



Alcohol and Drug Policy Commission
November 16, 2010

Oregon Partnership
5100 SW Macadam Avenue, Suite 400
Portland, OR 97239

Minutes of November 16th Commission Meeting

Members

X	Ann Lininger		Heather Crow-Martinez		Mickey Lansing
T	Anthony Biglan (Carol Metzler PhD-proxy)	X	Jack Costello	T	Randy Schoen
	Bruce Goldberg		Janet Holcomb	X	Sarah Goforth
	Cameron Smith	X	John King	X	Steve Pharo (Rudy Williams – proxy)
	Carolyn Tomei	X	John Kroger		Susan Castillo
T	Dennis Dotson	X	Judith Cushing	X	Timothy Hartnett
X	Dennis McCarty	X	Lane Borg	X	Timothy Thompson
X	Erin Hubert	X	Laurie Monnes Anderson		
	George Brown	X	Max Williams		

Others Present

Evonne Alderete, DHS Director's Office; Rick Cady, Addictions and Mental Health Division; Karen Wheeler, Addictions and Mental Health Division; Valerie Chambers, DOJ; Mary Ellen Glynn, Alcohol and Drug Policy Commission; Emily Moser, Oregon Partnership; Debbie Runciman, Representative Tomei's Office; Mike Niemeyer, DOJ; Cathy Sherrick, GGAPP; Ann Uhler, WCADIO; Stephanie Soares Pump, Consultant; Jonathan Eames, OPERA; Kris Bella, NW Behavioral Healthcare; Shannon Sivell, DOJ

Agenda Item	Lead(s)
Welcome and Call to Order	Chair Kroger
Meeting was called to order 10:01 a.m. Chair Kroger confirmed with Mary Ellen Glynn that there was a quorum.	
Approval of Minutes	Chair Kroger

Chair Kroger entertained a motion to accept minutes for September and October as presented. Motion from Tim Harnett, and a second from Jack Costello. All members present voted affirmatively for the motion. Minutes adopted.

Update from Chair	Chair Kroger
<p>Letter from Commission being sent to Food and Drug Administration regarding alcoholic energy drinks is going out today. The OLCC will be looking at the issue on November 19th. Question, what legal authority, if any, does the OLCC have and what actions can they take. DOJ in the process of developing advice on that question.</p>	
Access to Recovery Grant	Karen Wheeler
<p>Handouts: Access to Recovery (ATR) Fact Sheet, Addiction Treatment and Recovery Support Services: Good for Children and Families, and Outcomes and Impact: Addiction Treatment and Recovery Services are Good for Children and Families</p> <p>Karen Wheeler spoke. They were awarded the “Access to Recovery” Grant, and now have to implement it. Please see fact sheet in handout. The grant represents in year one, \$3.35 million. Most of the funding, 60% focused on recovery support services, remaining 40% clinical treatment services. Primarily focusing for veterans (primarily people coming back from Iraq and Afghanistan), people leaving prisons who have addiction issues, and parents involved in the child welfare system. See 2nd handout. This will be a different way to distribute funds. They will use vouchers and each person will have a choice as to how to spend the dollars. It will be implemented in 5 pilot counties. There will be a kickoff meeting on December 17th.</p> <p>Jack Costello had a question about WITS and the new technology system and how they were progressing on the implementation.</p> <p>Karen Wheeler responded that there is a deadline of January 15th to be up and running with voucher system. This means they have to be up and running with at least one person to be considered functional. Right now they have a contract in process with WITS, feisystems.com that has fully developed a voucher system that will be used in 13 states. Off the shelf ready model once we have contract.</p> <p>Chair Kroger offered congratulations asked for further questions.</p> <p>Dennis Dotson asked which 5 counties chosen. Karen Wheeler responded Multnomah, Lane, Umatilla, Douglas, and Jackson. These counties chosen based on veterans returning from overseas and those being released from prison.</p> <p>Chair Kroger asked how Karen felt about strength IT & IS and capabilities to get this up and</p>	

moving. Karen has strong confidence in WITS to manage this. Chair Kroger expressed would like a discussion with her 3-4 months past implementation to hear how it went.

Max Williams commented on it being fortuitous to get funding in times where funds are evaporating. It is an opportunity for at risk populations that may otherwise not have been able to get services, this is a terrific thing. Thanked Karen and her team for all their efforts in achieving this grant.

Dennis McCarty - Block grant federal award to Oregon requires a maintenance of effort. Are we likely to qualify for a waiver from that requirement? Karen stated we did not have to ask for a waiver. Unsure of next year and beyond based on budget and the economy it's possible in the future, but not this time.

Chair Kroger asked that Karen let us know if they need a waiver in the future so we can give political and legal support.

Prevention Subcommittee Alcohol Policy Proposals.

