

Substance Use Recovery Services Advisory Committee Meeting Notes

September 12, 2022, 9:00-11:00am PDT

[Click Here for Meeting Recording \(YouTube\)](#)

Attendance

HCA Executive & Administrative Support

<input type="checkbox"/>	Jason McGill, Executive Co-Sponsor	<input type="checkbox"/>	Tony Walton, 5476 Project Manager	<input checked="" type="checkbox"/>	Michael Zayas, Admin Assistant
<input checked="" type="checkbox"/>	Michelle Martinez, Administrator	<input checked="" type="checkbox"/>	Brianna Peterson, Plan Writer	<input checked="" type="checkbox"/>	Sandy Sander, Admin Assistant
<input type="checkbox"/>	Blake Ellison, Meeting Facilitator				

Committee Members (28)

<input checked="" type="checkbox"/>	Michael Langer	<input checked="" type="checkbox"/>	Amber Daniel	<input checked="" type="checkbox"/>	Donnell Tanksley
<input type="checkbox"/>	Amber Leaders	<input checked="" type="checkbox"/>	Brandie Flood	<input checked="" type="checkbox"/>	Malika Lamont
<input checked="" type="checkbox"/>	Sen. Manka Dhingra	<input checked="" type="checkbox"/>	Stormy Howell	<input checked="" type="checkbox"/>	Addy Adwell
<input type="checkbox"/>	Sen. John Braun	<input checked="" type="checkbox"/>	Chad Enright	<input checked="" type="checkbox"/>	Kevin Ballard
<input checked="" type="checkbox"/>	Rep. Lauren Davis	<input type="checkbox"/>	John Hayden	<input checked="" type="checkbox"/>	Hunter McKim
<input type="checkbox"/>	Rep. Dan Griffey	<input checked="" type="checkbox"/>	Sarah Melfi-Klein	<input checked="" type="checkbox"/>	Kendall Simmonds
<input checked="" type="checkbox"/>	Caleb Banta-Green	<input checked="" type="checkbox"/>	Sherri Candelario		
<input checked="" type="checkbox"/>	Don Julian Saucier	<input type="checkbox"/>	Hallie Burchinal		Alternates / Optional Attendees:
<input type="checkbox"/>	Kierra Fisher	<input checked="" type="checkbox"/>	Theresa Adkison	<input type="checkbox"/>	Rep. Jamila Taylor
<input checked="" type="checkbox"/>	Alexie Orr	<input type="checkbox"/>	Sarah Gillard	<input type="checkbox"/>	Rep. Gina Mosbrucker

Teams Meeting Attachments

- 2022-09-12 Meeting Agenda
- Top Polled Policy Options with comments from 09-09-2022
- SURS Plan Rec 2 (RSS)_Legal Advocacy
- SURS Plan Rec 3 (RSS)_LGBTQIA housing
- SURS Plan Rec 4 (RSS)_Training foster parents of children with SUD

Discussion Notes

Public Comment

Lisa Daugaard (Public Defenders Association) shared that, for many whose primary focus has been on the population whose behavioral health conditions have been engaged through the criminal legal system rather than through health systems, it's been their observation that it isn't by accident that people don't reach systems of recovery and support, and that the reason is systemic racism. She stated

that this is because of the choice of our wider society to view some people's behavioral health conditions as illness that calls for support from which people do recovery, and other people's – especially when it intersects with trauma-driven behaviors and economic inequality – as criminal behavior from which other people need to be protected. She urged HCA and SURSAC to create purposeful system design and make sure that the population that's historically been routed through the criminal legal system reaches the resources that the SURSAC is recommending.

Final Policy Options for Vote

Brandie Flood commented that the whole process to get to the vote doesn't feel good, and isn't centered on the right things, and asked if members of the SURSAC don't feel right about the vote results, is there any kind of appeal process or challenge process that can happen?

Michael Langer responded that the SURSAC decided a few meetings ago that a supermajority of 60% would be needed to consider a recommendation approved by the committee, to move it forward. The Plan will include some background on the recommendation to include the other options that were considered and received support from committee members, so the final recommendation will not be the only one acknowledged in the Plan.

Malika echoed Brandie's concern that there's been something wrong with this process from the very beginning and made a formal request that the Plan include a note that there have been significant concerns with the process and the way it has been executed.

Michael replied that the intent has been to provide ample time and space to work on the possession recommendation and apologized if that effort has not felt genuine to some committee members. He invited additional ideas to come forward if there are options that any committee members want to consider that have not been put forth yet.

Caleb encouraged HCA to include dissenting opinions or concerns in the Plan alongside the final recommendation to capture those voices as well, as the subcommittees have done with the recommendations they've generated.

