



# Opioid Abatement Council Meeting

March 18, 2024

9:00am – 1:00pm ET

Farragut Community Center

Assembly Hall

Farragut, TN

# Opioid Abatement Council Meeting

- Thank you for joining the Council meeting
- We are recording the meeting
- The meeting will begin at 9:00ET

## Attending Virtually?

- If you are **Guest**, please turn off your camera and mute yourself
- If you are a **Council member**, please leave your camera on and mute yourself

# Introductions & Gratitude

- **Dr. Stephen Loyd** – Chair, Opioid Abatement Council
- **Marie Williams** – Commissioner, Tennessee Department of Mental Health and Substance Abuse Services

# Review & Approval of Minutes

- Dr. Stephen Loyd

## **Minutes from:**

- October 2, 2024
- December 14, 2023
- February 8, 2024
- February 22, 2024

# Our Why -



The logo consists of a red square containing the white letters 'TN' in a serif font. Below the red square is a thin white horizontal line, and below that is a dark blue horizontal bar. A small registered trademark symbol (®) is located at the bottom right corner of the dark blue bar.

**TN**

**Conflict of Interest**

# Conflict of Interest

## TENNESSEE OPIOID ABATEMENT COUNCIL CONFLICT OF INTEREST STATEMENT

Effective: November 14, 2022  
Last Amended: November 14, 2022  
Prepared by: TDMHSAS General Counsel's Office

### 1. Purpose

The purpose of this statement is to establish the duties and responsibilities of the Tennessee Opioid Abatement Council members as it relates to conflicts of interest or the appearance of a conflict of interest. This statement applies to all Opioid Abatement Council members.

For the purposes of this statement, the following terms shall have the meanings described herein below:

"Conflict of interest" means a real or seemingly incompatibility between a council member's duties to the Opioid Abatement Council and his/her private interests.

"Council member" means any member of the Opioid Abatement Council appointed pursuant to Tenn. Code Ann. § 33-11-103.

"Opioid Abatement Fund" means the fund created by Tenn. Code Ann. § 9-4-1301. The Council is responsible for directing the disbursement of funds held in the Opioid Abatement Fund.

"Opioid Abatement Council" also referred to as "the Council" means the council created by Tenn. Code Ann. § 33-11-103.

"Immediate Family" means spouse or minor child living with the Council member.

### 2. Scope

Each council member shall avoid any action, whether specifically prohibited by statute, regulation, or this statement, which might result in or create the appearance of:

- i. Using their Council position for private gain;
- ii. Giving preferential treatment to any person;
- iii. Impeding the Council's efficiency or economy;
- iv. Losing complete independence or impartiality;
- v. Making a Council decision outside of official channels; or
- vi. Affecting adversely the confidence of the public in the integrity of the Council.

The following are considered potential conflicts of interest for a council member. This list is not exhaustive.

- a) Use, disclose, or allow the use of official information, which was obtained through or in connection with his or her appointment to the respective council and which has not been made available to the general public, for the purpose of furthering the private interest or personal profit of any person, including the council member.
- b) Rendering any service for pay to an individual or entity that contracts with or receives any funds from the Opioid Abatement Fund.
- c) Serving on a board of directors, advisory board or acting as an unpaid consultant to any individual or entity that contracts with or receives funds from the Opioid Abatement Fund.
- d) Having a direct or indirect interest in any contract or agreement involving the disbursement of funds held in the Opioid Abatement Fund. This includes, but is not limited to, other persons, businesses, or organizations with whom the council member or any member of his or her immediate family has an interest in.
- e) Soliciting or accepting gratuities, favors or anything of monetary value or for future reward or compensation from any individual or entity that contracts with or receives any funds from the Opioid Abatement Fund.

### 3. Procedure/Responsibility

Each council member will avoid all known conflicts of interest, and to the extent he or she becomes aware of a conflict of interest in connection with any matter brought before the council on which he or she serves, he or she will disclose such conflict to the Opioid Abatement Council Chair and will further recuse himself or herself from participating in any consideration of the matter. If the Chair has a conflict of interest, he or she will disclose such conflict to the Executive Director of the Council and will recuse himself or herself from participating in any consideration of the matter.