Judith Cushing

[Handouts:](#) Policy Recommendations on Alcohol (updated 11-16-10)

Chair Kroger: We have 40 minutes to discuss as many as we can, we will vote on the ones we discuss at the next meeting. We will discuss the remainders at the next meeting.

Judith Cushing discussed Proposal #1. Local input to outlet density. Higher outlet density leads to more drinking and DUI's and crime. Idea here is to allow cities and counties to have more say on determining number out outlets in their area.

Rudy Williams, said OLCC did do a survey of local bodies and asked them if they wanted to have more input into that and they got a mixed review. They are going to propose it as a legislative concept and see if they can get it through.

Chair Kroger expressed what is on the table is not a specific mechanism for local control, but that the commission would endorse greater local input and control on outlet density. Rudy Williams confirmed that this is consistent with what they are working on.

Judith Cushing mentioned she believes Representative Tomei is submitting legislation around this issue. Debbie from Representative Tomei's office confirmed they have

introduced a legislative proposal along these issues.

Lane Borg expressed confusion about wording and noted we should be careful about economic and racial disparity between wealthy and poor neighborhoods. Worried about endorsing something that resulted in fewer outlets for alcohol in poorer neighborhoods where people don't have access to cars, etc may make them feel discriminated against based on poverty.

Chair Kroger not worried about some areas becoming short in dispensaries of alcohol. This would be giving neighborhoods the ability to decide, to have some say in what their neighborhood looks like and feels like, and determine how many places that you can get alcohol.

John King mentioned that there are people involved with abuse of substances in line wrapped around the corner of a convenience store at 5 am that are coming down off of crack cocaine that know where the available and open liquor stores are. Feels that the people in the community must have had concern about that kind of activity taking place in their communities. That there were so many liquor outlets opening without or with very little neighborhood response.

Chair Kroger notes that Lane's point is well taken, and asks the question whether we're going to call for local input or control. Judy says it's both, but mostly input. Dennis McCarty feels control is the more important contention here and would advocate for it.

Max Williams asks if by control they mean allowing them to establish the total number of outlets in a designated area. Dennis confirmed. The correct density is a matter of debate; it would be left up to the communities to determine density in their community.

Chair Kroger states that voting will take place next meeting.

Chief Schoen believes it's important that local government has input on density levels. Sheriff Dotson concurs with Chief Schoen and Chair Kroger. Rudy Williams underscored support for this is very strong in Portland. Some other communities concerned about limiting outlets. Chair Kroger responds if the community wants higher density they can always request the higher density.

Judith Cushing discussed Proposal #3. This would add 2 members to the OLCC Board, one representing public health and one representing public safety. Nominees to be appointed based on managerial ability and business expertise in areas around policy. Compensation for board very little, so economic impact of change would not be huge.

Debbie from Representative Tomei's office mentioned that Representative Tomei has introduced a LC draft for something very similar.

Chief Schoen thinks it's a good idea. Chair Kroger has not seen Representative Tomei's Bill, thinks it appropriate and useful have a public safety seat. Laurie Monnes Anderson feels public health representative important as well.

Judith Cushing discussed Proposal #7. Proposal to toughen penalties for adults who allow minors to drink in their homes. Wants to establish substantial fines, with exception of religious ceremonial drinking.

Lane Borg questioned if proposal was to change law, for parents only to be able to allow drinking during religious ceremony. Judith says parents are holding parties and allowing underage drinking. Lane says that it is already a crime. Judy says that the parents are currently only receiving a small fine.

Lane says the exception for a parent providing alcohol is not at restaurants but only in their home and only for their child, not their friends. Lane asked if it is suggested that we change the law to only religious rights, and to limit the parental exception. Judy responded if parents serve alcohol to their own children, it's their business. Ann Linger notes distinction about your child only, that she isn't comfortable limiting parental rights.

Max Williams says the issue is to determine what is the right penalty to get parents to second guess their decision to hold a party in their home. Lane says this is already a crime. Maybe need to heighten awareness, but warns that is going to be an unpopular idea in some towns, but this doesn't require change in law.

Jack Costello asks if we can come back to this next month with the statistics of current penalties and what the chair would recommend. Chair Kroger says we will come back to this with more information from Shannon Sivell who is a former Deputy DA.

Judy Cushing discussed Proposal #11. This is a proposal to raise taxes on beer, wine and distilled spirits. More emphasis on raising taxes on beer and wine, mostly beer. Increasing tax is a deterrent for young people, but also can help with the states budget issue.

Mary Ellen Glynn commented that many proposals out there, we can't really vote on what we would support, but should begin discussion on what we could support.

Laurie Monnes Anderson questioned if the has commission looked at removing preemption so there is more local control on raising taxes? Judy Cushing replied that the commission hasn't met since the election and has not looked at that.

