

Scott Walker  
Governor



Michael Waupoose  
Chairperson

Duncan Shrout  
Vice-Chairperson

Scott Stokes  
Secretary

State of Wisconsin

**State Council on Alcohol and Other Drug Abuse**

1 West Wilson Street, P.O. Box 7851  
Madison, Wisconsin 53707-7851

STATE COUNCIL ON ALCOHOL AND OTHER DRUG ABUSE  
MEETING MINUTES

December 14, 2012

9:30 a.m. – 3:30 p.m.

American Family Insurance Conference Center  
6000 American Parkway Madison, WI 53783  
Room A3141

Members Present: Sonya Sidky, Kevin Moore, Steve Fernan, Norman Briggs, Joyce O'Donnell, Tina Virgil, Sue Shemanski, Michael Waupoose, Rebecca Wigg-Ninham, Sandy Hardie, Douglas Englebert, Mary Rasmussen, Duncan Shrout, Sandy Pasch, Craig Harper and Scott Stokes

Members Excused:

Members Absent: Roger Frings, Dennis Baskin, Charlotte Rasmussen, Gary Bies

Ex-Officio Members Present: Ray Luick, Matthew Sweeney, Raymond Perez, Don Pirozzoli, Randy Glysch

Ex- Officio Members Excused:

Ex- Officio Members Absent: Anne Hoffman, Linda Preysz, Colleen Baird, Thomas Heffron, Robert B Williams

Staff: Joyce Allen, Lou Oppor, Tanya Hiser, Faith Boersma, Pat Cork, Arlene Baker, Susan Endres, Christy Niemuth, Lee Ann Cooper, Bernestine Jeffers, Sarah Norberg, Bernestine Jeffers, Ashleah Bennett

Guests: Denise Johnson, Dave Macmaster, Nina Emerson, Keith Lang, Paul Krupski

**I. Introductions/ Welcome/ Pledge of Allegiance/Announcement Noise Level – Michael Waupoose**

Michael Waupoose welcomed the group. Members, staff and guests introduced themselves. The group recited the Pledge of Allegiance. Mr. Waupoose reminded everyone to avoid talking amongst themselves during the meeting. It makes it difficult to

hear and difficult for the interpreters to follow. Mr. Waupoose then introduced new SCAODA staff member, Ashleah Bennett.

## **II. Review/Approval of September 7, 2012 Minutes—Michael Waupoose**

Mr. Waupoose asked for any changes, corrections or additions to the minutes. Hearing none, **Joyce O'Donnell made a motion to approve the minutes of September 7, 2012. The motion was seconded by Duncan Shroul. The motion was approved unanimously.**

## **III. Public Input—Michael Waupoose**

Mr. Waupoose asked if anyone wanted to offer public input, hearing none Mr. Waupoose continued with the next agenda item.

## **IV. Committee Reports:**

### **• Executive Committee—Michael Waupoose**

The executive council met on December 5, 2012. During the meeting they reviewed the vacancies for council positions. With the change due to the legislative elections, the Executive committee will send out legislative letters for council appointments. Duncan Shroul has agreed to make personal follow up visits with legislative offices to help influence these appointments.

The Wisconsin Department of Children and Family Services (DCF) have asked SCAODA to appoint a SCAODA representative to the Secretary's Council on Child Welfare. Michael Waupoose referenced the letter sent by Wisconsin's Department of Children and Family Services. Lou Oppor indicated a request was made for DCF to send out a representative to speak to the council about the scope of their council but, no one was able to attend. Mr. Waupoose stated he believes it is a big compliment to us that they reach to us for representation; that they recognize the important role that substance abuse plays in the lives of children and families. Mr., Waupoose requested a volunteer to represent State Council on Alcohol and Other Drugs (SCAODA) on the Secretary's Council on Child Welfare for DCF. Rebecca Wigg-Ninham volunteered for the position. Lou Oppor will coordinate with DCF to let them know the decision.

