MINUTES

Budget Advisory Committee, Alcohol and Drug Policy Commission

September 25, 2014 2:00 p.m. – 3:00 p.m.

Present: Judge Eric Bloch, Mitch Kruska (ODE), Colette Peters (DOC), Steve Marks (OLCC), Suzanne Hoffman (OHA), Fariborz Pakseresht (OYA), Iris Bell (YDC), Daniel Ward, ADPC Executive Director, and Katharine Lozano, Assistant Attorney General.

1. Call to Order, Introductions

The meeting was called to order at 2:20 p.m. by Judge Eric Bloch, Committee Chair. A new member, Mitch Kruska, representing the Oregon Department of Education was introduced to the Committee.

At the outset of the meeting, there was informal discussion of potential changes to statute, policy, or practices that might enable the Commission to work effectively despite its difficulty getting a quorum at meetings. The two main ideas were to enable some form of delegation by State department heads, as is presently allowed for the Governor and the Deputy Superintendent of Education; the other idea was to enable the Commission to meet in a pre-publicized, public, memorialized-in-minutes "work session" to deliberate without a quorum.

While these ideas seemed to have practical appeal, the main drawbacks seemed to be: diluting the authority of the Commission by enabling department heads not to attend personally, and circumventing or violating the Oregon Public Meetings Law.

AAG Lozano reported that she has recently been tasked by the Attorney General to study the impact of the Public Meetings Law across the state. She may have new insights to report at a future date.

2. Proposed MOU

Committee Chair Bloch introduced discussion of the proposed Memorandum of Agreement (MOU). The Budget Advisory Committee is charged by statute with guiding the use of state funds for drug and alcohol prevention and treatment. The statute requires the ADPC to coordinate all state departments' budgeting for these services. The ADPC, because of quorum issues, insufficient staffing, and other concerns, has not fulfilled this responsibility in its five-year history.

The MOU is intended to explicate the statutory expectation of cooperation among committee members, to establish a framework for inter-departmental collaboration on budget issues. The Committee had a lively discussion of the terms of the agreement, without controversy, except for MOU Item 4:

> "Each of the Parties [Budget Advisory Committee members] agrees to end its funding or modify programming when credible peer-reviewed published analysis, its own analysis, analysis by the other Parties, or analysis by Commission staff, reveals that a service program or activity is not sufficiently cost-effective to justify continued funding."

Commissioner Marks suggested that additional factors other than cost-effectiveness should be considered before mandating the end some programs. Commissioner Pakseresht pointed out that some evidence-based or best practices aren't highly cost effective, but still should continue.

Commissioner Bell asked if the intent of Item 4 is to have the committee decide discontinue or change legislated programs. Director Ward explained that in writing that section, he was attempting to acknowledge the Commission's statutory authority to "suspend" funding, and to briefly describe how that authority might be used.

Commissioner Marks suggested that the Parties to the MOU should agree to provide the ADPC with their existing analyses of effectiveness and cost so that the committee can consider funding recommendations to the full Commission. Commissioner Bell compared Item 4 to ORS 430.242(11):

> "…The [budget advisory] committee shall recommend budget policy priorities to the commission:
> …
> (c) For authorizing a suspension of the payment of state funds, or funds administered by this state, to programs that do not comply with the commission's rules or the budget priority policy, or that do not provide effective prevention or treatment services."

Commissioner Pakseresht stated the importance that the Commission and its Budget Committee maintain a balance, to not take away the agencies' ability to evaluate their own priorities.

Commissioner Peters asserted that the most important priority should be to ensure that we have the right people in the right programs, statewide. Citing the work of Dr. Paul Bellatty for the DOC and the OYA, she stated that better alignment of people and programs would be the right thing to do, toward achieving better cost-effectiveness.

Committee Chair Bloch summarized the consensus: factors other than cost-effectiveness should be considered before mandating the end of some programs; the committee and the Commission should acquire and use all available analyses; the committee needs to develop the big picture across agencies, drawing together what's being done to achieve economies of scale. Commissioner Marks concurred that the MOU is a roadmap to help the committee lead the Commission to the "best buy" for the State.

AAG Lozano offered to work with Executive Director Ward to re-draft this section of the MOU, to have it ready for reconsideration and possible adoption at the next scheduled Commission meeting.

Commissioner Peters gave her support for asking the legislature to modify ORS 430.241 to allow Commission members to send voting delegates. More discussion ensued. AAG Lozano clarified that presently a delegate may attend, or make a presentation, but may not be part of deliberation or voting.

3. <u>Staff Expansion Proposal</u>

Daniel Ward, Executive Director, presented the proposal for expanding staff of the Commission. He explained that based on the assertion of various Commissioners at the June ADPC meeting, that to add staff to the Commission was essential for its functioning, he prepared the necessary papers to get the proposed staffing change into the statewide budget submission before the August deadline. As he explained to the Commission in June, the OHA has agreed to "house" the Commission by including the ADPC staffing plan in the OHA budget submission for the next biennium, and to arrange reimbursement from other state departments to help support the ADPC.

The plan includes adding an "Economist 4," a "Research Analyst 4," and an administrative assistant, called an "ESS 2" within the State's civil service system. Director Ward asked the committee to ratify the plan as already submitted for the state budget, and to recommend that the Commission do so as well.

Commissioner Peters moved that the Budget Advisory Committee approve the proposed plan for staffing the ADPC and forward the plan to the Commission with a recommendation to approve. The motion was seconded by Commissioner Marks and approved by unanimous vote.

Chairman Bloch thanked the Budget Advisory Committee members and adjourned the meeting at 3:05.

This meeting was held at the Department of Public Safety Standards and Training, 4190 Aumsville Hwy SE, Room A234, Salem, OR 97317.