Chief Schoen commented that the state is challenged with raising revenue. Legislative change to allow local taxing would be very helpful. Laurie commented that you only need 16 of 31 votes to achieve that in the senate. Chief Schoen all for it if it can happen on state level but can't be done at state level, do it at local level. Laurie said there is legislative concept with Multnomah County to do that.

Judy Cushing discussed Proposal #12. Proposal #12 is to raise liquor license fees.

Currently a \$400 liquor license fee and \$0 application fee. Rudy Williams commented that there is a proposal for a one time initial application fee of \$750. It is currently \$0. In New Jersey almost \$100k for a license fee and Pennsylvania is the same way. The fee for a license here is only \$400.

Dennis McCarty said he is a fairly new resident to Oregon and asked if the OLLC owns the liquor stores. Rudy responded no. The OLCC acts as wholesaler to contracted vendors. The OLCC Commission sets wholesale price. Can the OLCC raise the price and use that as revenue? The last biennium OLCC put a surcharge that generated \$1.3 million. The Legislature extended it with a forecast of \$22-27 million.

Chair Kroger said the proposal is to raise fee for licenses for bars, restaurants, and grocery stores etc. John King raised concern about past funds raised but not used for treatment etc. Rudy responded OLCC turns money back to state. That is up to the cities and counties to determine where it goes. Max Williams said there is really nothing to do to limit legislation making changes, the commission should allocate funds to go to treatment, and prevention but it is not realistic to have it all get allocated that way. Is this a revenue raising exercise or are we limiting the number of people with licenses? Judy commented

that it adds business value when putting a lot of money into getting liquor license. Dennis will do quick check; Chair wants data to support our belief.

Dennis Dotson commented that \$750 may be too low, Judy agrees. Chair Kroger thinks may recommend a “substantial” increase and let OLCC and other experts in legislature determine what that is. Lane asked if OLCC is liquor license transferable. Rudy replied no. Can buy business but must reapply for liquor license.

Chair Kroger states we will vote next meeting on Proposition #1, 3, 7, 11, and 12. Maybe not #7.

Max asks Mary Ellen to get together with Judy on drafting proposal. To determine what language would be used, as he may or may not support based on wording. Chair Kroger requested Shannon to please participate with the draft.

Rudy wants to share letter to OLCC from Fusion regarding Four Loco, Chair Kroger will allow before adjourning.

Jack Costello questioned if the proposals not discussed were being dropped. Chair Kroger said they would be discussed at the next meeting, they would vote only on the ones discussed.

Pilot Prevention Project	Rick Cady
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[Handouts](#): Building a World-Class Prevention System in Oregon

Still have significant problem with underage drinking in Oregon. 8th graders at almost twice the national rate of 30 day alcohol use. There are lasting effects we want to prevent from happening. The goal is to take the latest prevention science. New publication released which is a composite from a dozen different researchers called the “Institute of Medicine.” The purpose is to look at ways to prevent youth problems. They recommend starting very early, prenatal to 12-14 yrs old. See page 2 on the handout. Increasing taxes not only prevents underage drinking, but all ages of consumption. Menus of evidence based programs, see page 3 on handout. How do you know if it works? Evaluation is expensive. They recommend Oregon focus in on the delivery system. Oregon Research Institute (ORI) will approach the National Institute on Health for a research grant to do the research component of this. Go to Programs/ Outcomes on page 5 and look at the cost.

Chair Kroger commented that everyone has done fantastic job. Gave us an actual blueprint for moving forward. This splits delivery and assessment. There is a big question about cost, and an open variable of how many can we afford. Will be having a discussion with Governor-elect Kitzhaber about getting funded. This may have a real chance of getting funded. Rick, please try to turn your piece into an advocacy piece.

Ann Lininger encouraged adding footnotes the piece. To keep it short and make it so anyone can read without knowing acronyms. Request that we quantify projected outcomes.

Chair Kroger wanted Ann, Rick, Tony, Shannon and Mary Ellen to get together and make into a document that we can circulate to grant making bodies.

Judy asked question about school challenges. Rick thinks we turned the corner regarding the Board of Education. It was part of the reason for the success of the student wellness survey. 77% districts from around the state participated in survey due to support to superintendents from the Board of Education. There was shock from the superintendents at the rate of 8th graders drinking.

Lane Borg commented that Multnomah County got grant on exposure to violence with same symptoms/effects. We want to make sure we aren't going in different direction. Mary Ellen thinks we are all in agreement look at all holistically, not just as a substance abuse problem is the way to address this. Lane got their grant for survey and is starting their program in January.