Mr. Waupoose reported that in response to the motion at the September SCAODA meeting, a letter is being drafted to Wisconsin's Department of Transportation (DOT) and Department of Public Instruction (DPI). The letter was a formal request for a presentation at the March 1<sup>st</sup> meeting in regards to how they spent the Intoxicated Driver surplus funds. Sonya Sidky asked who within the organization the letter would be sent. Lou Oppor replied that they are normally sent to the agency's Secretary.

- **Diversity Committee—Rebecca Wigg-Ninham and Sandy Hardie**

Rebecca Wigg-Ninham reported that the Diversity committee is working on recruiting members. Ms. Wigg-Ninham thanked the two new members for joining the committee and for their time. She also reported they are looking for additional members from the Lesbian, Gay, Bisexual, Transgender, and Questioning (LGBTQ) community especially. She asked for suggestions of possible members. They have been talking about Veteran's and LGBTQ community issues. Also, they have been researching the LGBTQ community's substance use which include an especially high number of tobacco users. They have been working on educating themselves and figuring out a way to support the community. Michael Waupoose suggested contacting Outreach and Sandy Pasch suggested Diverse and Resilient.

- **Intervention and Treatment Committee (ITC)—Norm Briggs**

Mr. Briggs reported that ITC was working on standing issues on the treatment and care of women, children and special populations. Also workforce and minority populations, they are looking forward to training coming in January.

**Mr. Briggs made the following motion on behalf of ITC:**

**It is a policy goal of SCAODA that people seeking treatment for Nicotine Use Disorders shall have access to the same range of treatment services as those offered for the treatment of other substance use disorders. Duncan ShROUT seconded the motion.** Michael Waupoose asked for discussion: Sandy Pasch inquired about the Diagnostic and Statistical Manual (DSM) of the new health care plan and wondering if it is not already included in that. Ms. Pasch mentioned the resistance from providers could be a possible issue since many use tobacco during substance abuse recovery. In addition, Duncan ShROUT voiced concerns and questions were brought forth on compensation from Medicare and other programs to providers for nicotine addiction related treatment. Kevin Moore stated the Department of Health Services is working on a project for a medical home that works with mental health and medical conditions. 44% of applicants were addicted to nicotine. The 17,000 applicants, after averaging, had about \$20,000 per person in Medicare bills. Mr. Waupoose brought forth the concern that there are no criteria for "Access to same range of treatment." Is it appropriate or necessary? Mr. Briggs replied ITC meant when necessary. Mr. Waupoose pointed out that nicotine addiction is usually a co-occurring condition. David McMaster agreed it is rare that nicotine is the only substance being abused but, stated they are out there and they deserve assistance. Raymond Perez asked about whether or not there's data regarding in-patient treatment for nicotine addiction and what is the funding for that. Mr. Briggs replied data is based on New York state data. Mr. McMasters stated ITC believes this motion is more of a statement of philosophy rather than a firm policy. They would like Nicotine addiction to be recognized as a disorder and that it should have more available treatment options. Sue Shemanski suggested the motion be reworded. Mr. ShROUT made a motion to reword the original motion from ITC; Ms. O'Donnell

seconded the motion. Mr. Briggs stated he was uncomfortable agreeing to that without input from the committee but, would take suggestions on wording. **Mr. Waupoose called for the vote on the motion from ITC. Vote resulted in six in favor, six opposed, and three who abstained. As a result of a tied vote, Mr. Waupoose cast a vote in the opposition. The motion did not pass.**

