**Louisiana Commission on Addictive Disorders (LCAD)**

**April 2014 Minutes**

April 15, 2014

1:09 p.m.

**Commission Members Present:**

* Lloyd Hernandez
* Freddie Landry
* Tom Lief
* Shelly Mockler
* Michael Slocum
* Anthony Wick

**Commission Members Absent:**

* Lana Bel**l**
* Kerri Cunningham
* Kathleen Leary
* Damon Marcella
* Jon Lance Nickelson
* Dr. Susan Tucker

**OBH/HQ Staff Attending:**

* Dr. Rochelle Head-Dunham, Interim Assistant Secretary
* Kenneth Saucier, OBH Director of Regional Services
* Carol Foret, OBH Program Manager 1-A/DHH

**OBH/HQ Staff Absent:**

* Quinetta Womack, OBH Director of Adult Residential Services

**GUESTS IN ATTENDANCE:**

* Marolon Mangham, LASACT

**I. SERENITY PRAYER & ROLL CALL**

Freddie Landry called the meeting to order and Marolon Mangham led the Commission members in the Serenity Prayer. Carol Foret conducted roll call.

**II. APPROVAL OF THE MARCH 2014 MINUTES**

Committee members were provided a copy of the March 2014 meeting minutes. Ms. Landry called for a motion to approve the March 2014 meeting minutes. Dr. Tom Lief made a motion to approve the minutes. Dr. Tony Wick seconded the motion. All were in favor, and the motion passed to approve the March 2014 minutes.

**III. OLD BUSINESS**

* **Report from Commission Members on RAC Activities/ Training**

Freddie Landry asked members of the Commission to share their experiences with any Regional Advisory Council (RAC) activities and/or trainings since the last meeting. Dr. Tony Wick reported that he and Freddie Landry attended the Jefferson Parish Human Services Authority (JPHSA) Public Forum and he had also attended a Greater New Orleans Drug Demand Reduction Coalition presentation by Dr. Madres at the LSU Medical School.

Freddie Landry reported she and Dr. Tony Wick had attended the GNODDRC presentation at the US Attorney’s Office where Dr. Kevin Sabot spoke on, “Reefer Sanity, The Seven Myths about Marijuana”.

* **2013 GOVERNOR’S ANNUAL REPORT**

Freddie Landry informed the Commission members that the Louisiana Commission on Addictive Disorders’ (LCAD) 2013 Governor’s Annual Report was submitted (mailed) Thursday, April 10, 2014. Carol Foret reported emailing a copy of the 2013 Governor’s Annual Report to each of the Commission members.

Ms. Landry than personally thanked Carol Foret and everyone within the Office of Behavioral Health who shared in the responsibility of updating the material found within the LCAD 2013 Governor’s Annual Report.

Ms. Landry shared she was asked to speak at the National Alliance of Mentally Ill (NAMI) Conference held during the week of April 7, 2014. Ms. Landry represented the Commission and provided an update on Addictive Disorders in the State to approximately 25 to 30 attendees. Freddie Landry expressed this was the first time someone representing Addictive Disorders was asked to present at a NAMI Conference. A PowerPoint Presentation was created by Ms. Landry from the information found in the 2013’s Governor’s Annual Report. A copy of her PowerPoint presentation was distributed to those at the LCAD meeting.

Dr. Tom Lief asked if the Commission would agree to invite members from the NAMI Organization to present at an LCAD meeting. Ms. Landry informed members of the Commission that David Precise is NAMI’s Executive Director and she could invite him to an LCAD meeting. She also informed the Commission that Mark Thomas is the Executive Director of Mental Health America and both Mr. Precise and Mr. Thomas sit on the Kitchen Cabinet on which she also sits. Currently, Mark Thomas chairs the Louisiana Behavioral Health Advisory Council which both Kathleen Leary and Freddie Landry sit on.

* **STRATEGIC PLAN**

Freddie Landry stated that the Commission really needs a Strategic Plan. She reported a proposal describing the logistics on how the Commission proposes to update the LCAD’s current Strategic Plan was submitted to Dr. Rochelle Dunham for her approval and she anticipates Dr. Dunham’s response before the next Commission meeting. LCAD’s June 2014 regular monthly meeting has been proposed to be an eight (8) hour meeting to review the current strategic plan. At this meeting members of the Commission will bring its strategic plan up to date and develop goals and objectives for the Commission to work towards.

A discussion was initiated by Michael Slocum regarding the Commission’s prior relationships with different agencies such as law enforcement and pro-active stances taken to help combat different drug issues in the different communities within the State. Ms. Landry responded that the Commission has gone through waves of legislative involvement. She reminded Mr. Slocum that LCAD is a volunteer board with some members having full time jobs. Kathy Hayward, the prior Chairman, was pro-active spending every legislative session at the State Capital working the different bills that were of interest to the LCAD. Since Ms. Hayward had to resign, she, Freddie Landry, took over the Chairmanship. Due to her full time employment she has been unable to be active at the State Capital working the different bills of interest to the LCAD during the legislative sessions. Ms. Landry reported being involved and participates on a lot of conference calls associated with the different Committees, Boards and Commission and is in Baton Rouge as her schedule permits.

