

Harm Reduction Commission

Meeting Minutes

January 9, 2019

3:00-5:00 pm

Date of meeting: Wednesday, January 9, 2019

Start time: 3:00 pm

End time: 5:00 pm

Location: McCormack Building, One Ashburton Place, Conference Rooms 1 & 2, Boston, MA 02108

Members present:

- Marylou Sudders – Executive Office of Health and Human Services (Chair)
- Monica Bharel, MD, MPH – Department of Public Health
- Jeffrey N. Roy – State House of Representatives
- Cindy Friedman – State Senate
- Marty Martinez – Designee of the Mayor of Boston
- Marc McGovern – Mayor of Cambridge
- Jessie M. Gaeta, MD – Boston Health Care for the Homeless Program
- Matilde Castiel, MD – Worcester Health and Human Services
- Armando Gonzalez – Massachusetts resident
- Leo Beletsky, JD, MPH – Northeastern University
- Deirdre Calvert, LICSW – Column Health
- Gary Langis – Education Development Center

Members absent:

- Aubri Esters – Massachusetts resident
- Frederick Ryan – Arlington Police Department
- Robert Roose, MD – Mercy Medical Center

Proceedings

Secretary Sudders called the meeting to order at 3:00 pm. Members present were Secretary Sudders, Commissioner Castiel, Commissioner Bharel, Ms. Calvert, Mayor McGovern, Senator Friedman, Mr. Langis, Representative Roy, and Dr. Gaeta.

Vote: Secretary Sudders requested a motion to approve the minutes from the commission's previous meeting on December 17, 2018. Senator Friedman moved to approve the minutes, which was seconded and approved unanimously by all members in attendance (Secretary Sudders, Commissioner Castiel, Commissioner Bharel, Ms. Calvert, Mayor McGovern, Senator Friedman, Mr. Langis, Representative Roy, Dr. Gaeta).

At 3:05 pm, Mr. Martinez entered the room.

Secretary Sudders explained that Senator Friedman and Representative Roy submitted a letter to the clerks of the State Senate and House of Representatives dated January 9, 2019 outlining the commission's request to submit its findings to the Legislature on March 1, 2019. Secretary Sudders noted that the commission will proceed in good faith that the Legislature will grant the commission's request and accept the commission's findings on the later date. Senator Friedman noted that the commission's intent has been outlined in the

letter and the measure will be submitted formally through the next legislative vehicle, an approval for which may not be received before March 1, 2019.

At 3:07 pm, Professor Beletsky entered the room.

Secretary Sudders noted that given the commission's intent to submit its findings on March 1, 2019, it would be possible to schedule two additional meetings during the month of February. She noted that her staff will review schedules and follow up with proposed dates for the two meetings.

Secretary Sudders explained that in October 2018, she requested that the Massachusetts Boards of Registration in Medicine, Nursing, and Social Work review the policies, procedures, and regulatory changes that would be required in order to authorize their members to work or volunteer in a harm reduction site. Secretary Sudders provided a brief overview of the main points of the three boards' responses. (See letters posted online to the commission's Meeting Materials webpage for additional details.)

Dr. Gaeta provided an overview of the key public health research studies that have been conducted on supervised consumption sites (SCS). Dr. Gaeta highlighted six studies' findings, which included demonstrated reductions in overdose mortality in areas surrounding SCS,¹ increased access to substance use disorder treatment by clients who visited SCS,² reductions in neighborhood burdens of drug use (eg, public injections, discarded syringes, injection-related litter),³ and the potential financial and health benefits of a hypothetical SCS in Baltimore.⁴ (See PowerPoint presentation posted online to the commission's Meeting Materials webpage for additional details.)

In response to a question from Mayor McGovern, Dr. Gaeta explained that more recent studies have been conducted from those she highlighted, but the selected studies represent some of the most robust research conducted on SCS. Dr. Gaeta indicated that she would send a more complete list of the more than 100 research studies on SCS to Secretary Sudders's staff to share with the broader commission. In response to a question from Mr. Martinez regarding the change in public burden due to the recent emergence of fentanyl, Dr. Gaeta noted that the public burden on cities has worsened, citing an increase in injection-related litter. Dr. Gaeta explained that the half-life of fentanyl is much shorter than heroin and requires that people who use drugs (PWUD) inject more frequently to stave off effects of withdrawal. She also noted that the effect of fentanyl is much quicker than heroin, which she noted underscores the need for PWUD to consume under supervision.