- **Planning and Funding—Joyce O’Donnell**

Joyce O’Donnell reported a public forum in Wisconsin Dells. The forum had low attendance so they are going to work on ideas for attracting more people. Ms. O’Donnell thanked Lou Oppor for his presentation at the Planning & Funding Committee’s Public Forum. She reported the Planning and Funding committee is in conference with Maureen Busalacchi, who will be giving a presentation to the Committee. Lou Oppor reported that Maureen is the director of Health First WI, formerly known as Smoke Free WI. They have, in the past, primarily focused tobacco use but have recently expanded to include alcohol use and obesity. Mr. Oppor requested that Paul Krupski, a guest from Health First WI, mention the three primary areas that Health First WI is focusing on. Mr. Krupski reported they have put together a state leadership team around Alcohol in Wisconsin. The state leadership team consists of representation of all regions of the state, law enforcement, a judge, health representatives and others. The three policy priorities that came from this team were: An increase on alcohol taxes, removing the parental exemptions in the state on buying alcohol for minors at licensed establishments, and lastly, making sobriety check points legal in Wisconsin. Mr. Oppor requested that Mr. Krupski talk about the focus groups that Health First WI ran recently. Mr. Krupski reported Health First WI contracted with a group from Pennsylvania to come and run focus groups around the state on issues regarding alcohol use and the three priorities mentioned previously. He reported they received really interesting feedback and hopes to use the feedback as they moving forward. A question was asked about what they were doing to reach out to diverse populations in Wisconsin (i.e. the tribes, the Latino community). Mr. Krupski replied they do have representation on their state leadership board from Great Lakes Inter-Tribal Council (GLITC). He said they do not have a set plan as of now but they do plan to reach out to all ethnicities. A question was raised about the parental exemption and where it would be in effect. Mr. Krupski gave the answer that it would be in effect at licensed bars and establishments but not in private residences. Another question was posed in response to why this would not be enforced in the residences since the law states the legal age is 21. Mr. Krupski explained that it came down to public property versus private property. Ms. O’Donnell continued with the Planning and Funding committee’s report. Ms. O’Donnell reported there is a lot of concern with funding for prevention programs and Department of Public Instruction (DPI) has been offered a big hit. She explained that all the data states that prevention is a key component and that education is the area that has had a great influence dealing with the community, families, and schools. She would like to more money go to prevention and also more recreational programs or activities for the community.

**Joyce O'Donnell Made the following motion:**

**“The Planning and Funding Committee supports the Department of Public Instruction (DPI) in retaining the current \$1.3 million allocation received from the Penalty Surcharge into the next biennium and for the foreseeable future.”**

**Duncan ShROUT seconded the motion.** Discussion: Steve Fernan pointed out the mentioned \$1.3 million is dedicated to aid local schools, the amounts that goes out in grants to aid the schools and student groups for prevention but there is a total of \$1.8 million given to DPI. A friendly amendment was proposed to change the \$1.3 million to the full \$1.8 million. Ms. O'Donnell agreed. It was pointed out the Penalty Surcharge funds are the only funding now available, since the federal support ended, to give prevention grants and train teachers and school counselors on Alcohol and Other Drug Abuse (AODA) issues. Raymond Perez asked if DPI has looked at the local school districts modifying meal rates to help allocate more funding. An answer was given that they cannot address that question at this time. Tina Virgil pointed out the funding that was given in the past by the Department of Justice (DOJ) had created a deficit and this was a way of trying to reverse some of those dollars but, it would just need to play itself out. Duncan ShROUT made a point that we need to support prevention because it makes an imprint. It was also pointed out that the ability to retain prevention funding is important. Michael Waupoose asked for any further discussion. Hearing none, he called for the vote. **There were two votes in opposition (Moore and Virgil); one abstention (Sidky); and the rest in favor. The motion passed.**

