



2014 ANNUAL REPORT

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USA AV Council Mission and Duties

The mission of the Utah Substance Abuse Advisory (USA AV) Council is to create and coordinate a comprehensive strategy to eliminate substance abuse throughout Utah.

The Council's statutory duties (§63M-7-301 through 306) are to:

- Provide leadership and generate unity for Utah's ongoing efforts to combat substance abuse;
- Recommend and coordinate the creation, dissemination, and implementation of a statewide substance abuse policy;
- Facilitate planning for a balanced continuum of substance abuse prevention, treatment, and justice services;
- Promote collaboration and mutually beneficial public and private partnerships;
- Analyze and provide an objective assessment of all proposed legislation concerning alcohol and other drug issues;
- Oversee the implementation and evaluation of Utah's Drug Offender Reform Act (DORA);
- Monitor the use of beer tax funds annually distributed to municipalities and counties for purposes of alcohol-related law enforcement, prevention, treatment, detection, prosecution, and control to ensure compliance with the statute (§32B-2-404 and 405);
- Oversee Utah's Underage Drinking Prevention Media Campaign, ParentsEmpowered.org (§32B-2-306); and
- Report recommendations annually to the Governor, Legislature, Judicial Council, and Commission on Criminal and Juvenile Justice.

USA AV 2014 Legislative Priorities



In conjunction with its statutory duty to recommend statewide substance abuse policy, the USA AV Council identified several priority bills for passage during the 2014 Legislative Session. The following three bills passed:

H.B. 11 – Overdose Reporting Amendments, by Representative Carol Spackman Moss. This bill provides that a person who reports a person's overdose from a controlled or other substance, and who remains with the person and cooperates with responding medical providers and law enforcement officers, may claim an affirmative defense to the crime of drug possession. If the person is guilty of distribution of a controlled

substance, but reports an overdose and cooperates with emergency responders, this may be a mitigating factor in sentencing.

H.B. 119 – Opiate Overdose Emergency Treatment, by Representative Carol Spackman Moss. This bill allows the dispensing and administration of an opiate antagonist (e.g., Naloxone) to a person experiencing an opiate-related drug overdose. The bill permits prescribing to persons at risk of overdose, as well as to third parties such as family members, friends, or other persons in a position to assist the person at risk.

H.B. 211 – Substance Abuse Amendments, by Representative Michael Kennedy. This bill requires recovery residences to be licensed by the Department of Human Services Office of Licensing, and requires the

Division of Substance Abuse and Mental Health to cooperate with and assist treatment centers, recovery residences, and other organizations that provide services to individuals recovering from a substance abuse disorder, by identifying and disseminating information about effective practices and programs. Finally, the bill created the Recovery Residences and Substance Abuse Treatment Committee on the USA AV Council to study related issues.

The following bill did not pass, but will be presented again in 2015.

H.B. 363 – Mental Health Professional Practice Act Amendments, by Representative Michael Kennedy. This bill amends provisions for an externship license issued under the Social Worker, Family Therapist, and Clinical Mental Health Counselor Licensing Acts.

Utah's Drug Offender Reform Act

Utah's Drug Offender Reform Act (DORA) entered its tenth year of implementation in FY 2015. During the past decade, an estimated 3,875 participants have received DORA-funded substance use disorder treatment and intensive correctional supervision services.

The goal of DORA is to reduce the incidence of substance use disorders, drug-related crime, and the associated consequences for individuals, families, and communities throughout Utah. The objectives of DORA are to: determine an individual's specific risk and substance use disorder treatment needs as early as possible in the judicial process; expand substance

use disorder treatment resources for individuals under corrections supervision in the community and in correctional institutions; provide more intensive supervision by the Utah Department of Corrections; and integrate substance use disorder treatment and correctional supervision in a collaborative approach to managing individuals on probation and parole.

DORA Assessment and Quality Improvement Process

Beginning on January 1, 2015, DORA treatment and supervision providers statewide will undergo an intensive assessment and quality improvement process involving administration of the "Correctional Program Checklist" or CPC. The CPC is a process that determines how current interventions

are being operationalized and whether or not they adhere to evidence-based practices. The CPC has been utilized with other justice programs in Utah and has been found to be very helpful in identifying program strengths and weaknesses, as well as promoting evidence-based practices. The CPC process answers three basic questions: *Where is the program now? Where does the program need to go? How can the program improve?*

The CPC process will be funded by the DORA partner agencies: Department of Corrections, Division of Substance Abuse and Mental Health, and Commission on Criminal and Juvenile Justice. The process will be completed by June 30, 2016.

PARENTS EMPOWERED.org

Underage Drinking Prevention Campaign

During 2014, the USAAV Council maintained its oversight of Utah's ParentsEmpowered Underage Drinking Prevention Media Campaign, funded by the Utah Legislature through the Department of Alcoholic Beverage Control. The campaign entered its ninth year on July 1, with new TV, radio, print and social media components. The USAAV Underage Drinking Prevention Workgroup meets regularly to guide the development of campaign materials.

