

**Pennsylvania Opioid Misuse and Addiction Abatement Trust  
Dispute Resolution Committee Public Meeting  
February 20, 2025 | 12:15 PM | Virtual**

**MINUTES**

**DRC Member Attendees (7):**

- Chair Tom VanKirk
- Tumar Alexander
- Commissioner Kevin Boozel
- Stuart Fisk
- Shea Madden
- Commissioner Robert Postal
- Senator Christine Tartaglione

**Philadelphia County Representatives:**

- Lydia Furst, Chief Deputy City Solicitor, Affirmative & Special Litigation Unit
- Claire McKeown, Overdose Response Unit Senior Project Manager
- Keli McLoyd, Overdose Response Unit Director
- Ryan Smith, Deputy City Solicitor, Affirmative & Special Litigation Unit

**Other Attendees:**

- Briana Anderson, Trust Administrator, CCAP
- Jayson Wolfgang, Buchanan Ingersoll & Rooney
- Jordan Yeagley, Buchanan Ingersoll & Rooney

### **Announcements by Chair Tom VanKirk**

- This meeting of the Pennsylvania Opioid Misuse and Addiction Abatement Trust’s (“Trust”) Dispute Resolution Committee (“DRC”) has been duly advertised as a public meeting in accordance with the Sunshine Act and is therefore open to members of the public as observers.
- Participation in this meeting is limited to representatives of Philadelphia County, as a beneficiary under the Trust Order, Trustees on the DRC, and individuals who have been invited in advance to take part.
- This meeting is being recorded. Once approved by the DRC, meeting minutes will be made available on the Trust’s official website.
- An Executive Session was held today immediately prior to this public meeting for the purposes of receiving legal updates and legal advice.
- A quorum of Trustees on the DRC is present at this meeting.

### **Approval of Prior Meeting Minutes**

Minutes from the DRC public meeting held on January 3, 2025 were circulated to members of the DRC in advance of this meeting. Chair Tom VanKirk indicated that he would entertain a motion to approve the minutes. A motion to approve the minutes was made by Tumar Alexander and seconded by Senator Christine Tartaglione. With no further discussion, the minutes were approved unanimously by the DRC members in attendance.

### **Resolution to Amend the DRC’s Operating Procedures**

Chair Tom VanKirk provided an overview of the proposed amendment to the DRC operating procedures, explaining that the purpose of the amendment is to memorialize that a quorum of five (5) Trustees is necessary for official actions of the DRC. The proposed, amended operating procedures were shared with the members of the DRC in advance of the meeting. Chair Tom VanKirk then presented the following resolution:

RESOLVED, that, the Dispute Resolution Committee of the Pennsylvania Opioid Misuse and Addiction Abatement Trust hereby amends its Operating Procedures consistent with those circulated to members of the DRC in advance of this meeting, including memorializing that: “a quorum of at least five (5) Trustees shall be necessary to conduct business of the Dispute Resolution Committee.” The amended Operating Procedures will be posted on the Trust’s website.

A motion was made by Commissioner Kevin Boozel and seconded by Commissioner Robert Postal. With no further discussion, the amended operating procedures were approved unanimously by the DRC members in attendance.

**Philadelphia County Presentation on Appeal of Program Nos. 77-78, 80, 87, 90, 92-108, 110, and 114**

Ryan Smith, Deputy City Solicitor for Philadelphia County, began by explaining how the various programs under appeal would be presented. According to Mr. Smith, a spreadsheet was created to group similar programs together based on their perceived alignment with Exhibit E criteria, along with any supporting studies or evidence. He stated that Philadelphia County would first address the administrative fees and the role of the Scattergood Foundation before discussing the specific programs under appeal.

Keli McLoyd, Director of Philadelphia County's Overdose Response Unit, then began the presentation by reviewing the Scattergood Foundation and the programs under appeal using a shared spreadsheet. She explained that two amounts, \$206,664 and \$734,100, were paid to the Scattergood Foundation for grant fund rollover and program/administrative costs, respectively.

Chair Tom VanKirk asked if the grant fund rollover had already been awarded. Ms. McLoyd responded that it had not yet been awarded. Mr. Smith clarified that the grant fund rollover would be reported in more detail in future reporting cycles once the funds are awarded.

Ms. McLoyd continued with a breakdown of the \$734,100 paid to the Scattergood Foundation for program and administrative fees, detailing that these funds cover salaries, taxes, employee benefits, consulting fees, community granting group and member stipends, technical assistance, compliance, website and material development, hardware, software, and other administrative costs.

Chair Tom VanKirk noted that these administrative fees amount to approximately 20%. Ms. McLoyd clarified that the total included both program and administrative fees, and she believed the administrative fees alone to be around 3%. Mr. Smith further explained that the fees were combined because that is how they are paid to the Scattergood Foundation. He emphasized that this amount was not solely for the Scattergood Foundation's benefit, as it also covered services provided to grantees to help them continue their work.

