



LOS ANGELES COUNTY COMMISSION ON HIV
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While not required of meeting participants, signing-in constitutes public notice of attendance. Presence at meetings is recorded solely based on sign-in sheets, and not signing-in constitutes absence for Commission members. Only members of the Commission on HIV Health Services are accorded voting privileges, thus Commissioners who have not signed in cannot vote. Sign-in sheets are available upon request.



EXECUTIVE COMMITTEE MEETING MINUTES
 October 2, 2006

MEMBERS PRESENT	MEMBERS ABSENT	PUBLIC	HIV EPI AND OAPP STAFF	COMM STAFF/CONSULTANTS
Carla Bailey, <i>Co-Chair</i>	William Fuentes	Miki Jackson	<i>None</i>	Jane Nachazel
Anthony Braswell, <i>Co-Chair</i>	Angelica Palmeros			Glenda Pinney
Al Ballesteros	Wendy Schwartz			Jim Stewart
Robert Butler	Fariba Younai			Craig Vincent-Jones
Whitney Engeran				Nicole Werner
Jeff Goodman				
Richard Hamilton				
Bradley Land				
Quentin O'Brien				
Mario Pérez				
Kathy Watt				

CONTENTS OF COMMITTEE PACKET:

- 1) **Agenda:** Executive Committee Agenda, 10/02/2006
- 2) **Minutes:** Executive Committee meeting draft, 9/05/2006
- 3) **Agenda:** Commission on HIV Committee Agenda, 10/12/2006

1. **CALL TO ORDER:** Ms. Bailey called the meeting to order at 10:10 am. Self-introductions were made.
2. **APPROVAL OF AGENDA:**
MOTION #1: Approve the Agenda Order (*Passed by Consensus*).
3. **APPROVAL OF MEETING MINUTES:**
MOTION #2: Approve the September 5, 2006 Executive Committee meeting minutes, as presented (*Passed by Consensus*).
4. **PARLIAMENTARIAN REMARKS:** There were no remarks.
5. **PUBLIC COMMENT, NON-AGENDIZED:** There were no comments.
6. **COMMISSION COMMENT, NON-AGENDIZED:**
 - Mr. Goodman noted media coverage of the LA Gay and Lesbian Center's (LAGLC) print ("HIV is a gay disease") and billboard ("Own it, End it") campaign has generated significant public comment. Mr. Land agreed and expressed concern about hate crimes due to the "gay disease" phraseology. Mr. Butler said the campaign was being covered nationally and, from the calls he received, the message was harmful to prevention efforts.
 - Ms. Watt suggested inviting Darrel Cummings, LAGLC, to address the Commission on the thinking behind the campaign.
 - Mr. O'Brien, as a staff member of LAGLC, said the intent was to increase awareness that 75% of Los Angeles infections are among gay and bisexual men. The LAGLC believes prevention to that community has been diluted, e.g., by referring to "MSM" and emphasizing other subpopulations to its detriment. While anticipating controversy, the aim is to raise awareness and re-energize the gay and bisexual community. Other variants of the campaign would be welcomed, e.g., "HIV is a women's disease." or "HIV is a Latino disease." Mr. O'Brien noted LAGLC will host a public forum October 3rd. He supported inviting Mr. Cummings to the Commission meeting.

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- Responding to a question by Mr. Braswell, Mr. Vincent-Jones noted the Commission has no purview over a privately funded campaign and would, therefore, be unlikely to influence the Board of Supervisors. The Commission, if it chooses, may comment as a body representative of the community.
- Ms. Jackson said she had been in advertising for 20 years and it is a given that shock ads are designed to generate controversy. They are effective at that, though the result is not always as intended.
- Mr. Braswell said it would be important to carefully structure the Commission discussion. Mr. Stewart added that time should be limited. Ms. Watt recommended including factual data in the packet to deflate urban myths.
- Mr. Pérez felt the Commission had an important role in helping to broaden the subject so that those who do not identify as gay or bisexual are not lulled into apathy by the campaign. At the same time, the campaign does address apathy among those who self-identify as gay or bisexual. He felt it was important for all community partners to recognize that their actions have consequences in the broader community and actively seek dialogue before releasing campaigns.
- ⇒ It was agreed that Darrel Cummings, LAGLC, would provide a 15-minute presentation beginning at 9:30 am and followed by a 45-minute discussion period, if he consented.