In response to Malika's comment, Rep. Davis wanted to ensure not all of the frustration or feelings that the process was too swift is appropriately directed at the Health Care Authority, and offered some additional context: The 5476 bill, and in particular the legislative response to the Blake decision, had several moving parts, including medications with opioid use disorder, the HOST program, Recovery Navigator Program, the SURSAC, etc., and HCA was instructed to prioritize rolling out the Recovery Navigator Program, and then after that SURSAC could be assembled. There have been sincere logistical concerns, and there were procedural things that were out of their control. It would also be worthwhile for the report to include the RNP only "clicked on" in quarter two, so we're taking a vote when we haven't seen the fruits of what was funded – which is also not HCA's fault, because they are subject to layers of government approval, and they don't make those rules.

Senator Dhingra echoed Rep. Davis' comments, noting that the original bill Rep. Davis had set up ([1499](#)) would have provided years of planning and then execution, which may have provided the process

people wanted. However, the legislature was forced to do an expedited process because of the Blake Supreme Court decision. We need to abide by the deadlines because we can't delay the start of the legislative session. The frustration is acknowledged, and it is slightly unfair to put it all on the feet of HCA.

Prior to voting on the specific criminal legal response to simple possession of controlled substances, Michelle displayed a list of "common elements" that SURSAC members have endorsed and would like to see integrated into the Plan with any possession response:

Common Elements to Explore with any Possession Response			
Safe Supply (specific model TBD) to prevent and reduce death from fentanyl poisoning/ toxic supply	Law Enforcement Assisted Diversion & referral options for those with complex/co-occurring behavioral health conditions per RCW 10.31.110 <i>Recommendation to scale LEAD/AJA/ RNP pending SURSAC review from OED subcommittee</i>	Widescale investment in robust behavioral health workforce & infrastructure for outreach, treatment, and recovery support services	Widescale investment in harm reduction & low-barrier engagement services

For the criminal legal response to simple possession of controlled substances, the four options that the SURSAC has narrowed down to vote on, were:

1. Possession as a Misdemeanor (includes diversion & referral options for possession as well as other eligible crimes)
2. Decriminalize possession and related paraphernalia, punishable by fine or other civil penalty (includes diversion & referral options for other eligible charges)
3. Decriminalize possession and related paraphernalia with no penalty (includes diversion & referral options for other eligible charges)
4. Legalization

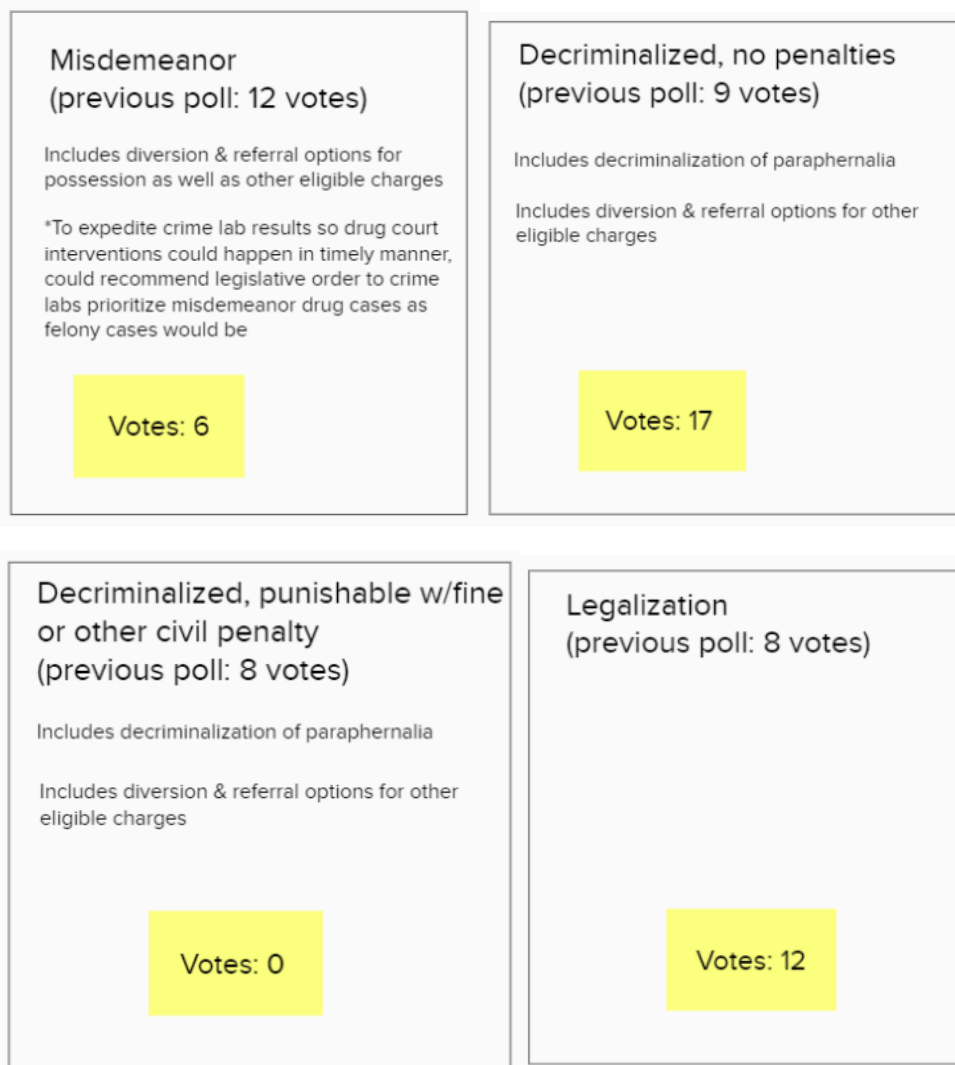
Since a "Safe Supply" model could be implemented with any of these options, it was not noted as part of any specific options, but rather will be considered as a separate recommendation.

