



Meeting of the
POLICY COMMITTEE
Sharen Duke, Chair

February 28, 2012
AIDS Service Center of NYC
41 East 11th Street, 5th Floor
3:00 pm – 5:00 pm

Members Present: Sharen Duke, Yves Gebhardt, Kristin Goodwin, Sandy Guillaume, Graham Harriman (by phone), Esther Lok, Jan Carl Park, Gloria Searson

Members Absent: Kareem Clemons, Christopher Cunningham, Sharon Doctor, Elaine Greeley, Matthew Lesieur, Lorna Littner, Paul Meissner, Lucky Michaels, Andresa Person, Dorella Walters

NYC DOHMH Staff Present: JoAnn Hilger (by phone), Rafael Molina, Nina Rothschild, DrPH

Others Present: Billy Fields

Material Distributed:

- Agenda
- Minutes from the January 23, 2012 Meeting
- List of Open and Closed Items
- Presentation on the Benefits of the Affordable Care Act for PLWHA
- Kaiser Family Foundation HIV/AIDS Policy Fact Sheets from October 2011 and February 2012
- Sign-On Letter from the Fair Pricing Coalition re Gilead Drug Price Increases
- *Annals of Internal Medicine* Article on Viral Hepatitis
- Letter Containing Link to Poll on OTC Rapid HIV Test
- Notice from Medicaid Redesign Team that NYSDOH is Seeking Comments on Mandatory Rollout of Managed Long Term Care
- March 2012 Planning Council Calendar

Welcome/Introductions/Review of the Minutes/Review of the Meeting

Packet: Committee Chair Sharen Duke welcomed meeting participants. Members introduced themselves. The minutes from the January meeting were approved and will be posted at nyhiv.org. Nina Rothschild reviewed the contents of the meeting packet.

Conference Call with Emily Gantz McKay: Policy Committee members participated in a conversation via conference call with HRSA technical assistance provider Emily Gantz McKay regarding permissible activities in which Policy Committees and Planning Councils, as federally funded planning bodies, can engage. Some of the activities in which the Planning Council engaged in the past, such as letter writing concerning appropriations, are outside the scope of permissible activities.

Emily Gantz McKay noted that the number of planning councils with policy committees is small. Los Angeles has a policy committee and has engaged in legislative advocacy – with city funds. Using Ryan White federal funding, we cannot do legislative advocacy (i.e., take a position on pending legislation) on a federal, state, or local level, and we cannot engage in lobbying. Budgets are legislation, and we cannot weigh in on them. Planning Council members can, however, do what they want on their own time, as long as they are not using Ryan White money or Planning Council staff time.

The following are examples of activities in which Policy Committee members can engage:

- If the Chair testifies on an issue, that is considered expert advice rather than lobbying
- The Policy Committee/Planning Council can weigh in on the issue of categorizing rent as an administrative vs. programmatic expense, as per the HRSA monitoring standards
- The Planning Council can sign on to a letter concerning Gilead drug prices (this is not legislation)
- During a public comment period, the Planning Council can submit testimony
- The Planning Council can advocate, but it cannot lobby

Committee members should keep in mind, however, that there may be a difference between what is legal and what is politically wise.

Jan Carl Park noted that we receive a lot of e-mail inviting recipients to sign on to a letter or take a bus ride to participate in a rally. We generally don't forward these missives and, instead, use Planning Council resources (computers, staff time) strictly for business. Ms. Gantz-McKay noted that the

Planning Council could have a separate e-mail account (e.g., Hotmail) and use it for forwarding such items.

Review of the List of Open and Closed Items: Although the Committee did not have its monthly update on all the open items, Jan Park noted that Committee members might be interested in his presentation on the impact of the Affordable Care Act and Medicaid Reform on Ryan White Funded Services. Nina Rothschild agreed to forward a copy of the presentation to Policy Committee members. Sharen Duke agreed to deliver a talk on health homes at the next Policy Committee meeting. Jan Park requested a brief update to the Planning Council on what's happening in the City Council.

HRSA Monitoring Standards: Sharen Duke noted that Humberto Cruz of the NYS DOH AIDS Institute is sending a letter to HRSA urging exemption from the HRSA monitoring standards for organizations with CLIA waivers to provide testing.

HASA Update: Kristin Goodwin noted that the HIV/AIDS Services Administration, part of New York City's Human Resources Administration, is undergoing organizational restructuring under Frank Lipton. HASA will become part of Customized Assistance Services. Members of the HIV/AIDS community are concerned that this is a pathway to putting HASA clients in a welfare-to-work program. Expecting HASA clients to find work in this economy is unrealistic. This is also the second time this year that HASA has simply promulgated a policy change without any communication with external individuals or agencies potentially impacted by these changes. Ms. Goodwin noted that the City Council is livid. The General Welfare Committee of the City Council is meeting on March 29th, and the Human Resources Administration is on the agenda. With pressure from the City Council, the HASA brokers fee policy may be reversed.

HRSA Grant Award: Jan Park stated that the NY EMA received its notice of grant award from HRSA and that we have a slight cut in our Base award (approximately \$450,000) and a slight increase in our MAI award (just under \$200,000). Essentially, this is flat funding. The cuts will be absorbed in under-spending or carryover. Planning Council staff will negotiate with the Grantee concerning the budget in March.

The Impact of the Affordable Care Act on PLWHA: Nina Rothschild delivered a presentation on the impact of the Affordable Care Act on People Living with HIV/AIDS. A copy of the presentation is available on the Planning Council website at nyhiv.org.

Adjournment: The meeting was adjourned.