



John Bel Edwards
Governor

State of Louisiana

OFFICE OF THE GOVERNOR
DRUG POLICY

Dr. Chaunda Mitchell
Director, Drug Policy &
Executive Director,
Diversity and Inclusion

Kristy Miller
Project Director

DRUG POLICY BOARD
October 11, 2018; 10:00 AM - 12:00 PM
Louisiana State Capitol Building, 900 N. Third Street, 4th Floor Press Room

MINUTES

Call to Order

Dr. Chaunda Mitchell, Chair of the Drug Policy Board and Director of the Governor's Office of Drug Policy, called the meeting to order at 10:06 am.

Welcome and Introductions

Chaunda welcomed everyone in attendance and announced that there were 14 of 23 voting members in attendance so quorum was reached. Kristy Miller, Governor's Office of Drug Policy, briefly described the contents of the meeting packet which included an updated list of Required and Of-Counsel Members, minutes from the July meeting, A Primer on the Louisiana State Epidemiology Workgroup, the Louisiana Opioid Epidemic Information Sheet, a description of the Louisiana Opioid Data and Surveillance System, A Snapshot of the Alcohol and Drug Impairment in Crash/DWI Blood Samples Analyzed by the LA State Police Crime Lab, outline of the White Paper of Impacts of Marijuana for Louisiana, Suggested Meeting Dates for 2019, and a research article summary titled *Changing Dynamics of the Drug Overdose Epidemic in the United States from 1979-2016*.

Old Business

A. Review and approve minutes

Chaunda called everyone's attention to the minutes from the July meeting. She asked everyone to review and offer any changes or feedback to the document. Upon review, there was no feedback. As a matter of business, Michael Comeaux, LA Department of Education, offered a motion to approve the minutes as written. Dr. John Morrison, LA Department of Corrections, seconded the motion. The group unanimously approved the minutes.

New Business

A. DWI Task Force update

Chaunda asked Lisa Freeman, Chair of the DWI Task Force and Executive Director of the Louisiana Highway Safety Commission, to provide a brief update of the first meeting. Lisa reminded everyone that the Executive Order to re-establish the Task Force was issued earlier this year. After making the appointments, the Task Force held its first meeting on September 5. Lisa stated that the Task Force had quorum for its first meeting which illustrated the interest and commitment from the members. Further, she stated that the Task Force is required to meet twice a year so the group has scheduled a second meeting in November to meet that requirement. Moving forward, the Task Force is looking to meet quarterly to address its many priorities.

As a review, Lisa shared with everyone that the Governor attended the first meeting during which he thanked the members for their service and provided substantive information on his vision for addressing impaired driving. Beyond that, the focus of the first meeting was to receive information which set a framework for the work of the Task Force. To start, Kristy provided a briefing of a report that was published by the Governor's Highway Safety Association on marijuana and opioid impairment while driving. Rebecca Nugent, Louisiana State Police Crime Lab, conducted a presentation on statistics about alcohol and drug impaired driving based on blood samples. Her presentation which focused on state-level data was very enlightening. Some of the priorities for the Task Force moving forward will be to look at evidence-based practices and policies related to impaired driving, coordinate and improve data particularly offense/arrest data, and coordinate alcohol and other drug prevention education in schools and communities. Lisa concluded by announcing that the Task Force will meet its requirement to submit an annual report to the Drug Policy Board.

B. State Epidemiology Workgroup update

a. A Primer

Kristy directed everyone's attention to the 10-page SEW Primer. She explained that it was the desire of the SEW to provide Drug Policy Board with a brief primer on the purpose and membership of the SEW as well as the datasets and most common indicator that are available through SEW member agencies.

Alberto DePuy, Attorney General's Office, expressed his appreciation for providing the SEW Primer, but also stated that he would like to see the SEW develop a report containing high-level data in the areas of prevention, enforcement, and treatment so the Drug Policy Board members can have a better understanding of the current drug issues of concern across the state. In addition, Kristy pointed out that the primer includes a list of data challenges and gaps. The relevance of this list is that the Drug Policy Board members are able to address some of these gaps and challenges.

Included in the SEW primer packet was the Louisiana Opioid Data Information Sheet which was developed by several members of the SEW. Judge Jules Edwards, District Court Judge with the 15th JDC, expressed interested in the opioid data information sheet and asked if the SEW can produce one-pagers on other classifications of drugs. Kristy explained that the DPB could indeed make the request to the SEW for drug-specific data briefs. Judge Edwards followed up by asking if the Drug Policy Board receives an annual report for each class or groupings of drugs. Kristy explained that there was a time when the SEW developed a State Epidemiology Profile every few years which was very large and contained tons of data from all the sources. Judge Edwards clarified that he'd like to see the data drug group comparisons as a one-pager as well. Lisa interjected that Rebecca's presentation includes the top ten drugs that are found in blood samples when a person is suspected of a DWI. Rebecca added that OPH, through Lily Tyndall Snow who is the SEW co-chair is the NFLIS database. The NFLIS database systematically collects drug chemistry analysis results and other related information from cases analyzed by State, local, and Federal forensic laboratories. These laboratories analyze substances secured in law enforcement operations across the country. NFLIS-Drug offers a valuable resource for monitoring illegal drug abuse and trafficking, including the diversion of legally manufactured pharmaceutical drugs into illegal markets. NFLIS-Drug data are used to support drug regulatory and scheduling efforts and to inform drug policy and drug enforcement initiatives nationally and in local communities. Once you have a logon, you can query down to the parish level for seized drugs. The LSP Crime Lab only analyzes approximately 28% of the drugs seized in the state because there are seven other local labs that can be used by law enforcement. Plus, the DEA sends seized drugs to their own labs. All of the labs except New Orleans and St. Tammany report to that database. It is a great resource and now there are two