7. **PUBLIC/COMMISSION COMMENT FOLLOW-UP:** There were no comments.

8. **CO-CHAIRS' REPORT:**

A. **Annual Meeting Planning:**

- The annual all-day meeting will be at the California Endowment's center, Thursday, November 9, 2006.
- Emily Gantz McKay will facilitate the discussion on assessing and addressing unmet need. An overview of estimating unmet need will also be provided to assist in understanding the process. Materials for review will be distributed in advance.
- It is most likely that HRSA will pay for the facilitator through Technical Assistance. The site is free except for food.

9. **EXECUTIVE DIRECTOR'S REPORT:**

- A. **Memorandum of Understanding (MOU):** Mr. Vincent-Jones said he had underestimated the work he would need to do for the Title I application, and that has delayed completion of his MOU work, but he hopes to complete it soon.
- B. **Title I Application Follow-Up/Planning:** He recommended returning this item to the agenda in order to follow-up on issues designated to be addressed, in conjunction with OAPP, with the Congressional delegation, e.g., enhancing the fairness of the scoring and evaluation process. A roster of such issues was developed at the forum that Emily Gantz McKay facilitated during the summer.
- C. **County Counsel Ethics Training:** Staff will call everyone with a reminder that this state-mandated training by the County Counsel will be presented following the main body of the next Commission meeting.

10. **OAPP REPORT:**

- Mr. Pérez reported that the Title I application was completed. He thanked the Commission for its assistance in creating a strong submission that closely adheres to the guidance. The unmet need section was reviewed by Emily Gantz McKay and her feedback was incorporated.
- The Mercer Rate Study finalization and release has been postponed for additional OAPP discussion on comments from the Commission and medical outpatient providers. Some areas of discrepancy have emerged, particularly with service description conformity to the standards of care. These will all be discussed thoroughly before a new release date is determined.
- There have been OAPP staffing changes. Lela Hung has resigned. An open recruitment process will be used to fill the vacancy for the Director of Provider Support Services. David Pieribone is currently serving in that capacity on an interim basis.

11. **HIV EPIDEMIOLOGY REPORT:** Mr. Vincent-Jones noted that, prior to the LAGLC issue, he had hoped to agendize one of Amy Wohl's presentations for October. Instead, the presentation will be deferred.

12. **PREVENTION PLANNING COMMITTEE (PPC) REPORT:** Ms. Watt noted their meeting would be October 5th. It will include reports on presentations at the USCA. She noted they will have a progress report on preparations for their annual meeting.

13. **STANDING COMMITTEE REPORTS:**

A. **Public Policy:**

1. **CARE Act Reauthorization:**

- Mr. Engeran reported that a version of Reauthorization passed the House of Representatives by over two-thirds, but did not pass the Senate. Only one House Democrat from California, Jane Harman, voted in favor. Congress is now in recess.
- Mr. Pérez noted that, while Senator Boxer has lifted her hold, the senators from New York and New Jersey have not. Once Congress reconvenes November 9th, a cloture vote of 60 could override the four senators with holds on the bill.
- Mr. Butler asked if some of the negative aspects of the current CARE Act will affect funding if Reauthorization remains stalled. Mr. Pérez replied that current legislation authorizes the Secretary of Health and Human Services to allocate resources as he sees fit pending Reauthorization. There have been threats not to count any code-based HIV data. Any impact would not be felt until Year 17 and formulas for awards are not run until January.
- Mr. O'Brien noted that the Finance Committee will review the allocation once received.
- Mr. Engeran asked if anything had come of suggestions for a one-year extension. Mr. Pérez said there could be merit to an extension if all timelines were moved up one year and hold harmless was retained since that would permit more time to develop the name-based HIV reporting system. It is an option, however, that is unlikely.