With its strong foundation of research showing **parental disapproval is the #1 reason youth choose not to drink**, ParentsEmpowered focuses on providing parents and guardians with information about the harmful effects of alcohol on the developing teen brain, along with proven skills for preventing underage alcohol use, including **BONDING** with children through daily, positive communication and interaction; setting clear **BOUNDARIES** and limitations, including rules about underage drinking; and **MONITORING** children's activities by asking direct questions and ensuring their environment is alcohol-free.

ParentsEmpowered serves as the hub for Utah's comprehensive effort to prevent and reduce underage drinking, an effort that is working! Data from the Utah Student Health and Risk Prevention (SHARP) Survey and the Utah Department of Alcoholic Beverage Control show that while per capita alcohol consumption rates in Utah increased from 2005-2013, youth alcohol use *declined steadily* for both lifetime and 30-day use during the same timeframe.

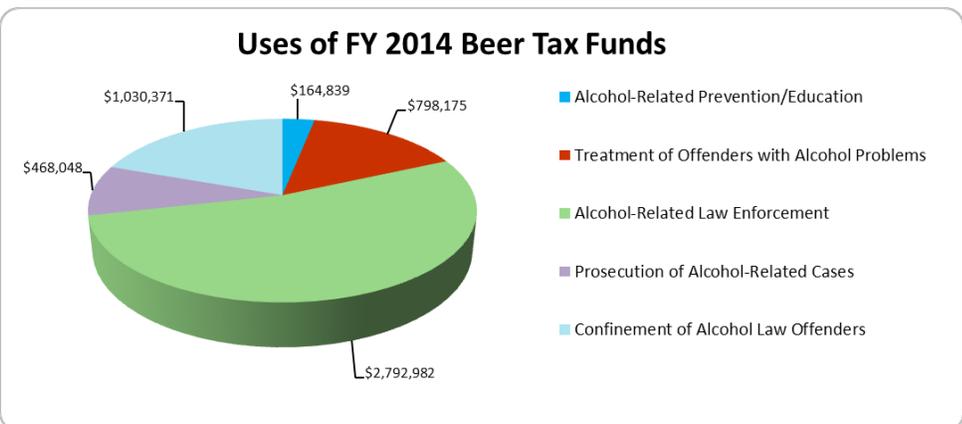


2014 Beer Tax Funds

The USAAV Council monitors the use of beer tax monies appropriated annually to Utah's municipalities and counties for alcohol-related activities.

The figure on the right shows how the FY 2014 appropriation of \$5,463,800 was utilized.

Note: The amounts expended do not add up to the total appropriation due to unexpended funds carried over to FY 2015 and Tax Commission distribution fees





Utah Justice Reinvestment Initiative

In his January 29, 2014 State of the State Address, Governor Gary R. Herbert called for “a full review of our current [criminal justice] system to develop a plan to reduce recidivism, maximize offenders’ success in becoming law-abiding citizens, and provide judges with the tools they need to accomplish these goals.” Governor Herbert directed the Utah Commission on Criminal and Juvenile Justice (CCJJ) to work in partnership with the Pew Charitable Trusts to prepare recommendations to accomplish these goals.

In collaboration with CCJJ and Pew, the USAAV Council’s Treatment Committee formulated, and the Council adopted, the following recommendations which are included as an Appendix in the Commission on Criminal and Juvenile Justice (CCJJ) Justice Reinvestment Report (available at <http://justice.utah.gov/>):

Provide Behavioral Health Treatment for Justice-Involved Individuals in Need

- Conduct risk and needs assessments for each offender prior to sentencing.
- Ensure a full continuum of behavioral health treatment and recovery support services are available on demand.
- Provide behavioral health treatment in prison/jail for incarcerated offenders and in community-based settings for offenders on probation/parole.

- In order to improve success, behavioral health treatment must be based on risk and need, and shall be constantly modified to meet the changing risk and needs characteristics of the offender as he/she transitions and stabilizes.

Ensure Continuity of Care to Enable Offenders to Transition Effectively into Community-Based Services Upon Release from Incarceration

- Ensure the Board of Pardons and Parole has access to behavioral health expertise.
- The treatment plan for offenders with behavioral health conditions should begin in prison/jail and then transition with the offender into community-based treatment, recovery support, and supervision services upon release.
- Include treatment, recovery support (e.g., housing, career employment), and supervision services in the Parole Agreement.

Utilize Evidence-Based Treatment and Supervision Practices

- Use only licensed programs/providers that employ evidence-based practices.

Provide Health Care Coverage for Justice-Involved Individuals

- Adopt the Governor’s *Healthy Utah Plan*.
- Adopt a statewide policy of suspending Medicaid/health care insurance coverage rather than terminating it when an individual is incarcerated.
- Complete an inmate’s application for health care coverage while incarcerated so it will be ready for submission immediately upon release.