individuals in our sphere – Rebecca and Lily – who have access. Perhaps, we can reflect that information in our data briefs.

Rebecca went on to share that they are starting a NFLIS for toxicology results, too. It will be similar to NFLIS-Drugs, but they will have forensic toxicologists scrub the data so they can say what are these drugs mean in these blood samples. They will be able to tie them to overdose deaths, motor vehicle deaths, other types of deaths.

Alberto DePuy, Attorney General's Office, expressed his desire to see an annual report as well. He shared that he is on the State Epidemiology Workgroup so he is familiar with all the data available, and thinks the Drug Policy Board could benefit greatly from having access to an annual report. He doesn't want anything huge; rather, he sees a high-level report with 4 or 5 pages to support decision making. The report could help the DPB to step back and see the big picture. He stated that he sees three major areas to look at: prevention, enforcement, and treatment. Enforcement portion would be the DA and judge level; prevention would include education so some LDH and also DOE efforts; and, finally, treatment would have overdose and disorders data. This could help set the agenda for the Drug Policy Board.

Dr. Leslie Freeman, Office of Behavioral Health, suggested that some of the reports may need to divide out certain drugs of major interest within the classifications. For example, a report on depressants may want to cull out opiates and alcohol separately from other depressants.

For clarification, Jay Dixon, Public Defenders Board, asked if the data can be broken down by race. Leslie explained that she is pretty familiar with most of the data sets and can confirm that many do, but not all of them. Jay said it would be helpful to know that because we know some minority groups are disproportionately targeted for drug offenses. Does the data reveal those drug issues are as big of problems for the races that are represented in prisons?

Kristy pointed out the document in the SEW packet that announces the Louisiana Opioid Data and Surveillance System. The document included a short description of the system. It is a web-based portal where data can be presented as maps, charts, and graphs. The long-term goal is to populate with data also related to other substances.

b. Data presentation by Rebecca Nugent, LSP Crime Lab

Rebecca conducted a presentation titled *A Snapshot of the Alcohol and Drug Impairment in Crash/DWI Blood Samples Analyzed by the LA State Police Crime Lab*. The meeting packet includes a one-page document with highlights from Rebecca's presentation. Dr. John Morrison, Department of Corrections, asked about synthetic cannabinoids and how to test for them. Rebecca explained that her staff can identify the "backbone" chemical compositions of new synthetics and then calibrate their system to read for them in their toxicology panels. They usually test for the top 25 "backbone" chemical compositions.

C. White paper on impact of marijuana in Louisiana

This is a project of the Prevention Systems Committee, a subcommittee of the Drug Policy Board, which deals with strengthening the prevention systems across the state as it relates implementing and/or promoting the implementation of evidence-based strategies. Kristy reminded everyone that, at the last Drug Policy Board meeting, Kristy offered a proposal on behalf of the PSC Co-Chairs, Cathy Childers and Dr. Murrelle Harrison, in which the PSC would develop an issue brief on the impact of marijuana legalization, decriminalization, and medical use within the state of Louisiana. The idea is that the brief would inform the Drug Policy Board in a non-partisan, balanced way about marijuana in the event that the DPB was asked to and/or wanted to take a position of the issue. The DPB was unable to formally approve the proposal

due to a loss of quorum by the time the topic was addressed. Members agreed to put the topic on the next meeting agenda; and, in the meantime, requested the development of an outline to be presented along with the concept proposal. Kristy stated that an outline and the original proposal were included in the meeting packet. She asked for feedback from the members.

Ernest Legier, Office of Alcohol and Tobacco Control, brought up the issue of CBD products. As the ATC, his agency licensed tobacco vendors. When they conduct checks on these vendors, they are advising them that they cannot carry products that contain CBD because they have interpreted the controlled substance act to still regulate CBD as an illegal product. Meanwhile, there are outlets immediately across from the ATC licensed vendors that are carrying CBD products, and not getting checked because they don't carry tobacco or alcohol so they aren't under ATC's jurisdiction. It would be helpful for the issue brief to address CBD so we can align state systems.

Dr. Vincent Culotta, Louisiana State Board of Medical Examiners, reminded everyone that there are thirty-one states that have medical marijuana and all have different ways of dispensing. In Dr. Culotta's opinion, we are the only state that is treating marijuana as a drug. CBD products being sold as nutritional supplements and different health aids, but they aren't regulated by anyone. We need to be sure that we make a distinction between "medical grade CBD" and non-regulated CBD products. Dr. Culotta suggests developing clear definitions for certain terms and apply the information to that for consideration in our paper.