2. **Name-Based HIV Reporting:**

- Mr. Engeran reported the entire Committee was frustrated with the state's slow pace and recommended aggressive action to spur the State forward.
- Mr. Vincent-Jones reported that one health deputy had suggested a five-signature Board letter.
- Mr. Pérez reported he had met with Barbara Bailey a few weeks ago. He felt the State Office of AIDS had provided what guidance they could, given their limits on interpreting legislation. He had discussed the situation with Dr. Frye and recommended that Los Angeles County assume leadership in crafting an HIV surveillance approach. The State Office of AIDS has committed to provide feedback should the approach veer off-track.
- Mr. Pérez added that 1,000 cases were submitted to the state last week, bringing the total reported to 1,600.
- Mr. Pérez noted the legislation is specific about collecting names, but not other related items like date of birth, Social Security Number and so on. Those items have become matters of contention. Los Angeles County, with 35% of the state's HIV burden, can play a leadership role in identifying the key reporting data. With a nod from the State, other counties could then follow.
- Mr. Vincent-Jones said the state helped develop the legislation, so it is questionable that they are finding problems with it now.
- ⇒ It was agreed to explore the possibility of a 5-signature letter from the Board that includes Los Angeles County's leadership role in development of a reporting system as outlined by Mr. Pérez.

2. **Miscellaneous:**

- AB 1677 was vetoed by the governor.
- Assemblymember Dymally is now the chair of the Health Committee. He will reintroduce some form of his inmate testing bill. Mr. Engeran recommended that the Commission host hearings on prison issues since bills continue to come forward.
- Mr. Butler received a letter from Medicare removing him from low-income subsidy because he was no longer receiving Part A or B payments from the state, MediCal or SSI. That was inaccurate but, on investigation, he found the annual report to the federal government does not count people with conditional services, e.g., those who update information annually. While one can reapply for the low-income subsidy, some criteria have changed. Ms. Bailey added that formularies have also changed, so people should address their enrollment questions as soon as possible.
- Mr. Pérez said Julie Cross was returning to provide another briefing on the subject.
- ⇒ Mr. Vincent-Jones will follow-up with Mr. Pérez and OAPP to alert providers to inform their clients of the November 15th through December 31st enrollment period.
- ⇒ Mr. Vincent-Jones noted that the Committee agreed to forward 3658 to the Commission for endorsement. The bill changes what is counted toward out-of-pocket expenses in the Medicare Part D "donut hole" to include ADAP and some other similarly targeted pharmaceutical expenses. It will assist those with co-morbidities by helping them to more quickly bridge the gap in coverage for their non-HIV medications.
- ⇒ Ms Watt called attention to the lack of State Office of AIDS participation in recent issues. It was agreed that Mr. Vincent-Jones would follow-up.

B. Standards of Care (SOC):

1. Medical Outpatient Rate Study(ies):

- Mr. Vincent-Jones said Mercer had been informed they would not be needed at the October meeting since the Commission had decided not to vote on the methodology and there is little else to discuss until the report is released.
- The Commission will be voting on the Policy and Procedure regarding future rate study involvement that was released for public comment previously.
- The final remaining service description/standard comparison was finished last week. It will not be presented at the October Commission meeting because OAPP would not have sufficient time to review it and respond.

2. Medicare Part D Follow-Up:

- Mr. Vincent-Jones noted that the Public Policy Committee was continuing to follow-up on the two issues from the last meeting's memorandum.

⇒ The Standards of Care Committee will review the low-income subsidy issue.

3. Counseling/Testing Standards of Care:

- Ms. Watt reported she had received numerous questions regarding the settings to which the standard applies.

