibility of leading the Office of Drug Policy. She committed to leading with the same level of professionalism as Chaunda and she assured DPB members that she would represent their interests and positions with enthusiasm.

Welcome and Introductions

Kristy moved on to introduce Voting and Of-Counsel members while stakeholders and members of the public were encouraged to type their names in the chat window to denote their attendance. Kristy took a few minutes to made several announcements about members. Particularly, she shared about the passing of Mr. Carl Aron who was the President of the Board of Pharmacy for many years and held the seat designated for that agency. Also, she mentioned that Mr. Barry Robinson, who is the State Training Director for the LA Dept of Veterans Affairs and a long-standing Of-Counsel member had shared his announcement to retire in March. Finally, Kristy briefly introduced Mr. Ed Carlson who is the CEO of Odyssey House Louisiana and was just appointed by Governor Edwards to fill the position

reserved for a private organization specializing in substance abuse prevention. After introductions, she announced that there were 15 members present so quorum was achieved. A list of all members and stakeholders who attended the virtual meeting is included at the end of this document.

Old Business

Review and approve minutes from previous meeting

Kristy asked everyone to refer to the minutes that were emailed prior to the meeting. While doing that, she put the minutes up on the screen. After a moment of silence to review, Kristy asked if there were any edits or amendments to be made. Hearing none, Warren Montgomery, LA District Attorneys Association Representative, made a motion to approve. The Honorable Gerald Boudreaux, Senate Designee, seconded the motion. Vote by voice was made. All who were present agreed with the motion. None disagreed. None abstained.

New Business

A. Second Hearing: Proposed Resolution to oppose marijuana legalization

Kristy provided a brief introduction because this item was discussed once at the previous meeting, but she wanted to ensure those who were not present had some context. Kristy continued to explain that Warren Montgomery representing the LA District Attorneys Association, made a request prior to the October 2021 meeting to add an item to the agenda. At the meeting, he presented a Resolution titled *Resolution to Oppose the Legalization of Marijuana for Recreational Use in Louisiana*. Warren expressed that legislative actions attempted over the past several years, particularly earlier in 2021, he felt it was necessary for the premier legislatively-created board designated to provide guidance to the Governor should take a position on this issue. After some discussion, a motion was offered and seconded to approve the Resolution. A roll call vote was taken and the Resolution failed by a vote of 8 abstentions and 6 yeas. At that time, Mr. Montgomery asked if it was possible to request a second hearing of the Resolution at a future meeting, if he felt inclined to do so. Chaunda Mitchell, then Chair of the DPB, confirmed he could do so.

Kristy went on to explain that, after the October 2021 meeting, Warren secured a meeting with Governor Edwards to discuss the Resolution. At that point, Kristy turned over the explanation to Warren to describe his firsthand account of that conversation. Warren explained that his conversation with the Governor resulted in a statement of support from him regarding the Resolution. He pointed out that Governor Edwards offered one small concern about two words in one line of the Resolution. Upon explanation, Warren expressed his understanding that the edits would not majorly alter the Resolution's intent and further agreed to remove the two words. Malcolm Broussard, Board of Pharmacy Representative, asked for specific information about the edit. Warren asked Kristy to explain. She pointed out that in the fourth "Be It Further Resolved," there was a portion that read, "...afforded to him to retain marijuana's status as a Schedule I Controlled substance..." Kristy explained that Governor Edwards has some concern that retaining the words "Schedule I" may have unintended consequences for the future expansion and implementation of the medical marijuana program. Malcolm agreed that the Governor's edit was fairly insightful and appreciated the explanation.

With that, Warren made some final comments in which he explained that, in addition to Governor Edwards, he was able to present to the Board of Pharmacy and the Louisiana Highway Safety Commissions since the October 2021 meeting. Both boards subsequently took votes to support the Resolution. At that point, Warren stated that he would not read the Resolution aloud as he had done at the previous meeting, unless any member wanted him to do so. No member responded in the affirmative for Warren to read the Resolution. Then, Warren made a motion for the Drug Policy Board to approve the *Resolution to Oppose the Legalization of Marijuana for Recreational Use in Louisiana*. Chris Alderman, Attorney General's Office Representative, seconded the motion. With the motion

seconded, Kristy conducted a roll call vote of members present. The vote tally was 8 yeas and 6 abstentions. With that vote count, the Resolution passed. A breakdown of the votes by member is provided below.