**Joyce O'Donnell then made the following motion:**

**“To support the addition of the definition of intoxicant (“any alcohol beverage, substance used contrary to s. 941.316, controlled substance, controlled substance analog or other drug, or any combination thereof”) to the vehicle statutes that apply to the OWI laws.”** Duncan ShROUT seconded the motion. Discussion: The question of “how is it tested” was asked. Nina Emerson from the Resource Center on Impaired Driving was introduced. She had completed studies on this issue. Ms. Emerson reported it is tested through a blood test. Ms. Emerson explained this motion would revise the definition of intoxicant so that it would include any substance use in contrary to 941.316. Kevin Moore asked about s.941 and if this just covered the huffing aspect of it. Ms. Emerson stated it is huffing but the 941 statutory sections refer to chemical compounds, household substances so it is a broader range. It's really about the use of these substances contrary to how they were designed to be used. The intent for this is to tie the huffing laws in with Operating While Intoxicated (OWI) laws. Michael Waupoose asked for any further discussion. Hearing none, he called for the vote. **There were all “ayes” and no one in opposition or abstaining. The motion passed.**

Joyce O'Donnell thanked LeeAnn Cooper for staffing the Committee and that she's done an amazing job.

- **Prevention Committee—Scott Stokes**

Scott Stokes reported that they have added some new members to the Prevention Committee. Mr. Stokes reported the following highlights: A \$1.2 million per year Substance Abuse and Mental Health Services Administration (SAMSHA) grant for the next three years to focus on prescription drug use; 911 Good Samaritan Ad-Hoc committee is in the process of working on the final report; The state is gearing up for the Parent Who Host campaign which will run during prom and graduation; The Epidemiological Report on Substance and Alcohol Use in Wisconsin is at the printers and will be ready by the end of this month. We will have an overview of the report at the March State Council on Alcohol and Other Drugs (SCAODA) meeting; and finally, Mr. Stokes reported the United Health Foundation released its 2012 Health Ranking and Wisconsin ranked worst in the nation for binge drinking.

**Scott Stokes made the following motion:**

**“To form a marijuana prevention Ad-Hoc committee that would develop a recommendation report and a public health response to issues related to marijuana use.” Mr. Stokes stated that this committee would start after the Good Samaritan committee finished. In addition, this committee would look at the use of synthetic marijuana. Joyce O’Donnell seconded the motion.**

Discussion: Kevin Moore asked if Washington and Colorado had their own version of SCAODA and what if anything happened at that level that we could learn from. Mr. Stokes explained that the motion had been made before the elections and recreational use had not come up but the committee would definitely be looking into what transpired. Norman Briggs asked if the focus would be on adolescent use or would it include adults. Mr. Stokes replied the initial discussion had been for adolescents but there’s no reason it couldn’t include adults as well. Sandy Pasch asked if it would be a directive of this committee to look at treatment and education rather than incarceration. Mr. Stokes said he would look into that. Michael Waupoose asked for any further discussion. Mr. Moore added that if we legalize marijuana its still an addictive substance and we don’t have the capacity to manage treatment. Mr. Stokes was unable to comment. Ms. Pasch pointed out we have the benefit of looking at Washington and Colorado and seeing how it played out there. Hearing none, he called for the vote. Raymond Perez mentioned that another place for resources and critical data would be our veteran’s treatment court which was originally formed to focus on Alcohol and Other Drugs Abuse. Duncan Shroul observed that normalization is a critical part of the discussion and that a detailed, thoughtful public health policy endorsed by the State Council is the best way to go. Mr. Shroul also pointed out that then people would make their own choice but couldn’t deny the risk factors involved with the choice. Mr. Shroul agreed and said they did not want the message out there that there is no risk. Sonya Sidky pointed out that marijuana is the number one issue on the list for impaired driving so; we can’t lose focus of the impaired driving aspect. Mr. Perez pointed out it would be interesting to look at the medical use side and see how it really relates to medical treatment. Mr. Stokes said he was sure the committee would look in to it. Rebecca Wigg-Ninham pointed out that

retirees are an important group for the committee to look at. One last comment was made about the impact this could have on marketing and what kind of mass advertising this could lead to. Mr. Waupoose asked for any further discussion. Hearing none, he called for the vote. **There were all “ayes” and no one in opposition or abstaining. The motion passed.**

- **Michael Waupoose thanked the committee Chairs for all their hard work.**

#### **V. Report on Combined Mental Health and Substance Abuse Needs Assessment Ad-hoc committee – Rebecca Wigg-Ninham**

Rebecca Wigg-Ninham reported that there was no new information at this time. They are still looking at data. She reported they will take another look at the data in January and will have something ready for the State Council on Alcohol and Other Drugs' March meeting.