Mr. Slocum recommended that the LCAD take action and take a stand against the marijuana legislation that is being heard in this current legislative session and recommend legislation against MOJO, synthetic marijuana. He asked if the Commission members were against the legalization of marijuana. Marolon Mangham, a guest at the meeting, reported that LASACT is against the legalization of marijuana. Mr. Slocum suggested that this would be a good time/project for this Commission to take up and take a stand against the legislation to legalize marijuana. Freddie Landry stated that the Commission does need a Commission member to lobby the legislature and that he, Michael Slocum, may be the person for the job and be the Commission’s legislative representative.

There was a discussion on the pros of the medical aspect and the cons of the ill effects of marijuana. Kenneth Saucier reminded everyone that whatever stand the Commission takes on the legalization of marijuana they need to be careful because there is probably a medical purpose, but there is also the opposite side where people just want to get high. Dr. Tom Lief recommended that Michael Slocum craft a position paper for the Commission’s review and possibly adopt as the Commission’s position on the issue.

Michael Slocum initiated another discussion on the waiting list for a person to enter into a treatment facility. For example, Pathway COD now has a five to six week waiting list. He wanted to know if the length of time for a person to wait to enter into treatment was appropriate in the new managed care system. Kenneth Saucier stated that Pathways COD is the only facility of its kind who addresses both addictive disorders and mental issues simultaneously and for this reason many individuals do not want to go anywhere else to receive treatment. Ms. Saucier then identified several other possibilities for the waiting list time but stated communication with Magellan of Louisiana is not in the area of his responsibility. Dr. Rochelle Dunham attends regular meeting with them and may be aware of the issue and may already be addressing it. He went on to say OBH’s roll has shifted from being in the field providing treatment services to monitoring, technical assistance and data collection. So, these types of concerns should be shared with OBH so they can be researched and addressed. Kenneth Saucier reported that he would share Mr. Slocum’s concern about Pathway COD’s waiting list with Dr. Dunham.

Mr. Slocum was made aware that there is 13 other Clinically Managed High Intensity Residential, III.5, Treatment Facilities available around the state where an individual can be placed. All an agency needs to do is contact Magellan of Louisiana at 1-800-424-4399.

Freddie Landry reported that not long after Magellan of Louisiana, Inc. opened; members of its administrative staff attended an LCAD meeting and gave the Commission an overview of its operation. She recommended the Commission invite Magellan of Louisiana, Inc. to come back and share updated information on their current policy and procedures for obtaining treatment services.

* **BEHAVIORAL HEALTH DAY – MAY 1, 2014**

Freddie Landry reminded members of the Commission that Thursday, May 1, 2014 is Behavioral Health Day. Everyone was asked to attend this event and to wear a white shirt. Ms. Landry was invited to speak about Prevention at a Legislative Breakfast scheduled for 7:30 a.m. that morning. She will also provide a presentation on Prevention at the Rally. Ms. Landry again encouraged the Commission members to please support the Behavioral Health Day by attending the event. The Rally will begin at 10:30 a.m. on the steps of the State Capital and lunch will be provided on the grounds of the Barracks that is located to the right of the State Capital.

**IV. NEW BUSINESS**

* **REPORT FROM THE OFFICE OF BEHAVIORAL HEALTH (OBH) - Dr. ROCHELLE DUNHAM, OBH INTERIM ASSISTANT SECRETARY**

Dr. Rochelle Dunham reviewed current legislation with the Commission.

**House Bill 720** Authored by Representative Dalton Honore. This bill authorizes the use of medical marijuana in Louisiana - Current Status of this bill as of March 10, 2014:  Pending House Health and Welfare Committee.

The current legislation is really about establishing a marijuana utilization review board of which DHH would have a member. That member board/group would work on all of the different aspects of licensing for the use of medical marijuana that is not addressed in the current medical marijuana law.

Dr. Dunham reported the State of Louisiana already has current legislation in place since 1991 for the use of medical marijuana. What did not happen was the promulgation of the rules for the actual licensing of physicians to prescribe it, facilities to administer, operate the programs or dispense it. The Law also did not include the actual licensing of the management of distribution sites for the use of medical marijuana and all of the management utilization reviews around the handling and distribution of this product.

What we have here are two medications (marinol/medical marijuana) approved by the FDA for medicinal use. This particular bill outlines thoroughly what types of physicians that can dispense medical marijuana. There are only three physician types that can prescribe medical marijuana: neurologist, oncologist and ophthalmology. This is because these physicians are the ones who treat the targeted conditions that medical marijuana would help/be appropriate. The bill also talks about where one can get it, guidance on who can sell it and on the treatment facilities that may dispense it. There is also guidance on the production of the medical marijuana and on the companies that may produce it.

