

BYLAWS OF THE OPIOID RECOVERY AND REMEDIATION ADVISORY COUNCIL

ARTICLE I – NAME

Executive Order 305, signed by Governor Phil Murphy on August 31, 2022, created the Opioid Recovery and Remediation Council (“Council”) in the Department of Human Services.

ARTICLE II – PURPOSE

The purpose of the Council shall be to review proposals, data, and analysis and engage with stakeholders and community members to develop and provide recommendations to be made publicly available on the allocation and distribution of the State’s share of proceeds from national opioid litigation resolutions.

The Council may also, should it choose to do so, provide information and general recommendations to New Jersey counties and municipalities on allocation and distribution of their share of proceeds.

To effectuate this purpose, the Council shall, to the extent not inconsistent with law:

- a. Gather and evaluate data regarding the availability of, gaps in, and barriers to addressing any causes, complications, and impacts of drug use, overdose, substance use disorder prevention and treatment programs and recovery services as well as programs to prevent overdose deaths (in addition to addiction and misuse), to provide wraparound supports, and to expand harm reduction efforts;
- b. Solicit feedback, in a manner and method established by the Council, from stakeholders, local providers, advocates, those with lived experience with opioid use, the academic community, and other subject matter experts and evaluators, community groups, and other members of the public regarding the services, programs, and policies needed to prevent, treat and reduce associated risks of drug use, substance use disorder, including opioid use disorders and the overdose crisis across the State;
- c. Review and evaluate recommendations submitted by the public via the online portal;
- d. Evaluate approaches taken by New Jersey and other states in administering proceeds from national opioid litigation resolutions; and
- e. Take any other measures deemed appropriate by the Council to inform its recommendations, with the purpose of promoting the equitable and efficient distribution of funds including through evidence-based or evidence-informed practices or strategies.
- f. May provide information and general recommendations to New Jersey counties and municipalities on the expenditure of the share of proceeds from national opioid litigation resolutions allocated to those entities and may coordinate with any similarly situated County Advisory Council as determined by the Chairperson to be appropriate.

g. Release an annual report summarizing the Council recommendations concerning the State's expenditure of opioid litigation resolution proceeds, including: the allocation amount, program description, involved community providers, goals of the program, and outcome measures to be used to determine program efficacy.

The Department of Human Services shall provide such staff and administrative support to the Council as it requires to carry out its responsibilities.

The Council shall be purely advisory in nature.

ARTICLE III – MEMBERS

The Council's membership shall consist of the following:

- Commissioner of the Department of Human Services, or a designee, who shall serve as chair.
- Commissioner of the Department of Health, or a designee
- Commissioner of the Department of Children and Families, or a designee
- the Attorney General, or a designee.

At least ten public members appointed by the Governor that reflect the diversity of New Jersey and including public health and policy experts; as well as people with lived experience from the opioid epidemic, including those with a substance use disorder or a history of opioid misuse or addiction, and loved ones of those with a substance use disorder or a history of opioid misuse or addiction.

Whenever a member of the Council has a financial or personal interest in any matter coming before the Council, they shall ensure that:

The interest of such member is disclosed to the Council staff.

No interested member may take action or advocate on the matter. Member must abstain and recuse themselves on any action relating to that matter.

No member of the Council shall divulge any information obtained in the course of their official duties that is not generally available to members of the public. They may not use any such confidential information for their own benefit, whether direct or indirect.

ARTICLE IV - MEETINGS

The Council shall meet in a Department of Human Services office location, or, if warranted, at another location (either in-person or virtually) as needed.

The Chair shall have the authority to hold meetings, to be conducted by telephone and/or video conference upon giving all members (1) a five-day written or verbal notice of such a meeting, or (2) in case of special circumstances, less than a five-day notice if a quorum can be secured.

A majority of the total number of appointed members to the Council shall constitute a quorum for the conducting of official Council business during regular and special meetings.

A quorum shall be present for action by the Council.

Any recommendations of the Council shall be approved by a majority of the members present.

Only ex-officio members can send designees to Council meetings to report on information requested by the Council and act on official business when the ex-officio member is unavailable. Ex-officio members shall be defined as a representative of a State agency and not a public member.

No appointed public members shall have a proxy representative.

Public meetings of the Council may be subject to the open public meetings requirements of the Open Public Meetings Act (N.J.S.A.10:4-6 et al)

ARTICLE V - COMMITTEES

The Chairperson may establish committees as necessary, with appropriate consultation and notification of the full Council.

Committees shall meet as often as necessary to accomplish the purpose for which the workgroups committees were formed.

Committees shall be comprised of at least two members including at least one public member of the Council and, when deemed appropriate, other non-member individuals who have specialized expertise necessary to accomplish the purpose for which the committees were established.

Any Committee shall be led by a member of the Council who is responsible for directing members, creating timely resources and reporting to the Council in meetings on activities of the committees.

ARTICLE VI – AMENDMENTS OF BYLAWS

The Council may enact and may amend its bylaws by a two-thirds of quorum vote of the members of the Council.

These bylaws were adopted on March 16, 2023.