#### **VI. By-Law Modification**

Scott Stokes reported that at the September SCAODA meeting, **a motion was brought forward to begin to provide a stipend for folks who participate in sub-committees of State Council on Alcohol and Other Drugs (SCAODA).** Norman Briggs clarified the proposal to amend the by-laws to state that individuals that are not council members serving on a committee, and are not compensated through their work, may receive a stipend. Mr. Briggs said this was to increase consumer involvement. Mr. Briggs stated that he did not expect this motion to pass since there is a statute that explicitly prohibits any serving on a committee from receiving compensation above their expense but still wanted to put the issue on the table. The motion was seconded by Duncan Shrout. **Michael Waupoose called for a vote. There were three votes in favor (M. Rasmussen, Shrout, and Pasch); three abstentions (Sidky, Fernan, and O'Donnell); and fourteen opposed. The motion was not passed.**

Kevin Moore reported there is a website set up for mental health but would like to expand it to cover the entire division (Mental Health and Substance Abuse Services). Mr. Moore would like to create a consumer opportunities portal.

#### **VII. State Agency Report**

Matthew Sweeney reported on the State Excise Tax Revenue. Sandy Pasch asked if the decrease in cigarette excise tax was due to consumers looking for other means of obtaining cigarettes. Mr. Sweeney replied that when the tax goes up they see a drop in the excise tax but yes, there are people who look to get around paying cigarette tax whether legally or illegally.

## **VIII. Other Topics**

Kevin Moore reported on the Department's (Department of Health Services) update. As part of their tribal consultation, alcohol and other drug issues have been at the forefront. One of the things that came out of the most recent tribal consultation was to seek a potential dedicated position on the council from the Tribal community. We have tribal representation but we don't have a tribal position. Mr. Moore thought the Department would be happy to advocate for that. Mr. Moore would like to keep this in mind for future consideration.

## **IX. Presentations**

- **AODA Services for the Deaf and Hard of Hearing – Denise Johnson**

Denise Johnson gave a presentation on Alcohol and Other Drug Abuse (AODA) and Mental Health service needs for the Deaf and Hard of Hearing community. Ms. Johnson reported on the affect the lack of services has on a person of the Deaf and Hard of Hearing community. She also reported that there is a Mental Health Steering Committee. This committee is working to develop a plan to create a collaborative services network for those in the Deaf and Hard of Hearing community. Some steps they have taken are: developing information resources, addressing of licensing issues, expanding utilization of Tele-Health, seeking financial support resources, creation of electronic access to available resources and recruiting for representation on key boards, councils and committees. Ms. Johnson talked about the difference between states with AODA services and those without. Wisconsin refers many patients to Minnesota for care because we don't have the resource to help all those in need of service. (See handouts and video presentation)

- **Drug Endangered Children – David Forsythe, Wisconsin Department of Justice (DOJ)**

David Forsythe gave a presentation on Drug Endangered Children (DEC). Mr. Forsythe reported a DEC is defined as "Any child born or unborn, at risk of neglect, or sexual and physical abuse, or emotional abuse, or mental harm by the parent's or caregiver's use, distribution or manufacture of any controlled substance or the parent's or caregiver's failure to protect the child from the exposure to the use, distribution, or manufacture of any controlled substance." The DEC started in California after a case involving the death of three young children in a meth lab explosion. The concept behind DEC is to coordinate the needs of the children contacted at drug-related crime scenes. Mr. Forsythe explained DEC is a two-phased program. It is not only the rescuing of these children but also the long term support they will need. Before DEC, children weren't seen as victims and there was no documentation of abuse. The different agencies involved (Child Protective Services,