While serving on the Opioid Abatement Council, the council member will not place the interests of individuals in his or her immediate family, individuals employed by him or her, or his or her organization, services provided by him or her, or his or her organization above the interests of the Council.

Each council member must abide by this statement and must use their best judgment in determining whether a conflict of interest or the appearance of a conflict of interest exists. Failure to do so may subject the member to removal from the Council.

Each council member shall read and sign the "Opioid Abatement Council Conflict of Interest Attestation" which will be maintained by the Council for the duration of the council member's term.

When a council member is in doubt as to the proper interpretation of this conflict of interest statement, he or she must immediately seek the advice of the Council Chair or the Executive Director of the Council.

## CONFLICT OF INTEREST ATTESTATION

As a current member of the Opioid Abatement Council ("the Council"), I hereby affirm that I have read and understand the Tennessee Opioid Abatement Council Conflict of Interest Statement. I hereby certify that I know of no circumstance related to my duties respecting the Council that might result in or create the appearance of any of the conditions described in this statement. Should a conflict arise in the future, I will immediately notify the Council Chair or Executive Director of the Council.

\_\_\_\_\_  
Council Member Signature

\_\_\_\_\_  
Date

Print Name: \_\_\_\_\_



# Application Scoring and COI

- Each OAC member or staff submitted a list of Conflicts of Interest





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# Fiscal Update

# Opioid Abatement Trust Fund

- Each meeting, the OAC Office will share the current monthly Opioid Abatement Trust Fund Statement
- Please note that the information is current to date the statement was created

# January Opioid Abatement Trust Fund Balance

Description	Cash
McKinsey Deposit 3.31.2021	12,613,210.59
McKinsey Deposit 4.19.2022	651,080.54
Distributor Settlement 8.12.2022 - AmerisourceBergen Drug Corp., McKesson Corp., Cardinal Health, Inc. and AmerisourceBergen Corp.	14,914,621.88
Distributor Settlement 10.17.2022 - AmerisourceBergen Drug Corp., McKesson Corp., Cardinal Health, Inc. and AmerisourceBergen Corp.	15,674,540.42
Distributor Settlement 11.22.2022 - Janssen	59,709,854.06
Distributor Settlement 2.09.2023 - Mallinckrodt	4,112,865.67
McKinsey Deposit 4.03.2023	651,080.54
Distributor Settlement 8.16.23 - AmerisourceBergen Drug Corp., McKesson Corp., Cardinal Health, Inc. and AmerisourceBergen Corp.	15,674,540.42
Distributor Settlement 11.09.23 - Mallinckrodt	4,838,665.50
FY 22 Interest Earned	27,134.50
FY 23 Interest Earned	2,847,782.95
County Distributions	(31,425,152.77)
Departmental Expenditures Reimbursed by Opioid Abatement Fund	(558,856.21)
<b>Totals</b>	<b>99,731,368.09</b>

Equity in Treasurer Cash	99,731,368.09
Accounts Payable to Counties	0.00
Opioid Abatement_LIAB	0.00
33918 Departmental Expenses Not Reimbursed by Opioid Abatement Fund	(87,974.64)
<b>Net Cash Available</b>	<b>99,643,393.45</b>

