

Missoula City Council Public Safety, Health and Operations Committee Minutes

March 15, 2023

11:30 AM

Council Chambers (in person) or TEAMS (virtually)

Attend in person: City Council Chambers, 140 W Pine, Missoula MT

Members present: Stacie Anderson, Mirtha Becerra, Daniel Carlino, John P. Contos, Sierra Farmer, Gwen Jones, Kristen Jordan, Mike Nugent, Jennifer Savage, Amber Sherrill, Sandra Vasecka, Heidi West

1. ADMINISTRATIVE BUSINESS

1.1 Roll Call

1.2 Approval of the Minutes for March 8, 2023

Approved as submitted

2. PUBLIC COMMENT

3. COMMITTEE BUSINESS

3.1 Referral-Resolution Addressing the Use of Drug Checking Tools for Harm Reduction Purposes

Daniel Carlino is presenting on the referral for addressing the use of drug checking tools for harm reduction purposes. Michel Layeaux, President of Missoula Chapter of Students for Sensible Drug Policy and Adjunct Instructor for the University of Montana gave a presentation on the drug checking tools, specifically fentanyl testing strips. In the first two quarters of 2022 we have exceeded the trend and has had devastating consequences. Drug checking tools help identify the presence of contaminants. These tools can reduce the probability of an overdose or death. The funding will come from an opioid law settlement, and the fentanyl strips are as low as 45 cents per drug checking tools. The Montana State House just passed HB437 to decriminalize all drug checking tools. If passed, Missoula's Resolution will commit the City to consistently providing and distributing drug checking tools and educational materials.

Amber Sherrill thanked Daniel for bringing the resolution forward. Could someone speak to the accuracy of the testing strips? Michael said there has been a new fentanyl test strip that went through research. It had two major effectives: driven down cost, and has 10 times higher ability to detect fentanyl. It is reducing false positives.

Amber asked what is the J&J funding curtain currently earmarked for? The money is not earmarked for anything yet.

Heidi West asked if we know if it's all going to the health department? The money will go to the city county health department, and they will determine the needs. The Health Department is in support of this resolution.

Mirtha Becerra asked about the percentage of the amount we will receive. Are we talking about a percentage, or are we talking about a set amount. Daniel said it is a percent of the funds so we can adjust.

Mirtha asked about the pilot project but the resolution is for a program. Daniel wants it to be permanent.

Mirtha stated there is a possibility with working with the county and expanding it as an extra territory ordinance.

Daniel is happy to work with anyone to accomplish that.

Sandra Vasecka asked Mr. Nugent what the legal ramifications were about distributing tests that did not work or were user error. Testing is considered drug paraphernalia at this point, and our office has never seen a charge come to the municipal court.

Sandra asked Daniel who would be distributing.

Sierra farmer says she is in support of this. Who will be ordering these test strips? Daniel said the money will be for the test and educational materials themselves and not putting that into the workload.

D'Shane with the health department is more than happy to take this on, and they would incorporate it into their current health promotions.

Jennifer Savage asked about if we had a conversation with Open Aid Alliance. Christa Wilders, director of Open Aid Alliance spoke. They have a vested interest. She urges a thoughtful process.

An amended resolution was sent by Stacie Anderson and given to City Council members for review adding the caveat: "In the event the Montana Legislature changes the law regarding possession of the testing strips so that possession is no longer considered a misdemeanor". Daniel Carlino and City Council members agreed with the amended language, and this is the resolution to be voted on.

Amber Sherrill made the recommended motion.

Daniel said he would like to let the staff know where to set up. It makes sense to wait until the bill passes, but he would like to move forward with it.

Laurel Hess with Open Aid Alliance supports the resolution because it puts tools directly in the hands of affected people. This empowers people to make the best decision for themselves.

D'Shane Barnett wants to reinforce his support for the resolution. The data shows this is an effective tool. As these testing supplies become more accessible, people reduce their opioid use or change their drug use patterns.

Gwen Jones said she is supportive of this. She is supportive of the amendment as well.

Heidi West supports this, but has concerns over some of the language.

Mirtha Becerra thanked Daniel for bringing this forward, and to Open Aid Alliance for all they do working on this. Prevention is something she is always willing to support.

Sandra Vasecka asked about when the funds run out will taxpayers be on the hook? In 15 years when the money runs out, the taxpayers may be.

Sandra Vasecka is supporting this since it is opioid settlement funds.

Jennifer Savage thanked Daniel Carlino and will support the resolution.

Moved by: Amber Sherrill

Adopt a resolution of the Missoula City Council addressing and urging the use of drug checking tools to prevent overdoses and promote public health, safety, and general welfare

AYES: (11): Stacie Anderson, Mirtha Becerra, Daniel Carlino, John P. Contos, Sierra Farmer, Gwen Jones, Mike Nugent, Jennifer Savage, Amber Sherrill, Sandra Vasecka, and Heidi West

ABSENT: (1): Kristen Jordan

Vote results: Approved (11 to 0)

4. **ADJOURNMENT**

Adjourned.