Max Williams was taken with student wellness survey, and got confirmation from Rick that the numbers were final now. There are small edits, and he will provide committee with final version. Max saw the 8th graders numbers as shocking. Has anyone done any research to determine what about Oregon makes us 2 times the national average?

Rick answered. It's a hard question to answer, but we know there are several predictors. We see an increase parents that support antisocial behavior across the state. We see support in parents who ok for kids to drink. We see an increase in family management problems. Richard Harris thinks this is a better survey, the data is better. Max questioned that this is an accurate snapshot versus inaccurate national snapshot.

Max shared a story from a football security person that worked in Detroit and now works in Oregon. There are 5 people expelled on average from a Detroit Lions game for inappropriate overuse of alcohol. There are 130 kicked out of a University of Oregon game.

John Kroger would entertain a motion to adopt the proposals set forth in the Building a World Class Prevention System in Oregon Document. Motion from Dennis McCarty, and a second from Erin Hubert. All members present voted affirmatively for the motion. It is adopted.

Accountability data systems including a phone discussion with Stephan Sherman, Associate Director, Institute for Government Services, University of Maryland, regarding the SMART system

Mary Ellen Glynn, Stephen Sherman

Stephen Sherman gave brief overview of SMART program. The SMART program is a derivative of the WITS system. In 2001, the University of Maryland started developing the program. They have been using the program since 2005, and it is used by treatment providers across the state. Not only used by treatment providers but also by the drug court network. They added the eCourt module to the WITS system. In Maryland all treatment providers and drug courts are mandated to use SMART system. They had to determine how to connect with old legacy court systems. Very pleased overall with collaborative process.

Chair Kroger questioned if they had been able to integrate with LEDS criminal justice databases that are preexisting there. Stephen Sherman confirmed they were able to be integrated. These systems are 20-25 year old. They were passing xml messages in real time through a message query process that has evolved over the years, now they use windows communication, which is most current, and done in real time.

Chair Kroger questioned what kind of data they are able to provide policy makers now that they were unable to prior to implementing this system. Stephan responded the SMART system allows them to access data across many different boundaries. Allows them to talk about drug testing, relapse rates from a treatment standpoint, and a parole standpoint etc. Chair Kroger asked if treatment providers have to use WITS or can use their own system as long as it's WITS compatible. SS treatment providers are mandated to use WITS/SMART system. And they are trying to get them to be able to pass records from SMART system to independent providers not on the SMART system.

Chair Kroger thanked Stephan for his time and asked if he can speak to him personally at another time. Stephan agreed.

Four Loko - Alcoholic Energy Drinks

Rudy Williams

Handout: Letter from Phusion Products to OLCC.

Last Friday OLCC met with Four Loko last Friday. Nine students hospitalized in Washington. Other states are restricting Four Loko products. People are asking what Oregon is doing. OLCC doesn't have statutory authority over malt beverages. OLCC is waiting for FDA ruling.

Rudy read letter from Fusion, see copy of letter.

Chair Kroger notes that their agreement to remove caffeinated products is contingent on all other manufacturers pulling caffeinated products. Rudy believes OLCC recommending a resolution in December to ask all manufacturers voluntarily remove caffeine until FDA makes final determination. Chair Kroger has asked FDA to make an expedited decision.

Judy mentioned that The FDA is going to make an announcement - possibly as soon as tomorrow, but we don't know what that will be. Other states have banned or at least pulled alcohol energy drinks until the FDA makes a determination.

Public Comment

Chair Kroger

Senator Monnes Anderson states they are in the process of determining priorities. Wants to know where in the priority the Commission would like their recommendations to go. Chair Kroger would like recommendations to be considered high priority. They will discuss later today.

Sally Penna – DUII system in Polk County. Concerned about the process and end result of new rules being imposed on treatment providers. She estimates would cost \$10's of millions. Committee should be advised what rules look like. To double treatment fees in population that already faces increased fines and increased supervision fees, treatment fees right now averaging \$4-6K. She thinks it would be irresponsible to double and triple these fees. Nobody, the public nor the private clients have the ability to pay these. Please have subcommittee look at these rules.

Ann Uhler from Women's Commission on Alcohol and Drug Issues commented on an earlier discussion. The discussion was on why more youth are drinking. We are 48th or 49th in

regards to access to treatment. 70% of people in treatment come from families that use. There is a connection between availability of treatment and how much kids are using alcohol.

Stephanie Soares Pump, a consultant working primarily in the prevention field commented. Ann and she are former chairs of the Governor's counsel on alcohol and drug programs. They've documented a domino effect. We have basically de-funded prevention. No access to treatment, along the fact that we de-funded prevention is why we currently have a problem in Oregon. Chair Kroger agrees with her.

Adjournment

Chair Kroger

Chair Kroger adjourned at 11:44 p.m.

DRAFT