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Community Grants

# National Opioid Settlement Funds



Tennessee will receive \$1.1 billion over 18 years

Welcome to Tennessee



15%

15%

70%



TN

Tennessee State Government

TN

Opioid Abatement Council

35%

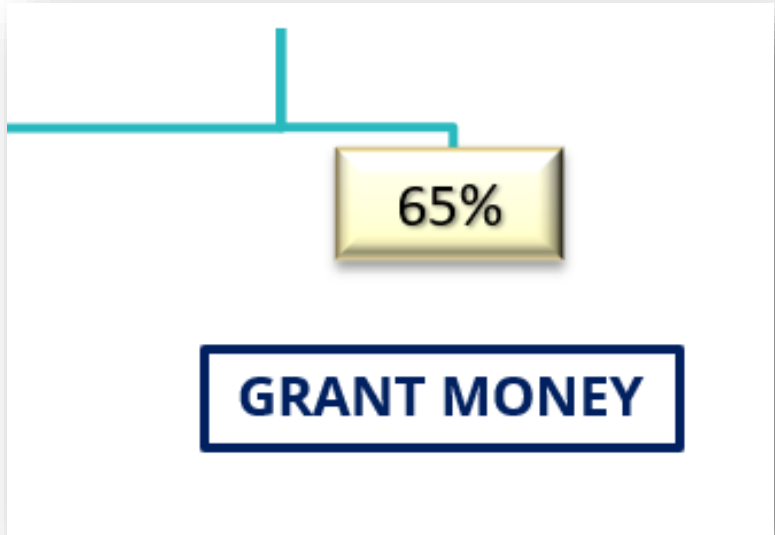
65%



GRANT MONEY

Must use the Remediation List

# Community Grants



# Title 33, Chapter 11

## **T.C.A. 33-11-103(p)**

- The council shall disburse the remaining sixty-five percent (65%) of such proceeds for statewide, regional, or local opioid abatement and remediation purposes pursuant to § 33-11-105.

# Community Grants Timeline

Date	Task
July 15, 2023	Announcement of Funding posted
September 1, 2023	Application Portal opened
October 16, 2023	Application Portal closed
October 16, 2023	OAC Deputy Director began work
October 23, 2023	Qualification reviews started
November 27, 2023	Grants Analysts (2) began work
December 15, 2023	Applications scoring started
February 22, 2024	2024 Budget was approved
February 28, 2024	Application scoring completed



# Community Grant Application Process

396 applications were submitted for a Community Grant

- 63 applications were sent back to the Proposers for revisions requested (license, recovery housing, certificate of existence)  
- 10 Proposers didn't reply after 3 emails requesting additional information

386 applications moved to the scoring phase

The OAC Office creates a process to present eligible applications to the OAC for funding consideration

# SmartSimple Dashboard

## APPLICATIONS

0

Submitted

0

Qualification Review

0

Remediation Review

0

Application Review

0

Revisions Requested

0

Clinical Review

386

OAC Scoring

0

OAC Council

0

Certification

0

Approved

0

Declined

10

Timed Out

0

Withdrawn

79

Cancelled

# Funding Requested By Strategy

Strategy	Number of Applications	Funding Amount
Primary Prevention	61	\$84,249,855.14
Harm Reduction	25	\$38,514,397.45
Treatment	116	\$349,348,935.77
Recovery Support	139	\$164,160,020.08
Education & Training	40	\$85,030,735.53
Research & Evaluation	5	\$4,373,348.00

386 scored applications total = **\$725,677,291.97**

# Total Funding Requested

<b>Community Grant Requests</b>	<b>Number of Applications</b>	<b>Total Funding Requested</b>
<b>1-year</b>	<b>75</b>	<b>\$83,739,682.98</b>
<b>2-years</b>	<b>33</b>	<b>\$42,636,994.22</b>
<b>3-years</b>	<b>278</b>	<b>\$599,300,614.77</b>

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# Scoring Process

# Review and Scoring Process

Applied  
Conflicts of  
Interest

Randomized  
assignments

Applications  
assigned via  
SmartSimple

All reviewing  
and scoring  
within  
SmartSimple

# Randomization Process

- The Opioid Abatement Council Office used a randomization process to assign applications to Council members for scoring. This process was used to prevent any selection bias and ensured against any accidental bias.
- Any applications which were assigned to Council members for scoring which had a conflict-of-interest were returned to the randomization list and reassigned to a different Council member.

# Reviewing and Scoring Applications

- Recognition and thanks to the OAC Members for scoring all the Community Grant applications
  - They each scored 27-29 applications
- Elizabeth & Mary provided training and technical assistance to the OAC Members
- The Grants Analysts, David & Mark scored 194 & 195 applications
- Deputy Director Sej scored 383 applications (excluding those with a COI)



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# Determining Eligible Applications

# Total Funding Approved

On February 22, 2024, the Opioid Abatement Council approved the 2024 Community Grant budget of **\$81,000,000**.

