

MINUTES
Governor's Council on Alcoholism and Drug Abuse
January 19, 2010

CALL TO ORDER

The two hundred forty sixth regular meeting of the Governor's Council on Alcoholism and Drug Abuse was called to order at 10:00 a.m. by Second Vice Chairman John Gluck.

OPEN PUBLIC MEETINGS ACT STATEMENT

Second Vice Chairman John Gluck announced that notice of this meeting was provided in compliance with the Open Public Meetings Act (N.J.S.A. 10:4-6 – 10:4-21).

PLEDGE OF ALEGIANCE

The Pledge of Allegiance was said by the Council members present.

ROLL CALL

Susan Massaro called the roll. Members present and absent were noted for the record (see attached record).

Chairman's Remarks

Second Vice Chair Gluck introduced a new public member Bettyann Cowling-Carson from Camden County, which is an oddity since in the last four years we have not had a new public member appointed. Bettyann Cowling-Carson remarked that it is a pleasure and an honor to sit on this board and has had the honor of sitting on the other side as an alliance coordinator, but now will be able to help make some decisions on alcohol and drug abuse issues for the state.

Nominations and vote for First and Second Vice Chair

Second Vice Chair Gluck reported that he has discussed the nominations and votes for the first and second vice chair with Executive Director Powner and he believes that we should put this off basically because none of the gubernatorial appointments have been made in the past four years so we have four Council members serving in expired terms and six vacancies. He is hoping that this might get resolved soon with new gubernatorial

appointments. He asked for a motion to table the nominations and voting until the February meeting.

Harry Morey motioned to table the nominations and vote until the February meeting; seconded by Gregg Benson. A roll call vote was taken (see attached vote sheet) and the motion carried.

Approval of Minutes

First Vice Chairman Gluck asked for a motion to approve the December minutes as presented to the Council.

Gregg Benson motioned to approve the December minutes; seconded by Harry Morey. Raquel Mazon Jeffers had a point of correction to make on behalf of the Division of Addiction Services as well as the Department of Human Services. She said the Division has at no time made any formal or informal comments as indicated in the minutes from last month's meeting to request that GCADA be moved to the Division of Addiction Services or merged with the Division of Addiction Services and/or eliminated. Ms. Mazon Jeffers said this on behalf again of herself as well as Commissioner Velez at no time has any communication either formal or informal been made to the transition team for those recommendations. In addition she would like to take this opportunity to say that the Department of Human Services and the Division of Addiction Services stands ready to collaborate openly and effectively with all of its state partners to fight the disease of addiction, both from a prevention, early intervention and treatment and recovery support perspectives and they really do look forward to 2010 bringing in a new year of collaboration with all of their state partners as well as GCADA. Second Vice Chair Gluck thanked Ms. Mazon Jeffers for her statement and said her clarification would be part of this meeting's record. He asked if there were any questions, statements or comments and Gregg Benson asked for a name correction. A roll call vote was taken (see attached vote sheet) and the motion carried with the correction to Gregg Benson's name.

Executive Committee – No Report

Alliance Committee – No Report

Interdepartmental Advisory Panel

Gary Vermeire, Chair, said there was nothing new to report except that the Executive Director Powner provided the Programs and Service Matrix report from the Master Plan that the Panel is looking at and they will schedule a meeting to discuss the matrix. Mr. Vermeire was informed by the Executive Director that everyone present at the meeting received the matrix and he asked everyone to take a look at it to see what the state is doing. The matrix is a quick and easy way to look at what is in the State Government Component of the Master Plan. The Interdepartmental Advisory Panel intends to take a more in depth look at this to see where are we delivering services, where might not we be delivering services and should provide some insight for all of us.

Planning Committee

Executive Director Powner asked everyone to look over and review the by-laws that were handed out last month and if there were any comments or changes to please let her know. The Council probably will not move on them until we have a new Chairman. The Chairman will need to appoint a new Planning Committee Chairman so in the meantime she has talked with Gary Vermeire about having the Interdepartmental Advisory Panel begin to look at how to move forward with our planning process especially around the State Government Component. The IAP could take a look at what services are in place, identify gaps or overlaps and assist in developing recommendations for the direction of state services.

Criminal/Juvenile Justice Subcommittee

Executive Director Powner explained that the Criminal/Juvenile Justice Subcommittee is being reorganized and we are glad to have Gayle Maher sitting on Council from the Administrative Office of the Courts and she has agreed to sit on the Subcommittee.

Legislative Subcommittee

Bettyann Cowling-Carson reported that the Subcommittee did meet on January 7, 2010 and Bob Zlotnick reported from a draft of the minutes on what they discussed.