Chair VanKirk asked for clarification as to whether the \$734,100 was spent on administering opioid remediation programs. Mr. Smith confirmed that it would be if support for grantees (such as accounting, software, and other services) is considered as part of the administrative costs.

Senator Christine Tartaglione inquired if salaries were included in that amount. Ms. McLoyd responded that no salaries were paid out of this fund, but that Philadelphia County was paying a portion of a full-time equivalent (FTE) employee for work specifically related to the grant funds.

Chair Tom VanKirk asked if the grant funds administered by the Scattergood Foundation were the Kensington Community Resilience Fund (KCRF) and Overdose Prevention and Community Healing Fund (OPCHF). Ms. McLoyd confirmed that these funds were indeed KCRF and OPCHF. She explained that the KCRF group consists of approximately ten individuals with direct ties to

Kensington, who determine priorities for the area and award grants to organizations that will help achieve those priorities. The OPCHF, on the other hand, includes three community granting groups, each focused on a specific geographic area: Philadelphia, Kensington, and North Philadelphia, with members closely tied to these areas. Chair VanKirk asked if the community members involved in the KCRF and OPCHF were paid a stipend. Ms. McLoyd confirmed that they were for up to about 40 hours of work, which she believed amounted to approximately \$300, but she would confirm the exact amount at a later time.

Ms. McLoyd concluded the section of the presentation focused on the Scattergood Foundation and moved on to reviewing the programs under appeal. The first group of programs reviewed were Programs Nos. 80, 87, 94, 96, 101, 104, and 107, which Philadelphia County grouped together based on their perceived alignment with specific categories under Exhibit E. These programs were reported complying with Schedule B, Part 2, Section G, Subsections 9 and 11.

Chair Tom VanKirk asked whether these programs aim to identify youth at the greatest risk of opioid use or those already using opioids. Ms. McLoyd responded that the grant funds support programs located in overdose hotspots, particularly areas where youth are exposed to the trauma of the narcotics trade in their daily lives. The evidence identified by Philadelphia County for this group of programs focused on prevention through Positive Youth Development (PYD), an evidence-based approach that helps reduce the risk of opioid misuse among at-risk youth. She also noted that specific citations were provided.

Chair Tom VanKirk asked for additional details on the stipends and incentive gifts given under Program No. 87 (The Educational Advocates Reaching Today's Hardworking Students, Inc.). Ms. McLoyd explained that the stipends and incentive gifts are used to encourage youth to engage and continue participating in the programs. She shared that this approach is common in youth development programs for teenagers and middle school students.

Commissioner Robert Postal asked if the strategy behind these grants was to distribute smaller amounts to a greater number of organizations. Ms. McLoyd clarified that for many of these organizations, the grant award is not their sole funding source. Additionally, many of the community-based organizations are small and are better equipped to manage smaller grants.

Ms. McLoyd then moved on to reviewing Programs Nos. 77, 90, 93, 95, 102, 106, and 110, which Philadelphia County grouped together based on their perceived alignment with certain categories under Exhibit E. These programs were reported as complying with Schedule B, Part 1, Section A, Subsection 6, Schedule B, Part 1, Section E, Subpart 8, and Schedule B, Part 2, Section I, Subsection 2.

Stuart Fisk asked if there are criteria for those who receive the training provided through Program No. 106 (Uplift Center for Grieving Children). Ms. McLoyd responded that yes, this program is specifically for children and families in need of grieving support.

Ms. McLoyd then moved on to reviewing Program No. 92 (South Philly Punks with Lunch), which Philadelphia County reported as compliant with Schedule B, Part 1, Section B, Subsection H, Paragraphs 1 and 3.

Chair Tom VanKirk encouraged both Philadelphia County and, to the extent relevant, the Scattergood Foundation, to supply additional information in the initial reporting, as opposed to providing such information only after subsequent requests from the Trust. Mr. Smith responded that Philadelphia County will do so moving forward. Commissioner Robert Postal agreed that Philadelphia County's appeal for these programs includes a lot of helpful and necessary information that was not initially included.

Ms. McLoyd then moved on to reviewing Programs Nos. 97-100, 105, and 108, which Philadelphia County grouped together based on their perceived alignment with certain categories under Exhibit E. These programs were reported as complying with Schedule B, Part 2, Section G, Subsection 6.

Commissioner Robert Postal asked for clarification on whether Program No. 99 (Iglesia Internacional Peña de Hored, Inc.) provides funding for capital expenses. Ms. McLoyd responded that the program does not include funds for capital expenses.

Responding to questions posed by Chair Tom VanKirk, Mr. Smith explained that Program No. 108 (Trash Academy) provides education on the safe and appropriate disposal of needles and other waste created by the epidemic. Ms. McLoyd added that when there are not clean and safe spaces in the community, residents are subjected to the harms of the 24-hour narcotics trade and open-air drug market. Ms. McLoyd also clarified that organizations choose the funding amount they want to apply for, which is not determined by the community granting groups.

Ms. McLoyd then moved on to reviewing Program No. 78 (Face to Face), which Philadelphia County reported as complying with Schedule B, Part 1, Section A, Subsection 9.