Strategy	Defined Percentage	Funding Amount
Primary Prevention	15%	\$12,150,000
Harm Reduction	10%	\$8,100,000
Treatment	40%	\$32,400,000
Recovery Support	20%	\$16,200,000
Education & Training	10%	\$8,100,000
Research & Evaluation	5%	\$4,050,000
Total:	100%	\$81,000,000

# Approved 2024 & Proposed 7-year budgets

OAC Estimated 7 year Community Grants Budget (proposed)											sw 2.21.24
Calendar Year	Carry Forward from previous year	Est. Additional Funds Made Available to Fund*	Total Funds Available	Est. New Annual Awards (1-3yrs)	Est. Paid (Community)	Est. Reserve Balance (pre-admin)	Est. Administrative**	SAS (est.)	Total Est. Admin	Est. Net Reserve	
<i>current 2024</i>		\$90,731,368				\$90,731,368				\$90,731,368	
<b>2024</b>	<b>\$90,731,368</b>	\$59,968,962	\$150,700,330	<b>\$81,000,000</b>	\$40,500,000	\$110,200,330	\$1,200,000	\$1,465,805	\$2,665,805	<b>\$107,534,525</b>	
2025	<b>\$107,534,525</b>	\$29,998,744	\$137,533,269	\$16,000,000	\$72,800,000	\$64,733,269	\$1,248,000	\$446,000	\$1,694,000	<b>\$63,039,269</b>	
2026	<b>\$63,039,269</b>	\$35,253,709	\$98,292,978	\$6,000,000	\$72,500,000	\$25,792,978	\$1,297,920	\$363,000	\$1,660,920	<b>\$24,132,058</b>	
2027	\$24,132,058	\$35,253,709	\$59,385,767	\$5,000,000	\$46,850,000	\$12,535,767	\$1,349,837	\$363,000	\$1,712,837	<b>\$10,822,930</b>	
2028	\$10,822,930	\$37,499,649	\$48,322,579	\$25,000,000	\$26,300,000	\$22,022,579	\$1,403,830	\$363,000	\$1,766,830	\$20,255,749	
2029	\$20,255,749	\$38,034,396	\$58,290,145	\$20,000,000	\$35,600,000	\$22,690,145	\$1,459,983	\$363,000	\$1,822,983	\$20,867,161	
2030	\$20,867,161	\$31,989,717	\$52,856,878	\$10,000,000	\$40,250,000	\$12,606,878	\$1,518,383	\$363,000	\$1,881,383	\$10,725,496	
<b>Total (7 year)</b>		<b>\$ 358,730,254</b>		<b>\$ 163,000,000</b>	<b>\$334,800,000</b>		<b>\$9,477,953</b>	<b>\$3,726,805</b>	<b>\$13,204,758</b>		
										<b>2.5% admin costs based on (2024-2030) est. community and county payments</b>	



# Community Grant Selection Process

During Opioid Abatement Council meetings, the members discussed and voted on various elements which were deemed important when determining eligible Community Grant applications.

Applications which meet the needs of the community (TDMHSAS Needs Assessment), and which represent all of Tennessee were also determined to be important to the selection process.

The list of requirements which were incorporated into the selection process:

- passing score (66.67)
  - Range of average scores: 36.39 – 92.11 (255 applications received a passing score)
- six strategies and corresponding defined percentages
- geography (grand divisions)
- recovery housing
- small cap/ medium cap/ large cap agency budgets
- cap of 8% on funding capital projects - \$6,480,000
- timeframes for requested grants (1-year, 2-years, 3-years)
- TDMHSAS Needs Assessment (housing, transportation, detox and treatment)
- innovation
- collaboration

# Proposed Methodology for Selecting Grantees

- All scored applications were grouped by primary strategy
- The applications were ranked from highest scoring to lowest scoring within each strategy grouping
- Applications were determined eligible for funding based on funds allocated for each strategy

