



Oklahoma Opioid Abatement Board
Minutes of the Special Meeting
Wednesday, December 20, 2023, 3:30 p.m.

The Oklahoma Opioid Abatement Board held a special meeting on Wednesday, December 20, 2023, at 3:30 p.m., located at the Office of the Attorney General, 313 N.E. 21st St., Oklahoma City, Oklahoma 73105. OAG staff provided proper notice of the special meeting, as required under the Open Meeting Act, 25 O.S.2021, § 311, to the Secretary of State on December 7, 2023. OAG staff posted the agenda no less than twenty-four hours in advance of the public meeting in prominent public view at the Office of the Attorney General and ensured that the same was posted at the State Board of Pharmacy.

Attorney General Gentner Drummond called the meeting to order at 3:30 p.m.

Mr. Thomas R. Schneider called roll and recognized a quorum. At the time of calling roll, the following Board members were present:

AG Gentner Drummond	Mr. Scott Martin
Mr. Josh Cantwell	Ms. Sarah McFadden
Dr. Kelly Dunn	Ms. Lori Parish
Mr. Mike Hoskins	Dr. Leroy Young

Member Dr. Atula Walia was not in attendance.

Mr. Schneider noted that the meeting notice and agenda were posted in accordance with the Open Meeting Act, and a majority of members were present.

Members of the OAG staff, including Mr. Thomas R. Schneider, along with Mr. Terry Simonson, were present to assist the Board.

Following the introduction of the new members, AG Drummond recognized guests present at the meeting and asked them to introduce themselves.

Agenda Item 4. Review discussion, and possible action regarding minutes from the December 6, 2023 special meeting

The Board members reviewed the minutes from the December special meeting. Without any proposed edits, Dr. Young moved to approve the minutes of the August special meeting. Mr. Martin seconded the motion. The following members voted in favor of the motion:

AG Drummond	Mr. Martin
Mr. Cantwell	Ms. McFadden

Dr. Dunn Ms. Parish
Mr. Hoskins

Agenda Items 5A, 5B, and 5C. Review, discussion, and possible action on the following:

- **Opioid abatement grant award application,**
- **Opioid abatement grant contract, and**
- **Frequently asked questions (FAQs)**

AG Drummond initiated discussion on the above-identified documents. Dr. Dunn asked that the application request for more information concerning the process by which the political subdivision evaluated and assessed its needs and how the needs identified will be abated by the proposed projects or efforts. She also indicated that it would be helpful to know if any other sources of funding are being leveraged and if the abatement grant funds would serve as last-resort funding for the political subdivision or public trust. Mr. Hoskins recommended limited the length of responses to under 500 words. He proposed a 350-word limit. Given the need for flexibility and to adapt, Mr. Schneider asked the Board to give OAG staff authorization to adjust and modify the documents as necessary. AG Drummond finally recommended that the items voted on as a slate, with the suggested changes and delegation of authority to OAG staff. Mr. Hoskins moved to approve the grant award application, contract, and FAQs, subject to the changes discussed and with delegation of authority to OAG staff to make changes to all documents as necessary. The following members voted in favor of the motion, and none voted against the same:

AG Drummond Mr. Martin
Mr. Cantwell Ms. McFadden
Dr. Dunn Ms. Parish
Mr. Hoskins

Agenda Items 6A, 6B, and 6C. Review, discussion and possible action on the following:

- **Emergency rules**
- **Rule Impact Statement for emergency rules, and**
- **Notice of rulemaking intent for proposed permanent rules**

Members raised concerns about a need for more funding than the tiers provided in the emergency rules and proposed permanent rules. Members suggested that the rules provide flexibility for the Board to award more if need is demonstrated or if the full \$23 million has not been allocated. The Board also heard a brief comment regarding the signing of a release for those political subdivisions still litigating against one of the drug manufacturers. Following discussion on the rules, AG Drummond finally recommended that the items voted on as a slate. Dr. Young voted to approve the emergency rules, the rule impact statement for emergency rules, and the notice of rulemaking intent for the proposed permanent rules with a directive to OAG staff to make necessary revisions consistent with the Board's discussion. Mr. Cantwell seconded the motion. The following members voted in favor of the motion, and none voted against the same:

AG Drummond Mr. Martin

Mr. Cantwell Ms. McFadden
Dr. Dunn Ms. Parish
Mr. Hoskins

Agenda Item 7. Review, discussion, and possible action proposed timeline for opioid grant rollout.

Mr. Schneider presented the proposed Grant Rollout Schedule—

- December 22, 2023: Application launch
- March 8, 2024: Application due
- April 18, 2024: Application review complete
- Late April 2024: Grant awards announced, contracts transmitted (special meeting proposed)
- Late April-May 2024: Quarterly distributions wired upon receipt of executed contract and wiring information
- May 22, 2024: Hearings on denials

Following discussion by the Board, Mr. Hoskins moved to approve the proposed timeline, and Dr. Young seconded the motion. The following members voted in favor of the motion, and none voted against the same:

AG Drummond Mr. Martin
Mr. Cantwell Ms. McFadden
Dr. Dunn Ms. Parish
Mr. Hoskins Dr. Young

Agenda Item 8. Approval of settlement distributions for participating non-litigation political subdivisions from the Opioid Distributors Settlement with AmerisourceBergen¹, Cardinal Health, and McKesson Corp.

Mr. Schneider presented to the Board on proposed payments to non-litigating political subdivisions who elected to participate in the settlements in exchange for a release of claims to AmerisourceBergen, Cardinal Health, and McKesson Corp. Two payment structures were presented to the Board that were first provided in the August meeting. The first structure follows the percentages of recovery unique to each political subdivision. This translated into different annual payments for the next fifteen years. The second structure would provide predictability to the political subdivisions by providing consistent annual payments to the political subdivisions. Following discussion and review of the payout schedules,

Dr. Dunn moved to approve the settlement distributions for participating non-litigating political subdivisions from the Opioid Distributors Settlements using the second payment structure. Mr. Martin seconded the motion. The following members voted in favor of the motion, and none voted against the same:

AG Drummond Mr. Martin

¹AmerisourceBergen has been renamed to Cencora.

Mr. Cantwell	Ms. McFadden
Dr. Dunn	Ms. Parish
Mr. Hoskins	Dr. Young

Adjournment

AG Drummond adjourned the meeting at 4:30 p.m. without objection.