Law enforcement, Prosecution) did not share information which, led to a lot of information getting lost in the chaos. The various DEC programs in Wisconsin all specialize in the Alcohol and Other Drug Abuse (AODA) problems that affect that specific region. Mr. Forsythe finally talked about the protocols that were followed by each agency to ensure the child was getting the best care. (See handouts and video presentation)

- **Report on the Affordable Care Act – Sarah Eskrich, Wisconsin Council for Children and Shell Gross, Wisconsin Council on Mental Health**

Sarah Eskrich and Shell Gross gave a presentation on the Affordable Care Act. The some of the highlights of the presentation were:

- **Why ACA? Uninsured Non-Elderly Wisconsinites (2010 SAHIE Data)**
- **Coverage Opportunities**
- **Exchanges**
- **Essential Health Benefits**
- **Filling the Gap in BadgerCare**
- **Trends in BadgerCare Core Coverage for Non-Custodial Adults**
- **Key Question about the 2013-15 WI Budget**
- **Timeline/Decision Points**
- **Questions**

**The full PowerPoint presentation can found online at the following url:**  
<http://scaoda.state.wi.us/presentations.htm> .

Discussion: Norman Briggs asked how manage care fits into the Affordable Care Act. Mr. Gross said he believed it will stay the same. Mr. Briggs replied there is a difference from having those benefits and accessing those benefit and didn't see a change to close that gap with the Affordable Care Act. Lou Oppor inquired about parity and how it works. Mr. Oppor explained his basic understanding was that with parity, certain services couldn't be capped like Mental Health and Substance Abuse but would appreciate clarification. Mr. Gross replied that there was an equation that was used to figure out the amount but that the precise rules had been placed yet. Duncan Shroul inquired if there is a definitive date when all the questions about the federal and state decisions about participation in the Affordable Care Act will be addressed. Mr. Gross said that he did not have a date but he would guess by February since that's when the budget is released. Kevin Moore said he felt October 1<sup>st</sup> date for this to go into effect was very aggressive. He stated there was a lot still unknown and a lot of decisions left to be made. Mr. Moore thanked Mr. Gross and Ms. Eskrich for their presentation and praised them on how fair the presentation of the issue it was.

## **X. Agenda Items for December 14, 2012 Meeting**

Michael Waupoose summarized agenda items for the March 1<sup>st</sup> meeting. They were:

- 2012 Epidemiological Study
- Workforce Development
- Department of Children and Families Update
- Department of Public Instruction/ Department of Transportation (DPI/DOT) Update on Surcharge (through Executive Committee or Planning and Funding)
- Update on the Affordable Care Act
- Update on the Dane County Integration Process – Tobacco-Free Facilities
- Update on report from Planning and Funding
- Report from Combined Mental Health and Substance Abuse Needs Assessment Ad-hoc committee

## **XI. Announcements—Lou Oppor**

- Synar Report has been completed and is available on-line at the Bureau's website. The survey is a measurement of non-compliance rates for youth seeking the purchase of tobacco products. Last year our non-compliance rate was 4.7 percent and this year its 5.4 percent so it jumped slightly but, we are well under the 20 percent required level.
- The Alliance for Wisconsin Youth is a group of 120 collations. They are managed through a regional prevent system. In other words, we have regional prevention centers that work with the collations to help reduce drug and alcohol abuse around the state. We just awarded new grants for new regional prevention centers.

## **XII. Moment of Silence for the Tragedy in Connecticut**

## **XIII. Adjournment – Michael Waupoose**

A motion was made to adjourn the meeting. The motion was seconded. The meeting adjourned. The next State Council on Alcohol and Other Drugs (SCAODA) meeting is scheduled for March 1, 2013 from 9:30 am to 3:30 pm in room A3151.

2013 SCAODA Meeting Dates:

March 1, 2013

June 7, 2013

September 13, 2013

December 13, 2013