Resolution vote breakdown

- Attorney General's Ofc - Designee voted Yea
- House of Representatives – Appointee voted Yea
- Louisiana District Attorney's Association – Appointee voted Yea
- Louisiana Sheriff's Association – Appointee was absent from meeting
- Alcohol industry – Appointee was absent from meeting
- District Court Judge – Proxy voted Yea
- Dept of Education - Designee abstained
- Dept of Health; Designee voted Yea
- Dept of Public Safety & Corrections - Designee abstained
- LA State Police - Designee abstained
- LA Highway Safety Commission - Designee voted Yea
- LA National Guard - Designee abstained
- Board of Pharmacy - Designee voted Yea
- Indigent defender system – Appointee was absent from meeting
- Governor's Office of Drug Policy - Designee did not register vote
- Commission on Law Enforcement - Designee was absent from meeting
- Office of Alcohol & Tobacco Control – Appointee voted Yea
- Senate – Appointee abstained
- Physician representing the fields of drug treatment or prevention – Appointee was absent from meeting
- Federal agency representing responsibilities in drug treatment or prevention – Appointee abstained
- Dept of Children & Family Services - Seat is vacant
- Commission on Alcohol & Drug Abuse - Seat is vacant because Commission no longer exists
- Private organization – Seat is vacant

B. Presentation: An Introduction to Odyssey House Louisiana

Kristy explained that she briefly mentioned a new member of the Board during Welcome and Introductions and was now pleased to provide an opportunity for Ed Carlson to tell the Board more about himself and the organization he presents, Odyssey House Louisiana. Kristy turned the floor over to Ed who conducted a 12-minute presentation. Slides from this presentation are available upon request.

C. Discussion: Possible legislation for 2022

Kristy stated that, as of the evening prior to the meeting, there were approximately 20 House bills pre-filed and a handful of Senate bills pre-filed, none of which pertained to drug policy. Further, as of yet, Kristy and Chaunda had not been informed of any drug policy-related bills in the Governor's package. With that, Kristy asked members if there were any bills of interest their agencies/organizations were planning to file.

Malcolm Broussard spoke about the efforts that the Board of Pharmacy makes annually to harmonize state controlled substance laws with federal laws to add (or remove) any new Scheduled substances. As always, they will be working with the LSP Crime Lab to ensure accuracy of nomenclature.

Lisa Freeman, Highway Safety Commission Designee, spoke about their efforts to move forward with legislative actions that would ensure that all DWI offenders, whether they are charged with Title 14 statute (state) or municipal level ordinance charges, will be fingerprinted and booked upon arrest so a complete and most accurate database will be formed. Currently, the requirement is that Title 14 offenses be dealt with in that way, but municipal offenses may not be included in this practice. The inaction at local levels can lead to community outrage when a person is finally charged and prosecuted with multiple offenses on their record. Having an accurate database will allow prosecutors to know the full extent of someone's record.

Dr. Janice Williams, LA Department of Health Designee, announced that she will be able to share the list of legislation being put forward by LDH soon. One particular item that will likely see legislative action is a change to the drug paraphernalia law to remove "drug testing materials" from the definition, and, thus would allow for the distribution and possession of fentanyl test strips by drug users. Related to that topic, Dr. Williams suggested that the Drug Policy Board may benefit from a primer on fentanyl test strips, syringe services programs, and other opioid misuse harm reduction strategies at a future meeting.

To close out this conversation, Kristy asked members if they would still like to hold a Special Meeting of the Drug Policy Board during the week of March 6 to receive a preview of drug policy-related bills pre-filed for the 2022 legislative session. Members responded that they would like that so Kristy committed to conducting a Doodle poll to identify a date and time combo during that week most accommodating to people's schedules.

Other Business

- *Office of Drug Policy updates*

Kristy stated that the Office of Drug Policy had no additional updates beyond what was offered at the beginning of the meeting as it related to staff changes.

