

**Pennsylvania Opioid Misuse and Addiction Abatement Trust**  
**Dispute Resolution Committee Public Meeting**  
**April 21, 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

**Delaware County Representatives:**

- Sandra Garrison, Chief of Human Services and Community Supports
- Mariette Mooyman, Deputy Solicitor

**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 Delaware County, as a beneficiary under the Trust Order, Trustees on the DRC, and guests from the Trust's advisors and partners.
- This meeting is being recorded, and the video will be available on the Trust's website along with the minutes from this meeting once they have been approved.
- An Executive Session was held today immediately prior to this public meeting for the purpose 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 February 20, 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 Commissioner Kevin Boozel. With no further discussion, the minutes were approved unanimously by the DRC members in attendance.

### **Delaware County Presentation on Appeal of Program No. 27 – LUCAS Chest Compression (Emergency Services)**

The purpose of this meeting of the DRC was to review the determination of the full Board of Trustees of the Trust that expenditures on Delaware County's Program No. 27 were not compliant with the requirements of Exhibit E to the national opioid settlements. The Board previously determined that the LUCAS device would be generally utilized by Delaware County's emergency services and that Delaware County did not establish a sufficient connection between this remediation program and opioid use disorder (OUD).

Mariette Mooyman, Deputy Solicitor for Delaware County, began the County's presentation by explaining the County's position regarding the LUCAS device and its ability to aid in opioid overdoses. She noted that cardiac arrest is considered a leading cause of death in cases of opioid overdose. Although naloxone is an effective treatment, it can take two to five minutes to take effect. During this critical period, oxygen delivery to the brain is essential, and CPR plays a vital role in providing that oxygen. Ms. Mooyman referenced studies cited by Delaware County's

appeal record that ostensibly support using opioid settlement funds to improve overdose responses through CPR training.

Ms. Mooyman explained that the LUCAS device automates chest compressions. The device helps maintain consistent, effective CPR while freeing responders to attend to other tasks. She explained that manual CPR is physically demanding, and its quality can decline due to fatigue or chaotic scenes.

Ms. Mooyman noted that, while the Trust does not consider AEDs allowable under Exhibit E, the LUCAS device serves a different purpose. She shared that it could operate concurrently with AED use or naloxone administration. Additionally, the device allows responders to be safely restrained during patient transport while maintaining CPR quality.

Chair Tom VanKirk asked how many LUCAS devices would be purchased with the \$175,513.50 allocation reported by the County. Sandra Garrison, Chief of Human Services and Community Supports for Delaware County, answered that the County Council approved the purchase of six devices. Chair Tom VanKirk then asked whether this number includes all emergency vehicles in the County or if some devices are already in use. Ms. Garrison responded that the devices would be shared across departments but would not cover the entire County.

Commissioner Kevin Boozel questioned whether these devices were standard equipment and whether the device is expected to be used more frequently for opioid overdoses versus other emergencies like heart attacks unrelated to opioid overdose. Ms. Mooyman explained that opioid-related cardiac arrest results from respiratory depression causing lack of oxygen, differing from typical heart attacks, but emphasized that the device would be used regardless of cause.

Ms. Mooyman acknowledged the limited direct evidence linking the LUCAS device to opioid overdose outcomes but maintained that the device provides practical benefits in freeing responders and delivering consistent CPR when properly used and available.

Commissioner Robert Postal confirmed with Ms. Garrison that the six LUCAS devices would be shared across the County and asked how they would be deployed. Ms. Garrison explained that the devices would be housed at the County's emergency services office and made available as needed, noting that some responders have already begun training. When Commissioner Postal asked if responders would need to pick up the devices before responding to a call, Ms. Mooyman clarified that she believed the devices would be placed directly on the emergency vehicles.

Chair Tom VanKirk asked if any LUCAS devices were in use in Delaware County prior to the allocation of opioid settlement funds. Ms. Mooyman believed none were but noted ongoing discussions with the manufacturer and plans to initiate training.

Ms. Mooyman then shared a news video demonstrating the use of the LUCAS device and highlighting a responder's perspective on its value. While the video was not specific to opioid

overdose situations, she noted that it illustrates how the device can help free up responders in scenarios involving multiple victims. She emphasized the importance of educating responders on providing effective CPR during opioid overdoses and expressed her belief that the device can support that effort.

