



## Colorado Opioid Abatement Council (COAC)

### Review Committee

## Meeting Minutes #18

May 19<sup>th</sup>, 2025 4:00p– 5:00pm

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**Appointees:** *Andy Kerr, Brandi Freeman, Aaron Miltenberger*

**DOL Staff:** *Jamie Feld, Jack Patterson, Christian Dykson*

**Guests:**

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### Welcome and Introductions

Opioid Response Unit (ORU) staff welcomed attendees. Recognition was given to Dr. Brandi Freeman, the newest member of the COAC, who introduced herself and shared details of her National Academy of Medicine State Health Policy Fellowship, including her placement with the Colorado Department of Law.

Gratitude was extended to the Review Committee and community participants for their role in the recent \$5 million infrastructure share awards approved on May 14, 2025. ORU staff emphasized the diversity and value of the evaluation committee, which included individuals with lived experience and public officials, and noted that 13 of 19 opioid abatement regions were impacted by the awards.

Following these updates, the committee moved to approve the March 2025 meeting minutes.

*Andy Kerr moved to approve the March 2025 meeting minutes*

*Terrence Gordon Seconded*

*Unanimously approved*

### Infrastructure Award Extensions

ORU staff presented two requests for award cycle extensions from the Infrastructure Share from the Round 2 of Infrastructure Share:

1. Clear Creek County (Jefferson Center for Mental Health)  
This awardee requested an extension to utilize a remaining \$30,000 portion of their \$530,000 award, intended for transportation to a renovated facility. The funds for the renovation had been expended, but the transportation component remained. ORU staff explained that the request extended the award cycle by 53 months, which raised concerns about long-term reporting burdens. However, committee members expressed understanding due to the goal of offering transportation access over a longer term. The committee appreciated the transparency and purpose of the request and supported the extension.
2. Colorado Charter School Institute (5280 High School)  
The request sought a 12-month extension due to leadership changes and evolving programmatic priorities, noting a shift from the initial proposal to renovate a building. ORU staff noted that 5280 High School is the only recovery high school in the state and emphasized its intent to shift focus toward transportation needs and possibly expand staffing. The committee discussed whether the 12-month extension would be sufficient and concluded that future extensions could be requested if necessary.

ORU staff asked the Committee to approve or deny the requested extensions.

*Terrence Gordon moved to approve both extensions*

*Dr. Brandi Freeman seconded.*

*Unanimously approved*

### **Expenditure Reporting Follow-Up**

ORU staff presented data visualizations from the newly launched public dashboard, which includes approximately 650 lines of expenditure data from 2024. The dashboard flagged expenditures from Region 3, Region 6, and Windsor as being outside of Exhibit E guidelines. Examples included purchases of drug detection equipment and canine units.

It was noted that during the first year of reporting, due to unclear guidance and regional staff turnover, there was a lack of awareness about the change from Exhibit A to Exhibit E. Region 3 specifically cited this confusion during the May 14 COAC meeting and expressed their commitment to future compliance.

### **Recommendations for Further Action**

The Committee discussed how to address the expenditures identified as outside of Exhibit E. ORU shared that one proposal included notifying Region 3, Region 6, and Windsor that their expenditures have been publicly flagged but recommending no punitive action for this first reporting year. However, the message would include a warning that future violations may result in further action.

Terrence Gordon recommended issuing a clear letter stating that future use of funds for noncompliant purposes would result in reimbursement. Dr. Brandi Freeman supported this approach and emphasized equitable communication by sending the letter to all parties—not only those found in violation. The committee agreed this could serve as both corrective and preventive action.

### **Supplantation Guidance**

ORU staff presented a draft guidance document on supplantation, emphasizing that opioid settlement funds may not be used to replace already allocated funds. The guidance stated that funds must “create, supplement, maintain, or expand” services, and may not supplant funds. Examples were given to distinguish appropriate versus inappropriate uses of funds, noting that funding programs previously funded with temporary or one-time funding is not considering supplantation in the context of opioid settlement funds.

Dr. Brandi Freeman and Andy Kerr expressed concern about the increasing risk of fund substitution amid federal budget constraints. Terrence Gordon recommended firm language with discretion for cases. Andy Kerr noted the challenges facing state and local governments and that there may be long time services that exist that will be at risk. The Committee recommended minor revisions to further clarify specific examples of allowable uses.

The document would be revised and presented to the full council in June, and members were invited to submit further feedback via email.

### **Infrastructure Award Amendments**

ORU staff shared that Arapahoe County had submitted a non-substantive budget amendment for its infrastructure award. The amendment followed a previously approved 6-month award cycle extension and involved a minor reallocation of funds to maintain continuity of staffing and supplies for the county’s mobile harm reduction unit.

In accordance with guidance from the COAC Administrative Committee, ORU staff approved the amendment internally, as it did not represent a substantive change to the award's scope or purpose. ORU staff offered to

provide additional details if requested, but no committee members raised questions. The committee acknowledged the update without further discussion.

**Public Comment**

No public comments were made.

**Adjourn**