**House Bill 839—** Authored by Representative Dalton Honore. This bill changes the designation of marijuana from a Schedule I to a Schedule II controlled dangerous substance. The colliery to that is marijuana is a schedule one (1) drug because it has no medicinal purposes and it has a higher risk quotient than a benefit quotient and a lack of safety standards for using the drug. It’s not deemed safe by the FDA as are all schedule 1 drugs. All Illicit drugs are schedule 1 drugs but schedule 2 drugs are medicines that also have a high abuse potential but they have been FDA approved; there are accepted medical uses for the drugs. All prescription opiates are placed in this category as well as stimulates such as those used for individuals with ADHD, schedule II drugs. This legislation would make synthetic medical marijuana classified as a schedule II drug instead of a schedule I drug. The joint would be classified as a schedule I drug but the synthetic form of THC medical marijuana becomes a schedule II drug.

All of the sanctions, time served in jail and fines to be paid if you were caught with possessing medical marijuana or distributing it, would be based upon how much you have in your possession or whether it was your 1st, 2nd, 3rd, or 4th conviction. None of the other information in the prior bill was changed such as sanctions for medical marijuana, which is a problem. It’s not an illegal drug that one may be using; it’s an FDA approved drug so why would it have the same stiff sanctions associated with it?

**House Bill 128*—*** Authored by Kenny Havard (Primary), John A. Johnny Berthelot, Bret Geymann. This bill proposed legislation provides that no state agency shall enter into a privatization contract unless the agency, in consultation with the Division of Administration (DOA), complies with certain requirements. Those requirements include: 1.) preparing a written statement of services proposed to be privatized, 2.) every privatization contract shall contain provisions requiring the contractor to offer available employee positions to qualified classified state employees of the agency at which state employment is terminated due to privatization, 3.) comprehensive written estimate of the costs of state employees providing services including all direct and indirect costs, 4.) after receiving bids, agency shall prepare written analysis of the contract cost, 5.) head of state agency must certify in writing to the legislative auditor and appropriated standing committees of various items relative to the contract. Proposed legislation limits privatization contracts to $5 M or more and limits lease agreements to $500,000 or more. Proposed legislation provides for the legislative auditor to review each contract and certificate no later than 30 days after receipt. Proposed legislation provides for a post-privatization review process.

**House Bill 152**—Authored by Joe Harrison- Abolishes the Department of Health and Hospitals and the Department of Children and Family Services and creates the Department of Health and Social Services. The current status of this bill:  Substitute adopted on the House floor on April 8, 2014 **(became HB1256)**
**House Bill 1256--** Authored by Joe Harrison- Creates the Dept. of Health and Hospitals and Children and Family Services, abolishes the Dept. of Health and Hospitals (DHH) and the Dept. of Children and Family Services (DCFS), and creates separate entities within the new department as successors to the abolished departments - Current Status:  Read third time by title, amended, roll called on final passage, yeas 69, nays 28. Finally passed, title adopted, ordered to the Senate.

* **ARDA/LASACT MONTHLY REPORT (OPTIONAL)**

Freddie Landry asked Marolon Mangham if she had a report from LASACT to share. Ms. Mangham reported the following:

1. The rule changing the Law of the Licensing Prevention Standards are now open for public comment.
2. The test survey for the advanced exam and co-occurring exam are being combined into one exam. On the treatment side, the advanced examine is considered the masters level and co-occurring competencies should be included. ADRA uses this exam for their Licensed Addiction Counselors (LAC). This exam will not only be used for the advanced master’s level of addiction but also co-occurring. The test should be developed within the next 12 to 18 months.
3. Last week IC&RC added seven (7) new states with Peer Recovery Credential.
4. Dr. Rochelle Dunham asked LASACT to comment on the new Office of Behavioral Health (OBH) licensing rules. LASACT received several comments where it appears the new licensing standards may be a problem for the smaller rural clinics.
5. International Certification and Reciprocity Consortium (IC&RC) is a consortium where Louisiana is a member and where its testing instruments and standards are obtained. IC&RC held its meeting last week and its president will be attending the LASACT conference in New Orleans.
6. **COMMISSION MEMBERS REPORTS**

Freddie Landry provided Commission members with a copy of an email she received from DHH Office of Public Health and recommended the Commission members to go to the website and review the new Behavioral Health Service Providers Licensing Standards that were published March 20, 2014. Ms. Landry informed members of the Commission that it’s important for each member to review the proposed document and submit any comments they deem appropriate.

**V. Next Commission Meeting**

The next meeting of the Louisiana Commission on Addictive Disorders was discussed, and the date, time, and location were set. The next meeting will take place in Baton Rouge, at OBH Headquarters, from 1:00 p.m. to 3:00 p.m. on Tuesday, May 13, 2014.

**VI. Adjournment**

Freddie Landry called for a motion to adjourn the meeting. Mike Slocum made the motion to adjourn, and Dr. Tony Wick seconded the motion. All were in favor, and the motion passed to adjourn the meeting at 2:53 p.m.