There is a new member on the Subcommittee, Rebecca Balaquor who is a Student Assistance Counselor at Hillsborough High School and is representing ASAP, and the Association of Student Assistance Professionals.

The Subcommittee briefly discussed mental health and substance abuse parity and the State Health Benefits Commission's vote to waive participation in the federal parity regulations for employees in the state health benefit system. There is some confusion regarding this issue and more information is being sought, Executive Director Powner is writing a letter to the Commission requesting answers to the subcommittee's questions.

Mr. Zlotnick stated that when the discussion of sending the letter occurred in the subcommittee that he asked questions about the Legislative Subcommittee such as: the need for the committee, the purpose of the committee, the frequency of meetings and the need to hold face to face meetings. He said he has been sitting on the subcommittee for the past year and has suggested that perhaps there doesn't need to be monthly meetings and he has also suggested the possibility of utilizing conference calls rather than face to face meetings.

Mr. Zlotnick gave a brief summary of what he has surmised the costs of holding a meeting and what the costs might be for a conference call; because in the last year he has not seen real results come out of this subcommittee. The discussion that ensued at the

subcommittee after he brought up these questions turned more towards the Council in general and the Governor's Council purpose and mission; however it was his intention to focus on the Legislative Subcommittee.

There seemed to be more questions than answers and one of the suggestions was to discuss it at Council. Chair Kay McGrath was going to reach out to Executive Director Powner regarding these issues. The subcommittee also discussed the current structure and the vacancies. It is important to note that it is a critical time with the transition of the new administration and timing was questioned. It was agreed by those present that it would be an ongoing discussion. They also discussed orientation for new subcommittee members and Ms. McGrath said she had a plan to work that into the next meeting.

There was an update on A2762 which authorizes a court to waive or reduce parole ineligibility or grant probation for a drug free school zone violation under certain circumstances. The second chance legislation was discussed by Candice Singer from NCADD New Jersey who is a valuable asset to the Legislative Subcommittee and Ms. McGrath also expressed her appreciation to NCADD New Jersey for Candice being on the subcommittee.

Nick Petrozzino introduced a new tracking report, a final one for the end of the current session.

Jim O'Brien brought up the parity issue again and they discussed legislation S607/A2777 from the previous session sponsored by Senator Vitalli regarding the State Health Benefit Commission.

Mr. Zlotnick mentioned that the 911 Life Line legislation was passed and signed into law in the fall. There is a color pdf file that can be downloaded for free and it is a placard that can be folded in half like tent style and if anyone is interested please let him know and he can email it to you.

The next meeting will be on February 4, 2010.

Executive Director Powner wanted to add that in the Council packets there is a copy of the letter that went to the State Health Benefits Commission. In researching the issue, she said, it appears they ask for this exemption every year and that information is attached to the copy of the letter. We have asked them if they are the final decision or can the Governor or Legislature override or veto their decision. Hopefully we will hear from them shortly; if we don't in the next couple of weeks we can take Mr. Bucco's suggestion from last month to have our counsel review it to see if they fall under the Governor or legislature's jurisdiction.

Executive Director Powner said she was aware of the discussion at the subcommittee and that it seems to come up every so often. The proposed GCADA by-laws changes would allow for electronic voting and conference calls for the Council and once they are

adopted they would apply to the subcommittees as well. However, utilizing that format might not be a Chairperson's preference.

The issue of the effectiveness of the Council, which includes the subcommittees, is very dependent upon the support and the attention paid to it by the administration. This last four year period the GCADA had absolutely no support from the administration. We are in but not of Treasury which makes us an independent agency. We aren't part of Treasury, the GCADA is supposed to provide advice and recommendations to the administration and the legislature. Not having any administrative support is one of the dilemmas that the Council has been dealing with in varying degrees for years. However, in the past there have been Legislators who have asked for specific letters of support for a legislative committee for instance because the GCADA had passed a resolution on a piece of legislation. Executive Director Powner said she has talked with Kay McGrath about having herself or others from the Legislative Subcommittee meet with legislators to advocate positions that the Council adopts. She feels that whether or not the actions of the Legislative Subcommittee via the Council are really listened to has a lot to do with the receiving end as well.

There was a lengthy discussion around these issues and Second Vice-Chair John Gluck made it clear that at any time a Council member, staff or a member of the public can bring something to the attention of the full Council and the Council can vote to immediate action.