Secretary Sudders requested that Commissioner Bharel contact her counterpart within the Department of Public Health in Maryland to inquire whether the state has updated its policies related to harm reduction and SCS following the Baltimore modeling study that Dr. Gaeta referenced in her presentation.⁴

Professor Beletsky provided an overview of the legal and policy considerations related to SCS and a summary of specific harm reduction approaches that could be explored by the commission. Professor Beletsky noted that SCS vary in the services offered based on the needs of the surrounding communities.

¹ Marshall, B. et al. (2011). Reduction in overdose mortality after the opening of North America's first medically supervised safer injecting facility: a retrospective population-based study. *Lancet*, 377(9775):1429-37

² K. DeBeck et al (2011). Injection drug use cessation and use of North America's first medically supervised safer injecting facility. *Drug and Alcohol Dependence*, 113(2-3) 172-6; Wood, E., Tyndall, M. W., Zhang, R., Stoltz, J. A., Lai, C., Montaner, J. S., & Kerr, T. (2006). Attendance at supervised injecting facilities and use of detoxification services. *New England Journal of Medicine*, 354(23), 2512-2514

³ Wood et al. (2004) Changes in public order after the opening of a medically supervised safer injecting facility for illicit injection drug users. *CMAJ*, 171(7) 731-4

⁴ Irwin, A., Jozaghi, E., Weir, B. W., Allen, S. T., Lindsay, A., & Sherman, S. G. (2017). Mitigating the heroin crisis in Baltimore, MD, USA: a cost-benefit analysis of a hypothetical supervised injection facility. *Harm reduction journal*, 14(1), 29

At 4:10 pm, Mayor Walsh entered the room and replaced Mr. Martinez at the commission table.

In response to a question from Senator Friedman, Professor Beletsky explained the role of enforcement discretion in addressing illegality of possible SCS under federal law. He noted that should the federal government decide to prosecute a SCS operating in the US, the litigation process would be lengthy and workers or volunteers prosecuted could file for injunctive relief, in a similar process to that followed by Insite in Vancouver, Canada in the early 2000s. In response to a clarifying question from Secretary Sudders, Professor Beletsky noted that during the period of injunctive relief, no other SCS could operate legally. Professor Beletsky summarized the potential federal pathways to establishing SCS in the US and provided an overview of the spectrum of harm reduction interventions that could potentially be implemented or scaled up. (See PowerPoint presentation posted online to the commission's Meeting Materials webpage for additional details.)

Secretary Sudders noted that the table included in Professor Beletsky's presentation provided a good summary of harm reduction interventions that she suggested her staff work with Professor Beletsky to expand upon. Mayor Walsh requested that Professor Beletsky provide additional information on opioid agonist therapy (OAT) and the legal research referenced in his presentation. Representative Roy requested additional information on exemptions for states to proceed with establishing SCS, particularly whether potential legislation could include indemnifications for doctors and other health care professionals.

Commissioner Castiel presented on some of the harm reduction approaches currently being implemented in the Worcester area. She highlighted the work of the city's Quality of Life team with homeless populations and with recovery coaches; the Hub program's coordinated mobilization of resources to address individuals and families at high risk; anti-stigma campaigns; and incentive programs for emergency department physicians to become certified in medication-assisted treatment (MAT). Commissioner Castiel also highlighted the work of the Homeless Outreach and Advocacy Project (HOAP) and Spectrum Health Systems in providing MAT to patients and collaborating with trafficked women initiatives such as Living in Freedom Together (LIFT). (See PowerPoint presentation posted online to the commission's Meeting Materials webpage for additional details.)

Mayor McGovern stated that he will be traveling with a delegation to Montreal from January 17-18, 2019 to meet with public health officials and visit SCS operating in Montreal. Mayor Walsh noted that he will be traveling to Toronto and Montreal from January 17-18, 2019 to meet with public health officials and visit SCS in both cities.

Secretary Sudders reminded members that based on members' feedback, her staff has invited representatives from the Boston Users Union to speak with the commission for the next meeting on January 28, 2019. She reiterated that her staff will be scheduling two additional meeting dates during the month of February and will be contacting members with the confirmed dates shortly.

Vote: Secretary Sudders requested a motion to adjourn. Senator Friedman moved to adjourn the meeting, which was seconded and approved unanimously by the members.

The meeting was adjourned at 5:00 pm.