Referencing Delaware County's September 16, 2024, report, stating that some EMS services had previously purchased LUCAS devices, Chair Tom VanKirk asked again whether there are LUCAS devices already in use within the County. Ms. Mooyman responded that, to her knowledge, the County is not currently utilizing the devices. She noted that Mr. Egan, who authored a letter of support, is affiliated with Crozer Health, so it is possible that Crozer may utilize the devices. However, she emphasized the need to confirm this to avoid any misrepresentation. Chair Tom VanKirk clarified that his question was intended to understand what experience there has been with the devices locally. Ms. Mooyman replied that no such feedback had been shared with her.

Commissioner Kevin Boozel asked what type of units the LUCAS devices would be placed on—Advanced Life Support (ALS), Basic Life Support (BLS), or Quick Response Support (QRS). He suggested that the approval of six devices may correspond to the number of a specific type of unit, as not all units are staffed with paramedics. Ms. Mooyman replied she approached the issue from a legal standpoint and did not have operational details.

Stuart Fisk explained that with newer substances in the illicit drug supply, many of which are sedatives, treating overdoses becomes more complex. Individuals may not stop breathing outright but may become unarousable, making it harder to determine the most appropriate interventions. Stuart Fisk concluded by saying that Exhibit E allows for CPR training, which, combined with timely naloxone administration and calling 911, has already contributed to a decline in opioid overdose deaths.

Ms. Mooyman responded that, while she does not have a medical background, her legal research led her to conclude that the device is practical, potentially life-saving, and eligible under Exhibit E. She maintained that even one life saved makes the device a worthwhile investment.

Chair Tom VanKirk asked whether the County had data on how many cardiac arrests were drug-related versus other causes. Ms. Mooyman did not have that information. He also asked what portion of the funding was allocated to training. Ms. Garrison clarified that all \$175,513.50 was for device purchases, with training to be provided in-kind by County staff.

Commissioner Kevin Boozel asked where the evidence-based and evidence-informed research cited in the County's appeal record was obtained, noting that there are specific standards that must be met to qualify as evidence-based or evidence-informed. Ms. Mooyman responded that the research was conducted by her personally. She acknowledged that there is limited direct evidence linking the LUCAS device specifically to opioid overdose response and explained that she was attempting to establish that connection through her own research efforts, particularly given that the device is relatively new.

Commissioner Robert Postal asked for confirmation that the six devices would not cover the entire County and whether the full allocation was solely for the purchase of devices, as training is mentioned in the County's appeal record. Ms. Mooyman confirmed that there are more than six emergency vehicles in the County and initially believed the request included training. However, after hearing Ms. Garrison's comments, it appears the funding is primarily, if not entirely, allocated to direct costs, with each LUCAS device costing approximately \$30,000.

Tumar Alexander asked, since six devices would not cover the entire County, whether there was a strategy in place for how and where the devices would be deployed. Ms. Garrison responded that she would defer to emergency responders for input but, the focus would likely be on Chester and Upper Darby. He then asked whether those areas are more severely impacted by the opioid crisis or if opioid use is relatively spread out across the County, seeking clarification on the rationale for prioritizing those locations. Ms. Garrison explained that part of the reasoning is that wealthier areas may have access to additional resources that Chester and Upper Darby do not. She added that the I-95 corridor, which includes those communities, is a significant area for opioid use, and both Chester and Upper Darby are more economically disadvantaged.

Senator Tartaglione then asked, if Crozer-Chester Medical Center and Taylor Hospital were to close, how far the nearest hospital would be. Ms. Garrison responded that the closest trauma center would be Lankenau Medical Center, approximately 30 minutes away. She emphasized that the lack of a nearby trauma center is a significant concern for the community.

The Trustees had no further questions, thus concluding Delaware County's presentation.

### **Outcome of the Appeal**

Chair Tom VanKirk informed the representatives of Delaware County that regardless of the outcome of the appeal, should the County pursue training-related initiatives in the future, the Trust's decision in this matter would not prejudice future decisions on subsequent reporting.

Chair Tom 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 Delaware County Program No. 27 (LUCAS Chest Compression (Emergency Services)) is 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 program is not compliant with Exhibit E.

Commissioner Robert Postal made the motion as presented. Stuart Fisk seconded the motion. Commissioner Kevin Boozel reiterated his agreement with Chair Tom VanKirk's earlier remarks and encouraged the County to explore other EMS-related remediation programs that comply with Exhibit E.

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

Yeses (6):

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

Nos (0)

The result of this voting was to affirm the decision of the Trust that Delaware County Program No. 27 is not compliant with Exhibit E.

Chair Tom VanKirk thanked the members of the DRC and the representatives from Delaware County for their time and participation.

With no new business to address, the meeting was adjourned at 1:05 PM.