Treatment Subcommittee

Gregg Benson, Chair, reported that the next meeting is immediately after the Council meeting today. There have been a number of very critical issues that have emerged within the State relative service provision, finances and other issues and part of the Treatment Subcommittee to look at the appropriateness, the efficacy, the clinical needs, the training needs and the workforce development. It is important that we have access to information, research and the work that is being done across the state, certainly through DAS. A concern to the subcommittee currently is that the GCADA had made couple of requests for the 2009 CSAT and CSAP unabridged reports and we still have not yet received them. We would like to have them for the Subcommittee and the Council for review. There are questions with some DAS initiatives relative to the DUII Funds and the Vivitrol Pilot that has been discussed. There are some significant concerns in the treatment community regarding the wisdom of this particular pilot given it reportedly takes a tremendous amount of dollars from the DUII funds and that would impact the counties. The subcommittee would like to have accurate information about the initiative so that they can review it appropriately. It is the job of the Council to review, look at, coordinate and integrate all services throughout the state with regard to substance abuse and substance dependent disorders and we need the information to do it properly. He was very happy to hear from Ms. Mazon Jeffers that she is looking for cooperation and collaboration. He thinks that DAS and GCADA have worked at cross purposes for the last several years; that an atmosphere of collaboration is critical and he does not believe it has been taking place.

Raquel Mazon Jeffers provided a point of clarification: DAS does not yet have the final CSAT and CSAP reports available to them to distribute to anyone. It is not a public document and DAS is not allowed to make it a public document until it has been finalized. As soon as it is finalized, it will certainly be available and DAS will most likely post it on their website for public viewing. Secondly, with respect to the Vivitrol pilot the Division of Addiction Services would be very happy to be invited to the Treatment Subcommittee to provide a full presentation on some of our thinking around the Vivitrol pilot. A power point presentation on some of the initial planning around the Vivitrol pilot is actually available on our website currently. DAS is still in the planning phase of this initiative and that is why they have solicited input from other stakeholders and interested parties on how we should structure this initiative. As an immediate clarification, DAS is really looking at making an FDA approved medication available for alcohol addiction to clients who are suffering from alcohol addiction, who have received an intoxicated driving offense and who have here to for received many interventions that are still unsuccessful in helping them attain recovery from alcohol addiction. They are looking at piloting it for 100 individuals who meet the income ability as well as the programmatic eligibility for the DUII funds. Gregg Benson said he was happy to hear that they would attend a subcommittee meeting to make a presentation because there are still some questions that members have and to be included in the discussions about the efficacy of the pilot.

Veterans and Military Ad Hoc Committee

Second Vice Chairman Gluck introduced Wanda Moore, Director of Re-entry; Office of the Attorney General, who was going to make a presentation on an initiative involving the Re-entry of Veterans' Returning from War.

Wanda Moore thanked everyone and explained it was great to be here and to share with everyone the work they are doing at the Attorney General's Office. They are basically looking to coordinate the services, working very closely with the Department of Corrections, Parole, Division of Addiction Services, Labor and all the State and community partners so they can create a seamless transition for veterans who have been incarcerated and are now returning back home to their communities. Ms. Moore shared some of the background of the Veterans' project saying that started out of a model that was developed by the National Association of Drug Court Professionals with Judge Russell, of Buffalo, NY. He created the Veterans' Treatment Court and as a result of his work the concept is expanding nationally. There is additional information at their website www.veteranstreatmentcourt.com.

Ms. Moore gave an overview of the New Jersey Veterans' Assistance Project which was created and developed in a combined effort through the Judiciary along with the Department of Veterans' and Military Affairs, the New Jersey Department of Human Services and the Division of Mental Health Services. They were looking to connect service members who come home and have contact with the criminal justice system to the help that they need. The Veterans' Assistance Program began in December 2008 as a pilot both in municipal and superior courts, this initiative identifies vets as soon as

possible after they enter the court system and refers to them to their local Veteran Service Office (VSO) for services. Ms. Moore explained the process and some of the work they do is to identify:

- The veteran is in the criminal justice system.
- They are referred to the local VSO.
- An assessment is done to identify their needs, some needs are:
 - Substance abuse
 - Mental health
 - Securing vets benefits
 - Nurturing
- Referrals for the veterans to services for their specific needs and mentoring.

Ms. Moore gave some updated information and stats, to show where the initiative is, where they are piloting and where they are looking to expand. The initial pilot began in Atlantic and Union Counties and expanded to Burlington and Cape May Counties. As of November 30, 2009 a total of 177 veterans have been served: 102 were served in Atlantic County, 60 in Union County, 9 in Burlington County and 6 in Cape May County. The expansion contemplates a 2010 implementation in the counties of Morris, Mercer, Bergen, Sussex, Passaic and Camden.