- Facilitate the enrollment of offenders sentenced to probation in health care coverage.
- Direct the Insurance Commissioner to establish a process to ensure coverage for behavioral health services for justice-involved individuals (exception: individuals in incarcerated settings).
- When appropriate (e.g., based on risk and need), refer inmates to community-based treatment and/or recovery residences upon release from incarceration, as health care coverage is available in these settings.

Collaborate!

- Share offender information by keeping findings/data from screenings, assessments, and treatment records in a separate medical record that is not part of the criminal record, and making this information available to judges and the Board of Pardons and parole with proper consent.
- Promote strong linkages between the treatment, justice, and support services systems via more structured collaboration, communication, and information sharing (e.g., the DORA model).
- Expand both the CCJJ and USAAV voting membership to include a representative of the Department of Workforce Services.
- Hold joint meetings of the Executive Offices and Criminal Justice and Social Services Appropriations Subcommittees to ensure a comprehensive and coordinated approach to addressing the treatment and supervision needs of individuals with behavioral health disorders who are involved with the criminal justice system.

2014 USAAV Governor’s Awards

The USAAV Council annually honors those who have made outstanding contributions to Utah’s efforts to eliminate substance abuse and its consequences.

Representative Jack Draxler

received the 2014 USAAV Governor’s Award in recognition of his leadership and exceptional work in promoting the use of beer tax revenues to implement

a balanced approach to reducing alcohol and other drug abuse, and emphasizing the importance of evidence-based prevention.

Jennifer McNair received the 2014 USAAV Governor’s Award in recognition of her leadership and exceptional work to fight illicit drugs in Utah by providing scientific expertise and analysis for prosecutors, defense attorneys, investigators, and the Controlled Substances Advisory Committee.



From left to right: Damon Polk, Julie Steele, Jennifer McNair, Rep. Jack Draxler, and Lt. Governor Spencer Cox

Damon Polk received the 2014 USAAV Governor's Award in recognition of his leadership and compassionate work in substance abuse prevention and treatment with the Paiute Tribe of Utah, and his commitment to working collaboratively to improve the lives of those he serves.

Julie Steele received the 2014 USAAV Governor's Award in recognition of her leadership and compassionate work to provide health care and advocacy for Utah's drug endangered children.



Governor's Award

Utah Substance Abuse Advisory Council Members

S. Camille Anthony, CHAIR

Citizen Representative

Col. (Ret.) Merrill R. Carter

VICE CHAIR

Utah National Guard

Senator Stuart Adams

Utah State Senate

Dan Becker

State Court Administrator

Pat Bird

Expert in Prevention Issues

Heather Borski

Utah Department of Health

Paul Boyden

Chair, DUI Committee

Dr. Karen Buchi

Chair, Drug Endangered Children Committee

Susan Burke

Utah Division of Juvenile Justice Services

Craig Burr

Utah Department of Corrections

Tiffany Clason

Governor's Designee

Santiago Cortez

Chair, Treatment Committee

Commissioner Bill Cox

Utah Association of Counties

Parker Douglas

Utah Attorney General's Office

Ron Gordon

Utah Commission on Criminal and Juvenile Justice

Brent Kelsey

Chair, Recovery Residences and Substance Abuse Treatment Committee

Judge Michael Kwan

Expertise in Judicial Issues

Verne Larsen

Utah State Office of Education

Dr. Joel Millard

Expert in Treatment Issues

Richard Nance

Chair, DORA Oversight Committee

Craig PoVey

Chair, Prevention Committee/UPAC

Representative Paul Ray

Utah House of Representatives

Scott Reed

Chair, Justice Committee

Mayor JoAnn Seghini

Utah League of Cities and Towns

Shirlee Silversmith

Utah Division of Indian Affairs

Commissioner Keith Squires

Utah Department of Public Safety

Doug Thomas

Utah Division of Substance Abuse and Mental Health

Chief Paul Tittensor

Expert in Criminal Justice Issues

Liz Watkins/Liz Owens

Utah Domestic Violence Coalition

USA AV Committees

DORA Oversight Committee

Richard Nance, Chair

Drug Endangered Children Committee

*Dr. Karen Buchi, Co-Chair
Ann Williamson, Co-Chair*

DUI Committee

*Paul Boyden, Chair
Kim Gibb, Vice Chair*

Justice Committee

Scott Reed, Chair

Prevention Committee/UPAC

*Craig PoVey, Chair
Verne Larsen, Vice Chair*

Underage Drinking Prevention Workgroup

Doug Murakami, Chair

Recovery Residences and Substance Abuse Treatment Committee

Brent Kelsey, Chair

Treatment Committee

*Santiago Cortez, Chair
Dr. Joel Millard, Vice Chair*

Behavioral Healthcare Workforce Workgroup

Santiago Cortez, Chair

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