- *Member agency updates*

Rebecca Chaisson, LSP Crime Lab Designee, reported that for toxicology blood stats, alcohol is still the number one most detected substance followed by marijuana. However, for the first time, rounding out the top three most detected substances was fentanyl with 22% of the samples testing positive. This is a direct correlation with the number of counterfeit pills being seen by the LSPCL.

Shelley Edgerton, Department of Corrections stakeholder, announced that DoC was just awarded \$6 million from the Department of Justice to design and implement a health information exchange network for offenders for substance use disorders. This will allow for medical services facilities to be able to report back to DoC when former offenders are treated for any medical condition, particularly if the condition includes some sort of substance use. This would allow for immediate interventions by parole officers to be able to provide accountability, but also reinforce recovery support services. Shelley said this will be piloted in New Orleans and Baton Rouge. Ed Carlson offered any support that Odyssey House may be able to provide.

Janice Williams, LA Department of Health, mentioned that LDH has started listening sessions with juvenile judges to seek out data to inform how LDH can better support those court programs. Another item she announced is that OBH will be partnering with the LA Board of Regents to conduct a presentation at an international professional development training program to present on their collaboration to fund and implement a statewide coalition of higher education institutions to address collegiate substance misuse behaviors.

Public Comments

There were no public comments provided prior to the meeting. Upon calling for any comments from members of the public on the Zoom session, no comments were offered.

Upcoming Meetings

A list of upcoming meetings for all the board and commissions associated with the Office of Drug Policy was provided.

Adjournment

Kristy announced that there was no additional business to address. With that, Warren Montgomery made a motion to adjourn the meeting. Malcolm Broussard seconded the motion. By a live voice vote, all members approved the motion. The meeting was adjourned at 11:28 am.

MEETING ATTENDEES

VOTING MEMBERS

Member Agency	Appointee/Designee	In Attendance
Alcohol industry representative	Charles "Buddy" Schilling	No
Attorney General's Office	Chris Alderman	Yes
Board of Pharmacy	Malcolm Broussard	Yes
District Court Judge	Melissa Carter (proxy for Scott Schlegel)	Yes
Federal agency with AOD ed/ treatment/prev responsibilities	Vacant	--
Governor's Office of Drug Policy	Kristy Miller	Yes
House member, Committee on Health and Welfare	Representative Bob Owen	Yes
Louisiana Commission on Alcohol and Other Drug Abuse	Vacant/Commission no longer exists	--
Louisiana Commission on Law Enforcement	Linda Gautier	No
Louisiana Department of Children and Family Services	Vacant	--
Louisiana Department of Education	Michael Comeaux	Yes
Louisiana Department of Health	Dr. Janice Williams	Yes
Louisiana Department of Public Safety and Corrections	Blake LeBlanc	Yes
Louisiana District Attorneys Association	Warren Montgomery	Yes
Louisiana Highway Safety Commission	Lisa Freeman	Yes
Louisiana Office of Alcohol & Tobacco Control	Ernest Legier	Yes
Louisiana Public Defenders Board	Remy Starns	No
Louisiana Sheriffs' Association	Shannon Dirmann	No
Louisiana State Police	Rebecca Chaisson	Yes
National Guard	MSgt Amy Thomas (proxy for Major Marshall Snowden)	Yes
Physician	Dr. Joseph Kanter	No
Private organization involved in substance abuse prevention	Edward Carlson	Yes
Senate member, Committee on Health and Welfare	Senator Gerald Boudreaux	Yes

OF-COUNSEL MEMBERS

Member Agency	Appointee/Designee	In Attendance
LA State Board of Medical Examiners	Dr. Vincent Culotta	Yes
LA Department of Veteran's Affairs	Barry Robinson	No
Advisory Council on Heroin and Opioid Prevention and Education	Dr. Jim Hussey	No
Drug Enforcement Administration, NOLA Office	Randy Harness (proxy for Brad Byerley)	Yes
Gulf Coast High Intensity Drug Trafficking Area	Don Petty	No

GUESTS

Chaunda Allen Mitchell, Governor's Office of Programs and Planning
 Leslie Freeman, LDH, Office of Behavioral Health
 Rachel Smith, LDAA
 Shelley Edgerton, DOC
 Lonnie Granier, Odyssey House Louisiana
 Ann Tucker, Odyssey House Louisiana
 Joe Fontenot, Board of Pharmacy