⇒ It was agreed to more clearly identify the standard as applying to "care service" settings.

⇒ This standard will be brought forward for adoption at the October Commission meeting.

4. Outreach Standards of Care:

⇒ This standard will be brought forward for adoption at the October Commission meeting.

5. Early Intervention Standards of Care:

⇒ This standard will be brought forward for adoption at the October Commission meeting.

6. DEFA Standards of Care:

⇒ This standard will be brought forward for adoption at the October Commission meeting.

7. Case Management, Home-Based Standards of Care:

⇒ This standard will be opened for public comment at the October Commission meeting.

C. Finance:

1. Assessment of the Administrative Mechanism (AAM) Follow-Up:

- Ms. Jackson noted that OAPP scores were down and Commission scores up overall. She suggested a review.
- Mr. Vincent-Jones noted two years may be insufficient for a trend, especially since one year included RFPs and the other did not. A third year will be completed by the end of December that will probably elicit a truer trend.
- Mr. Ballesteros said it was being reviewed in Committee.
- The Committee also plans to focus more closely on fewer items in future, especially items trending downward.

2. Miscellaneous:

- Mr. O'Brien asked, with Patty Gibson on leave from OAPP, for a follow-up on report format development for other funding sources. There had been mention that they had been forwarded to Mr. Pérez for review, but David Young was not certain. Mr. Pérez replied he had approved a format, but some questions arose during the reassignment period.
- Mr. Vincent-Jones noted that September had been the original target for a final format and it was planned to present a completed report at the October meeting. Mr. Pérez will check on the progress of the format.
- Mr. Engeran noted there was a series of motions several months prior regarding OAPP reporting on several financial matters, including potential issues of conflict and the \$800,000 budget shortfall. He asked about follow-up.
- Mr. Vincent-Jones noted that several months ago Finance had provided the Commission a memorandum on the follow-up process. Mr. O'Brien said the information would be compiled into a spreadsheet.

D. Recruitment, Diversity and Bylaws (RD&B):

1. Member Duty Statements: Mr. Vincent-Jones noted there were ten duty statements left.

2. Miscellaneous:

- Charles Carter has resigned from the District 3 Consumer seat.
- Mr. Butler noted he has received several comments from long-term commissioners who may be retiring in addition to the usual December turnover.

E. Priorities and Planning (P&P):

1. Unmet Need:

- Ms. Watt reported that the Committee focused on the definition of unmet need, and incorporating the HRSA definition and ancillary definitions as foundational discussions for the annual meeting.
- The HRSA definition is a person who knows s/he is HIV+, but has not received care in the previous twelve months.

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- HRSA defines “care” as having taken medications or having received a viral load or CD4 count.

2. Miscellaneous:

- Mr. Land noted that the Priority- and Allocation-Setting Process was approved at the last Commission meeting.
- ⇒ Committees should now begin adjusting their work plans to mesh with the approved process.

14. WORK PLAN:

- A. Upcoming Commission Meeting Agenda:** The draft agenda was presented. Mr. Vincent-Jones said he had taken notes during the meeting and would incorporate agenda suggestions.
- B. Prioritization:** There was no discussion.
- C. Assignments:** There was no additional discussion.
- D. Annual Calendar:** There was no additional discussion.

15. ANNOUNCEMENTS:

- Mr. Hamilton distributed a flyer for the Minority AIDS Project and Unity Fellowship of Christ Church Movement annual national convention. He noted there will be a panel on public policy as it relates to HIV/AIDS, moderated by Stephen Simon.
- The first organizing meeting for the 2007 National Black AIDS Awareness Week will be October 11th.
- Ms. Bailey announced that Jocelyn Woodard and Alicia Crews-Rhoden passed their Generations Conference which is designed to enhance women’s involvement.
- ⇒ It was agreed to recognize the ladies for their accomplishment at the Commission.

16. ADJOURNMENT: The meeting was adjourned at 12:20 pm.