Ms. Moore concluded their goal is to coordinate and collaborate with their state and community partners; and to support them to make this a seamless process. She asked if there were any questions and there were some questions and comments. Mr. Gary Vermeire, Department of Education, asked if there is a system in place to track the people they are working with to make sure they are using the services. Ms. Moore said she would get the information on how they follow up and collect the data and forward it to the Council. Mr. Gluck commended her on her presentation and the work that is being done around the country to help returning veterans.

Other Business

Second Vice Chairman Gluck felt that it was a good idea to provide an orientation to new members appointed to the Council and asked Executive Director Powner to look into how to go about this and have a plan ready for the next meeting.

Executive Director's Report

Executive Director Powner reported that the Comptroller's visit is finished and they went back to Mercer and Monmouth Counties, two of the four that they went to during their 2008 visit. There was some feedback from counties that led us to forward some additional prevention information and research to the Comptroller's staff and we have requested for a meeting with them and Acting Chairman Van Ess, Second Vice Chairman Gluck and Executive Director Powner to find out what documentation or research they used to make some of their judgments about Alliance programs. We want to ensure they have all available information on prevention strategies so they are equipped to make

accurate judgments. We have requested that they provide to us any documents or reports prepared by other agencies in 2008 regarding GCADA as well as any letters or reports that they issued to other agencies as a result of the 2008 GCADA audit.

We asked CADCA (Community Anti-Drug Coalitions of America) to develop a training plan for us to implement their Coalition Academy training in New Jersey. We have received a preliminary proposal and are now talking with them to determine if this level of training should be rolled out in phases because all the municipal alliances do not have the same capacity. So, we are looking at starting with the counties and large municipal alliances that have full time coordinators. During this stage we would work to build the capacity of medium and smaller municipal alliances.

Executive Director Powner wanted to talk about the clarification regarding her report at the December meeting that Raquel Mazon Jeffers gave earlier during the approval of the December minutes. In December she was reporting on what she had heard from a reliable source. She said she wants to go on the record that she has a copy of DAS' submission to the transition which has two parts and GCADA is brought up in both sections. On page 11 of the Divisional Analysis they cut and pasted selected quotes from the comptroller's 2008 GCADA report.

At this point, Raquel Mazon Jeffers interrupted and said she strongly objects to sharing in a public meeting a confidential document (DAS's submission) that was handed to a transition team. It was not to be shared as a public document.

Executive Director Powner replied that the document was not marked confidential.

Ms. Mazon Jeffers said all documentation submitted from the Department to the transition team has been treated as confidential.

Executive Director Powner said she wanted to read the sections in question into the record because she didn't want anyone thinking she made up the information or lied at the December meeting and she began to read from DAS' transition submission the section using the Comptroller's report language to recommend that GCADA and the Alliances be moved under DHS.

Raquel Mazon Jeffers asked the Chair if she could move to suspend this conversation so that she could get confirmation that it is actually legitimate to take a division's transition document and read it this public meeting. She said there was nothing in the document that concerns her but she objected to a document shared in confidence with a transition team being shared here in this public meeting without prior permission from herself or her commissioner. She also said she objected to having sections read out loud without the entire context of the document being made clear; she believed it was being used out of context. She strongly objected and absolutely requested the exercise of reading the document in this public forum be suspended immediately until we have further clarification whether this is an acceptable practice.

Second Vice Chair and the meeting's Chair, said we have a little bit of a problem in that we did not have counsel from the Attorney General's Office in attendance at the meeting to make a ruling. So, he advised Mary Lou that she would basically be on her own if she chose to continue because he did not believe he could make a decision without an opinion from counsel; we could suspend it now and bring it up at the next meeting.

Dr. Bob Zlotnick told the Chair that he thought there was a motion on the floor made by Ms. Mazon Jeffers; and he also felt it suffices enough for Ms. Powner to say she has a copy of the document and any member of the Council that wants to see it or read it can go to her directly.

Raquel Mazon Jeffers said she needed clarification both from her Commissioner and the transition team to know if this in fact is a document for people that is to be made public. It is a Department of Human Services document; if it is a document to be made public and they are at liberty to share it with anyone publically she would be happy to make it available for folks - but it is their document.

A very lengthy discussion ensued, involving numerous members, around the issue of government documents and communications being subject to the Open Public Records Act. After all comments and questions were heard, John Gluck asked for a second to Ms. Mazon Jeffers motion to suspend the reading of DAS's report to the transition. Mary Ann Barkus seconded the motion. Additional comments and discussion from members occurred at this time.

