

**Pennsylvania Opioid Misuse and Addiction Abatement Trust  
Dispute Resolution Committee Public Meeting  
September 5, 2024 | 12:30 PM | Virtual**

**MINUTES**

**DRC Member Attendees (7):**

- Chair Tom VanKirk
- Commissioner Robert Postal
- Shea Madden
- Tumar Alexander
- Erin Dalton
- Senator Christine Tartaglione
- Commissioner Kevin Boozel

**Somerset County Representatives:**

- Erin Howsare, SCA Director
- Pamela Tokar-Ickes, Commissioner
- Benjamin Carroll, Solicitor
- Jaclyn Shaw, Solicitor

**Other Attendees:**

- Jayson Wolfgang, Buchanan Ingersoll & Rooney
- Jordan Yeagley, Buchanan Ingersoll & Rooney
- Briana Anderson, CCAP
- Heather Hiester, CCAP

## **Announcements**

- This meeting of the Pennsylvania Opioid Misuse and Addiction Abatement Trust's Dispute Resolution Committee (DRC) has been duly advertised as a public meeting in accordance with the Sunshine Act and is therefore open to members of the public as observers.
- Participation in this meeting is limited to Somerset County, as a beneficiary under the Trust Order, and its designated representatives, Trustees on the DRC, and those that the Trustees have invited in advance to take part.
- This meeting is being recorded and minutes from this meeting will be available on the Trust's website after they are approved.
- Executive Session was held today immediately prior to this public meeting for the purposes of receiving legal updates and legal advice.
- A quorum of Trustees is present at the meeting.

## **Resolution to Adopt the DRC's Operating Procedures**

Operating procedures were sent in advance of the meeting to the members of the DRC and representatives of Somerset County.

Chair Tom VanKirk entertained a motion to adopt the operating procedures. A motion was made by Commissioner Robert Postal and seconded by Senator Christine Tartaglione. With no further discussion, the operating procedures were approved unanimously by the Trustees in attendance. With the approval of the DRC, the operating procedures will be posted for the public on the Trust's website.

## **Somerset County Presentation on Appeal of Program No. 2 – Movement Outdoors**

Erin Howsare, Somerset County SCA Director, reviewed the application process utilized by the County to ensure settlement funds were effectively used to benefit the community. The Somerset County SCA Advisory Board was responsible for reviewing applications to ensure compliance with Exhibit E. Somerset County Program No. 2, known as Movement Outdoors, received two separate distributions over the past year and a half, totaling \$30,000.

Ms. Howsare then provided information on Movement Outdoors. This program, run by a community-focused nonprofit, aims to help children access outdoor opportunities in the Laurel Highlands by addressing barriers such as cost, gear, knowledge, transportation, and community support. The program promotes physical and mental wellness, encourages children to disconnect

from digital devices, and fosters connections with mentors and positive role models. It targets students in grades 9 to 12 enrolled at Somerset High School.

Somerset County believed that the distribution to Movement Outdoors was compliant with Exhibit E, Schedule B, Part 2, Subpart G-9, as it aligns with the federal strategies included in the DDAP Prevention Manual, specifically regarding Alternative Activities. This strategy aims to deter youth from using alcohol, tobacco, and other drugs and from gambling by offering healthy, constructive alternatives.

Commissioner Postal inquired as to the referral process for youth participants. Ms. Howsare explained that youth can either volunteer independently or be referred by schools or churches. Commissioner Postal further asked if there were any eligibility requirements for participation. Ms. Howsare responded that there were no specific eligibility requirements or forms that collect detailed information about the participants. Ms. Howsare also clarified that participation in the program was not restricted by involvement in other activities. She added that the program is designed for prevention, but that it does not specifically target opioid use disorder (OUD), making it challenging to measure the allocation of funds towards OUD prevention.

Commissioner Boozel stated that the Trust aims to approve remediation programs that prevent OUD in individuals with an established connection to the opioid crisis. Somerset County Commissioner Pamela Tokar-Ickes noted that the program helps eliminate barriers for youth who cannot afford the necessary equipment, highlighting its role in supporting at-risk youth who lack financial resources.

Erin Dalton asked whether the program is evidence-based or evidence-informed. Ms. Howsare stated that the program is not evidence-based.

Chair Tom VanKirk inquired as to whether any counseling regarding opioids or OUD is provided during the programming. Ms. Howsare confirmed that no such counseling is included.

At 1:13 PM, the members of the DRC went into Executive Session to seek the advice of legal counsel.

### **Outcome of the Appeal**

The public meeting of the DRC was reconvened at 1:26 PM. Chair Tom VanKirk welcomed deliberation on the appeal and stated that he would entertain a motion on approving or denying the appeal; a no vote would maintain the current denial by the Trust, whereas a yes vote would reverse the decision by the Trust that the program is not compliant with Exhibit E. The members of the DRC voted as follows:

Nos (5):

- Commissioner Kevin Boozel
- Erin Dalton
- Commissioner Robert Postal
- Senator Christine Tartaglione
- Tumar Alexander

Yeses (1):

- Shea Madden

Following the vote, Chair Tom VanKirk informed Somerset County that, in the opinion of the members of the DRC, the program does not meet the evidence-based criteria outlined in Exhibit E and is therefore deemed non-compliant. As a result, Somerset County will need to identify alternative methods for spending or committing the funds originally allocated to this program. Chair VanKirk acknowledged that, while the Trustees consider the program to be worthwhile, it does not currently qualify for opioid settlement funds due to its non-compliant status. He encouraged Somerset County to explore options for justifying the program as evidence-based or evidence-informed in the future. Chair VanKirk reminded Somerset County of their right to appeal the DRC's decision to the Commonwealth Court.

Chair Tom VanKirk then entertained a motion to adjourn the meeting. Commissioner Postal made the motion, and Erin Dalton seconded. The motion to adjourn was approved by a majority of the Trustees in attendance. The meeting was adjourned at 1:43 PM.