# Proposed Methodology for Selecting Grantees

- The OAC Office met with each OAC Member individually to review the proposal and seek feedback
- The OAC Members reviewed the slates of applications
- Several options were offered to show serving broader demographics and varying agency sizes

# Review all Community Grant Applications

- Show the Excel Workbook to review the Slates in detail

# Proposed Community Grant Application Slates

## Education & Training

- 12 Grant Awards (total 25 passing scores)
- \$8,173,701.27 or 10.09% of total funding
- \$0 Capital Funding

## Harm Reduction

- 3 Grant Awards OR 16 Grant Awards (total 18 passing scores)
- \$8,199,795 (10.12% total funding) or \$8,061,539.48 (9.95% total funding)
- \$0 Capital Funding or \$1,046,955

## Primary Prevention

- 25 Grant Awards (total 37 passing scores)
- \$12,201,836.50 or 15.06% of total funding
- \$107,708 Capital Funding

## Recovery Support

- 25 Grant Awards (total 95 passing scores)
- \$15,815,935.85 or 19.53% of total funding
- \$4,017,900 Capital Funding (10 Awards include Recovery Housing)

## Treatment

- 30 Grant Awards (total 76 passing scores)
- \$32,775,972 or 40.46% of total funding
- \$590,025 Capital Funding

## Research & Evaluation

- 4 Grant Awards OR 3 Grant Awards (total 4 passing scores)
- \$1,426,662 (1.75% of total funding) or \$752,508 (.93% of total funding)
- \$0 Capital Funding



# Overview of the Proposed Application Slates

Option #1								*see unallocated tab		
Strategy	Percentage	Year 1	# Awards	Year 2	# Awards	Year 3	# Awards	Unallocated \$	# COI	Statewide
<b>Education/Training:</b>	10.09%	\$8,173,701.27	12	\$5,179,149.73	11	\$4,811,920.12	9		2	5
<b>Harm Reduction:</b>	10.12%	\$8,199,795.00	3	\$699,561.00	2	\$512,300.00	1		0	1
<b>Primary Prevention:</b>	15.06%	\$12,201,836.50	25	\$11,884,295.00	20	\$10,704,773.00	18		7	4
<b>Recovery Support:</b>	19.53%	\$15,815,935.85	25	\$13,505,446	22	\$12,982,365.16	20		3	6
<b>Research:</b>	1.76%	\$1,426,662.00	4	\$1,336,502.00	4	\$1,360,359.00	4	\$2,623,338.00	0	4
<b>Treatment:</b>	40.46%	\$32,775,972.32	30	\$33,294,260.00	27	\$37,288,983.00	27		7	8
<b>Totals:</b>	<b>97.03%</b>	<b>\$78,593,902.94</b>	<b>99</b>	<b>\$65,899,213.73</b>	<b>86</b>	<b>\$67,660,700.28</b>	<b>79</b>		<b>19</b>	<b>28</b>

Option #2										
Strategy	Percentage	Year 1	# Awards	Year 2	# Awards	Year 3	# Awards	Unallocated \$	# COI	Statewide
<b>Education/Training:</b>	10.09%	\$8,173,701.27	12	\$5,179,150.00	11	\$4,811,920.00	9		2	5
<b>Harm Reduction:</b>	9.95%	\$8,061,539.48	16	\$7,116,836.91	15	\$6,959,699	13		2	3
<b>Primary Prevention:</b>	15.06%	\$12,201,836.50	25	\$11,884,295.00	20	\$10,704,773.00	18		7	4
<b>Recovery Support:</b>	19.53%	\$15,815,935.85	25	\$13,505,446.00	22	\$12,982,365.16	20		3	6
<b>Research:</b>	0.93%	\$752,508.00	3	\$646,715.00	3	\$656,399.00	0	\$3,297,492.00	0	3
<b>Treatment:</b>	42.14%	\$32,775,972	30	\$36,711,056.35	29	\$40,748,999.72	29		7	8
<b>Totals:</b>	<b>97.70%</b>	<b>\$77,781,493.10</b>	<b>111</b>	<b>\$75,043,499.26</b>	<b>100</b>	<b>\$76,864,155.45</b>	<b>89</b>		<b>21</b>	<b>29</b>