A roll call vote was taken to table the topic of DAS's transition document; there were four yes votes, five no votes and the remaining members present abstained without comment.

John Gluck said it did not receive a two thirds vote as needed for a tabling motion so the no votes have it. He asked if there were any members who wanted to make any additional motions. Gregg Benson made a motion to reenter discussion regarding this issue at the first ability to have some clarifications provided. Mary Ann Barkus seconded the motion. After some questions and discussion Gregg Benson withdrew his motion.

Gary Vermeire talked about find a way to create a forum that would facilitate bringing both the GCADA and the Department of Human Services together in order to resolve the differences that have become apparent.

John Gluck, at this point, asked Executive Director Powner to continue giving her report.

To Gary Vermeire's point, Mary Lou Powner said that her hope was to get a front office (Governor's Office) that will pay attention to the dynamics of what is happening in the alcoholism and drug abuse field and now with Governor Christie we'll just have to wait to see if it happens. It has been very unfortunate that successive administrations have not always utilized the Council fully; and for the past four years the Corzine administration gave no support or attention to the Council. She also said that we operate in an open

public process. The GCADA is very representative of the open public process that exist at the county and municipal level where people sit and they discuss the issues going on around them – it is not to do business behind closed door. The Cabinet working group that envisioned the creation of the GCADA saw it as being an independent coordinating, planning, research and review body covering all aspects of alcoholism and drug abuse in the state.

In the earlier discussion Myrtle Daniels asked why the Executive Director believed it necessary to share the DAS transition document with the members. To that point, Ms. Powner thought it was necessary given the several emails from Ms. Mazon Jeffers and the statement made earlier during the approval of the minutes. She said she was greatly concerned that her counterpart from DAS feels that she can control certain aspects of information and reported that in a Christmas Eve phone conversation with Ms. Mazon Jeffers she wanted the minutes of the December meeting changed because the information reported regarding DAS' transition document was incorrect. Ms. Powner said she explained that minutes cannot be changed after a meeting except for on the record at the next meeting.

At this point, Ms. Powner read question number nine and the answer provided by DAS in the second transition document (Interview Questions) which recommends the consolidation of GCADA within DAS. Executive Director Powner said we can quibble over whether it was good language or bad language, but the interpretation remains that DAS is recommending this consolidation. However, they do not bother to inform the transition that this was tried last year and the state legislature resoundingly rejected the idea. The legislative leadership that blocked the Corzine administration's attempts to move the GCADA to DHS remains in leadership this year and will again block any administrative or legislative moves to consolidate the GCADA and the Alliances within DHS.

Ms. Powner asked the members to keep in mind that the strength and beauty of the Governor's Council on Alcoholism and Drug Abuse is the fact that it takes place in public. People have the ability to come to us for assistance and ask questions; it is not secretive. This is working in the best interest of all the people in New Jersey in particular the 800,000 alcoholics and drug abusers and their families. She said that we will get to the bottom of what is intimidating the folks in the field and stopping them from speaking out. She is hoping with the new administration coming in that the fear dissipates and people feel free to speak out again without fear of retaliation and retribution. There are going to be public forums organized in the coming months for the alliances and for others under the subcommittees so that the GCADA can begin to give voice to many of the concerns and problems of the alcoholism and drug abuse field.

Second Vice-Chair, John Gluck, said we had a very serious discussion today and he knows there are some road blocks. He agrees with Gary Vermeire that maybe this is the time to start building because we can't do it by fighting. Mr. Gluck said we had to battle for this Council for a whole year and many of its public members took part publicly at the Assembly hearing, meetings with legislators and elsewhere trying to save the Alliances.

So, he understands the frustration of having gone through that as the Executive Director and others who have believed in the GCADA for many years. He said it was in a position of tumbling down very quickly. We believe that this state needs the Alliances; sure every place you go there are things that can be done better, but we think the Alliance program gets the best message out in our local communities. That was not where the Comptroller's report took it, the press took it or the where the Assembly committee seemed to be going. I don't apologize for things that are said here, Mary Lou took her own position. I never saw the transition document until she brought it up now so there is no additional plot to set anything in motion here with DAS. I would hope that we will be able to right the ship in this new administration, get the members that we need, get them orientated and get the things that we need to do our work on this Council.

Please note that the minutes are an abridged accounting of the meeting. They contain all actionable items, but much of the discussion is not included. Anyone wishing to listen to the meeting tape is welcome to do that at the GCADA offices.

Public Comments

No comments from the public.

Adjournment

Second Vice-Chair, John Gluck adjourned the meeting at 11:50 a.m.

Mary Lou Powner
Executive Director