Senator Christine Tartaglione asked if Program No. 78 operates in Germantown. Ms. McLoyd confirmed that it does and noted that this program was awarded through the OPCHF, which allocates funds based on geographic regions with high rates of overdose. Commissioner Robert Postal asked what support Germantown residents receive through the program. Ms. McLoyd responded that the organization provides many services, including a community dining room and market, a health and legal center, social services, and information and materials on harm reduction and overdose prevention.

Ms. McLoyd then moved on to reviewing Programs Nos. 103 and 114, which Philadelphia County had grouped together based on their perceived alignment with certain categories under Exhibit E. These programs were reported as compliant with Schedule B, Part 2, Sections G and H.

Senator Christine Tartaglione asked if Program No. 103 (Simple Homes Fuller Center) received funding to provide home repairs. Ms. McLoyd said that it is not for that purpose, but rather to provide housing. Commissioner Robert Postal asked what is being provided through Program No.

114 (Philadelphia Community Land Trust). Ms. McLoyd shared that the \$20,000 is not the organization's full operating budget but is earmarked for residents in those areas who have SUD or are at risk of an overdose.

Commissioner Kevin Boozel asked how Philadelphia County gathers the information necessary from all the organizations who are awarded grant funding, given the number of programs and the uniform reporting responsibilities. Ms. McLoyd stated that the Scattergood Foundation works directly with the organizations to report on these programs. Chair Tom VanKirk reiterated that the Trust does not evaluate a program's compliance based on its effectiveness but solely based on whether it is compliant with Exhibit E. Chair Tom VanKirk then asked how Program No. 104 (Students Run Philly Style) determines youth who may be at risk of misusing opioids. Ms. McLoyd said that this program supports youth in the Kensington area, who are at greater risk because of their exposure to the traumas associated with the open-air drug market.

The Trustees had no further questions, thus concluding Philadelphia County's presentation. At 1:24 PM, the members of the DRC went into Executive Session to seek the advice of legal counsel.

### **Outcome of the Appeal**

The public meeting of the DRC was reconvened at 1:50 PM. Chair Tom VanKirk requested that the Philadelphia County representatives confirm their presence on the call. They confirmed that they were present, with the addition of Lydia Furst, Philadelphia County's Chief Deputy City Solicitor, who was taking the place of Mr. Smith.

Chair Tom VanKirk opened the floor to discussion from the members of the DRC before the vote would take place. He stated that, unless there was a disagreement from another member of the DRC, they would not be voting on the expenses provided to the Scattergood Foundation as these expenses had not been reported to the Trust via the reporting tool. He explained that this meant Philadelphia County would need to supply the information in the March 2025 report to the Trust. Ms. McLoyd confirmed her understanding of this request.

Chair Tom VanKirk also requested that Philadelphia County provide more detailed information on its programs in the March 2025 report to the Trust. Ms. McLoyd confirmed that the County would do so.

Commissioner Kevin Boozel shared that his Working Group had spent considerable time reviewing Philadelphia County's programs and expressed difficulty in determining compliance based on the information provided. He also voiced concerns about the stipends being paid to the community granting group members, suggesting that there may be other, more impactful ways to utilize these funds. He asked that Philadelphia County keep this in mind moving forward.

With no further discussion, Chair Tom VanKirk expressed his intention to move on to presenting the resolution, addressing all the programs under appeal together rather than individually. Chair VanKirk then presented the following resolution:

RESOLVED, that, the Dispute Resolution Committee of the Pennsylvania Opioid Misuse and Addiction Abatement Trust hereby affirms the decision of the Board of Trustees that Philadelphia County Program Nos. 77-78, 80, 87, 90, 92-108, 110, and 114 are not compliant with Exhibit E. A “yes” vote would maintain the current denial by the Trust, whereas a “no” vote would reverse the decision by the Trust that the programs are not compliant with Exhibit E.

Senator Christine Tartaglione made the motion as presented. Commissioner Kevin Boozel seconded the motion. Chair Tom VanKirk stated that if the DRC elects to overturn the Board of Trustee’s decision, any future awards to the same grantees must be reported as new programs and go through the appropriate review process. Ms. McLoyd added that each round of grant funding is considered new, so while Philadelphia County could reference a previously reported program, the funding would still be treated as part of a new round. Chair Tom VanKirk reiterated that approval of specific programs does not imply that future funding to the same organizations would be automatically approved.

With no further discussion, the Trustees then voted as follows:

Yeses (0)

Nos (6):

- Tumar Alexander
- Commissioner Kevin Boozel
- Stuart Fisk
- Shea Madden
- Commissioner Robert Postal
- Senator Christine Tartaglione

The result of this voting was to reverse the decision of the Trust that Philadelphia County Program Nos. 77-78, 80, 87, 90, 92-108, 110, and 114 are not compliant with Exhibit E; these programs are, therefore, approved as compliant with Exhibit E.

With no new business to address, the meeting was adjourned at 2:07 PM.