Rebecca provided that Epidiolex has been approved by the FDA which is the first drug comprised of an active ingredient derived from marijuana to treat rare, severe forms of epilepsy. When this happened, Epidiolex was removed from Schedule I.

Dr. Culotta talked about LSBME is taking every precaution to treat medical marijuana as much like a drug as any other prescribed substance. One issue that Dr. Culotta would like to make the DPB aware of is that LSBME is planning to go to the legislature and request \$50,000 to establish an adverse reporting system where a physician can report that a patient took "xyz" medicine derived from marijuana for "this reason" and had an adverse effect. Additionally, LSBME will advocate for the development of a separate system that will capture outcomes data. This will allow them to put in condition/diagnosis, dosage, frequency, and other indicators along with results information about whether it worked or not. This system will allow for evaluation of impact on conditions and could inform whether conditions are removed from the list. The goal is that LSBME would be the keeper of the data and only legitimate researchers could access data without patient identifiers. Finally, Dr. Culotta explained that there are chronic pain treatment rules that are very rigid about visits to the doctor, dosage, monitoring, PMP data input and checking, etc. and LSBME is going to recommend that all patients who are recommended for medical marijuana for chronic pain would also be included in the chronic pain treatment protocol.

One addition is that any physician that wants to be qualified for recommending marijuana must go through a training that describes how to recommend medical marijuana.

Dr. Culotta brought up an issue that doesn't seem to be relevant to LSBME, but is of interest to him. The issue is about providing exemptions for medical marijuana use under the Americans with Disabilities Act. For example, how does ADA address using a federally illegal substance even when it's legal to use in a state. No one knows. One state, Massachusetts perhaps, issued a state law about how to deal with ADA to coincide with their medical marijuana law, but LA didn't.

Dr. Janice Petersen, Office of Behavioral Health, requested the change of the name from “white paper” to “position paper.” Kristy explained that the PSC only felt comfortable changing the name from “white paper” to “issue brief” as it is not their role to take formal positions on issues. However, she felt that, once the DPB accepted the issue brief, it could be their decision to take a position and, thus, add to the paper a set of recommendations. At that time, it would be appropriate to change the name to “position paper.”

Based on the robust discussion, Kristy asked if the Board wanted the PSC to move forward with the development of the paper. Judge Edwards made a motion for the Drug Policy Board to accept the proposal and appoint the PSC to develop an issue brief. Ernest seconded the motion. The group approved unanimously.

D. Laws and policies agenda for 2019

In the interest of time, we agreed to table this issue for next week. Members were asked to email with any information about agency/organization bills that are expected to be put forth in the 2019 legislative session.

Other Business

A. Dates for 2019 meetings

Chaunda pointed out the 2019 meeting schedule is in the packet.

B. Agency updates

No updates were offered.

C. Research article: *Changing dynamics of the drug overdose epidemic in the United States from 1979 through 2016*

Chaunda pointed out that the packet includes an interesting research article for your consideration.

Upcoming Meetings

A list of the boards and councils of the Drug Policy Board along with the dates and times of their next meetings was included.

Adjournment

A motion was made by Judge Edwards at 12:00 PM to adjourn the meeting. Alfreda seconded the motion.

VOTING MEMBERS

Member Agency	Appointee/Designee	In Attendance
Alcohol industry representative	Buddy Schilling	
Attorney General's Office	Alberto DePuy	Yes
Board of Pharmacy	Carl Aron	
District Court Judge	Judge Jules Edwards	Yes
Federal agency with AOD ed/treatment/prev responsibilities	Brad Byerley	Yes
Governor's Office of Drug Policy	Dr. Chaunda Mitchell	Yes
House member, Committee on Health and Welfare	Representative Dodie Horton	Yes
Louisiana Commission on Alcohol and Other Drug Abuse	Vacant	
Louisiana Commission on Law Enforcement	Linda Gautier	Yes
Louisiana Department of Children and Family Services	Alfreda Tillman Bester	Yes
Louisiana Department of Education	Michael Comeaux	Yes
Louisiana Department of Health	Dr. Janice Petersen	Yes
Louisiana Department of Public Safety and Corrections	Dr. John Morrison	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	Jay Dixon	Yes
Louisiana Sheriffs' Association	Shannon Dirman	
Louisiana State Police	Rebecca Nugent	Yes
National Guard	Major Marshall Snowden	
Physician	Dr. Joseph Kanter	
Private organization involved in substance abuse prevention	Vacant	
Senate member, Committee on Health and Welfare	Senator Yvonne Colomb	

OF-COUNSEL MEMBERS

Member Agency	Appointee/Designee	In Attendance
LA State Board of Medical Examiners	Dr. Vincent Culotta	Yes

STAFF

Kristy Miller, Governor's Office of Drug Policy

GUESTS

Dortha Cummins, Louisiana Highway Safety Commission

Cathy Childers, Louisiana Highway Safety Commission

Jolan Jolivet, Governor's Office

Evan Alvarez, Governor's Office

Dr. Leslie Freeman, Office of Behavioral Health