Process:

1. First round of voting: Members can vote "yes/support" for as many options as they like
2. Second round of voting: If 60% supermajority support was not reached for any option with the first round of votes, or more than one option received a supermajority of votes, another vote will be taken to be clear about what the top-supported option is

21 SURSAC members were present, requiring 13 or more votes to reach 60% supermajority.

First Round Vote Results



Since the “decriminalized, no penalties” option was the only one to receive supermajority support, that is the recommendation that will be moved forward from SURSAC. No additional voting was needed.

Plan Submission Timeline and Strategy for Reviewing Pending Recommendations

With several recommendations from the subcommittees for SURSAC to review and process and only one more SURSAC meeting scheduled before the deadline for recommendations, more time is needed review the recommendations. Options for this include:

1. Scheduling additional meetings between 9/12 and 10/11, and/or
2. Reviewing and/or voting on recommendations outside of the meetings via email

Members expressed a desire to have time to review the recommendations and provide feedback prior to voting on them, and a willingness to vote via email if necessary.

Michelle will provide a plan moving forward, including the contact information of subcommittee co-chairs to share feedback for recommendations.

Review of Recommendation #2: Legal Advocacy for parents and families, including kinship and foster care families, that are affected by SUD in court cases regarding custody, parenting plans, guardianship, and CPS cases

For recommendation details, refer to the posted document on the [HCA ESB 5476 web page](#) under September 12, 2022.

A synopsis of the recommendation was given with emphasis that the recommendation is asking for the Family Law Board to work in conjunction with the Office of the Public Defenders to provide legal representation for primary residential parent and nonprimary residential parents (non-custodial) in parenting plan and custodial cases. Additionally, that educational seminars and clinics hosted by court staff and experienced paralegals to assist parents in navigating family, reunification, and reinstatement cases.

More context was provided in that a lot of parents involved in these types of cases are either in recovery or are aspiring to be in recovery, however, because they are non-custodial parents, they are not given the same resources nor representation that custodial parents and individuals with criminal charges receive to help navigate their cases. Individuals that attempt to represent themselves because they cannot afford case representation do not get taken seriously, especially when they lack the credentials and education of how courts operate. This severely lessens that individual's credibility and diminishes their chances of reunification.

Another point was emphasized in that this recommendation also involves discussion of individuals who are parents that have substance abuse disorder, and we want to erase the stigma that these individuals don't make good parents or shouldn't be with their children because of that, especially if they are in recovery or aspiring to be in recovery. There was additional emphasis unto the importance of this component of the recommendation as a parent having to be absent from the lives of their child(ren) can be a great source of pain or the single greatest motivator for recovery. Legislators would like to see this go beyond family law and could also possibly help in civil law and landlord/tenant cases, too. It was further brought up that these points are also part of another conversation currently being had within the legislature.

No further updates and edits were made by SURSAC members.

Support/In Favor: 14

Opposed: 1

Abstained: 6

Review of Recommendation #3: LGBTQIA+ Housing options and policy changes

For recommendation details, refer to the posted document on the [HCA ESB 5476 web page](#) under September 12^t, 2022.

After going over the organizations and participants that were invited to the Recovery Support Services subcommittee to inform this recommendation, VOCAL-WA was also added, as they were a contributor.

A point was emphasized that while millions of dollars are given to community members of all diasporas, inclusivity doesn't really exist regarding LGBTQIA+ in the housing community. This recommendation would also ask for there to be state funded training for housing providers and operators on how to service and practice inclusion among the LGBTQIA+ community. The training would take a multi-faceted approach to include harassment training, communication, antiracism, gender affirming/diversity training, and cultural competencies. Trainings would be provided at all levels of an organization from the Board of Directors/Advisory Board to Senior Operations Staff and Line Staff.

There was a suggestion made by a SURSAC member to change the wording of "cultural competency" to "cultural humility", which was changed.

No further updates and edits were made by SURSAC members.

A point was raised to also include a voting option to be "yes, with changes". It was explained that this would be an option if there are substantial changes to be made and the recommendation needed to go back to a subcommittee for review and edits.

Support/In Favor: 17

Opposed: 0

Abstained: 4

Wrap Up & Next Steps

There was not enough time for SURSAC members to review the final recommendation scheduled for review at this meeting, "Training for foster parents of children with SUD," so it will be voted on at the next SURSAC meeting.

A point was brought up that there are still numerous recommendations that needed to be reviewed and voted on by SURSAC members. Due to numerous hard stops at 11:00AM, it was determined that the process for adding another meeting would be discussed and sent out at a later time.