\*Unallocated funds from Research & Evaluation, as the application funding requests didn't equal all allocated funds



# Overview of the Agency Sizes

<b>Proposed Community Grant Awards by Agency Size</b>			
	<b>Small Annual Operating Budget</b>	<b>Medium Annual Operating Budget</b>	<b>Large Annual Operating Budget</b>
	< \$1.0mil	\$1.0mil - \$20mil	\$20mil +
Education & Training	16.67%	33.33%	50.00%
Harm Reduction Option #1	0.00%	0.00%	100.00%
Harm Reduction Option #2	31.25%	31.25%	37.50%
Primary Prevention	32.00%	52.00%	16.00%
Recovery Support	8.00%	44.00%	48.00%
Research Option #1	0.00%	0.00%	100.00%
Research Option #2	0.00%	0.00%	100.00%
Treatment #1	16.67%	33.33%	50.00%
Treatment #2	15.63%	37.50%	46.89%

# Charge from AG Slattery from July 2022

- Earmark
  - Litigation and settlement; the funds will be used to solve the problem
- Opportunity
  - Begin with the end in mind. (S. Covey)
  - Set up a structure and system which lasts for decades
- Accountability
  - Fiscal responsibility
  - Measuring success
  - This is the most important board Council Members will serve on

# Total Funding Approved

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# Community Grant Application Slates

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# Discussion & Decision Point

- Do we have a motion for approving one for the proposed Community Grant slates?

**Motion  
&  
Council Vote**

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Next Steps... if  
approved

# Community Grants Next Steps

- Develop Grantee contract
- Contracting with Grantees
- Upload information into Edison to initiate Grantee payments
- Design fiscal and program monitoring plans
- Hire fiscal monitors
- Create Grantees' individual outcome measures (SAS will assist)
- Provide Technical Assistance to Grantees to ensure compliance with contract and monitoring plans



# Approvals from Opioid Abatement Council

- The OAC Office anticipates requesting the OAC approval on the process and documents associated with the next steps within **30 days** of today's meeting
- The OAC Office is currently drafting the documents
- The OAC Office will work with the OAC Chair to schedule the next meeting

# Target Date for First Payments

- The OAC Office is targeting **July 2024** for the first payments to the Grantees
- This is dependent upon completing all the required contracting and fiscal steps
- No payments will be disbursed to a Grantee until the agency contract is signed and executed

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# Vendor Meeting Requests

# Vendor Meeting Requests with Executive Director

- Outside companies and vendors request individual meetings with the Executive Director on a frequent and regular basis
- The ED is currently not accepting meetings as the OAC is in an open procurement phase
- The ED seeking guidance from the OAC:
  - Does the OAC wish for the ED to meet with outside parties and/or vendors?
  - What value or output does the OAC wish to gain from these meetings with outside parties and/or vendors?

# Discussion & Decision Point

- Does the OAC have a preference or recommendation for vendor meetings with the Executive Director?

**Motion  
&  
Council Vote**



TN

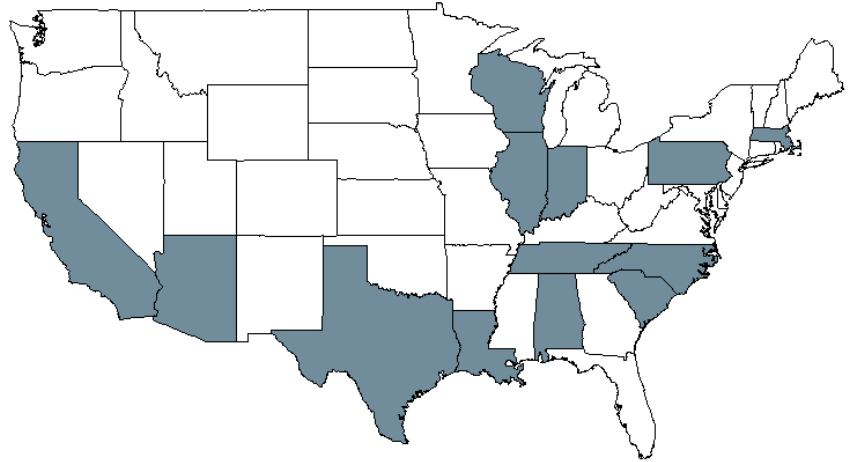
Hoover Institution

# Request from Executive Director

- The Executive Director is requesting approval to engage in discussions with the Hoover Institution to develop a Memorandum of Understanding for research efforts
- Dr. Bolotnyy contacted the Tennessee Governor's Office, who contacted the OAC ED
- The ED spoke with Dr. Bolotnyy a couple of times to learn more about him and his proposed project
- The ED believes this project will bring value to the community behavioral health providers, the OAC and to Tennessee

# Stanford's Hoover Institution: State and Local Governance Initiative (SLGI)

- Hoover Institution has a long tradition of research and policy work that is relevant for policymakers **across the country**
- SLGI model: mutually beneficial, collaborative state and local partnerships
  - State agencies inform the questions we study and share data
  - We conduct independent, non-partisan analyses
  - We publish analyses in high-quality academic journals and share lessons learned with officials





# Proposal for Partnership with Tennessee's Opioid Abatement Council

- We propose a Memorandum of Understanding (MOU) between researchers at the Hoover Institution and the Opioid Abatement Council.
  - Would allow the researchers to work with the Council to determine which grants to evaluate and to facilitate data sharing arrangements for such evaluations.
  - Hoover Research Team Lead: Valentin Bolotnyy, Kleinheinz Fellow.
    - PhD in Economics (Harvard).
    - 10 years of research experience on mental health-related questions, including on involuntary hospitalization and medication adherence.
    - Existing researcher partners include Allegheny County (PA) Department of Human Services, Texas Department of Public Safety, Massachusetts Department of Transportation.



# Partnership Value

We believe such a partnership will be **mutually beneficial**:

- High-quality research will provide lessons on what works and what is not cost-effective, helping inform future policy decisions;
- Researchers will serve as independent evaluators (research will be free of charge), ensuring the analyses and recommendations are credible;
- Academic publication will disseminate knowledge across academia and policymakers nationwide;
- Stanford IRB approval would be obtained and all data security and privacy measures taken before starting work.



# Overview of Hoover Institution Request

- Hoover did not submit an application via Community Grant application
- Hoover Institution is not requesting funding
- This is for research on outcomes
- Hoover will work with individual Grantee and/or SAS
- SAS is collecting data but not doing evaluation

# Discussion & Decision Point

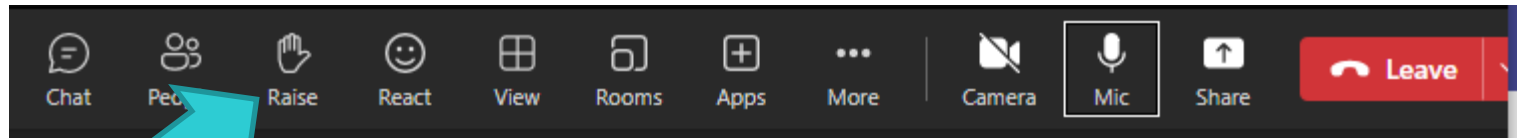
- Does the Council approve the Executive Director engaging with the Hoover Institute to develop a MOU?

**Motion  
&  
Council Vote**

# Public Comment

The Opioid Abatement Council shall reserve a period for public comment to provide the public with the opportunity to comment on matters that are relevant to the items on the agenda for the meeting. At the appropriate time, the Chair will open the meeting for public comment. Guests attending in-person shall make their intent to speak known and the Chair will recognize the individual.

**In-Person:** please raise your hand



**Virtual:** please click the “**raise your hand**” icon located on the top menu bar (3<sup>rd</sup> from the left)