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3 Meeting of the  
4 **POLICY COMMITTEE**  
5 Adrian Guzman, JD, MPH, Chair  
6

7 June 16, 2014  
8 Center for HIV Law and Policy  
9 65 Broadway, 7<sup>th</sup> Floor Conference Room  
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11 **Members Present:** Adrian Guzman, Esther Lok, Jan Carl Park, Lyndel Urbano  
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13 **Members Absent:** Kareem Clemons, Yves Gebhardt, Sandy Guillaume,  
14 Graham Harriman, Matthew Lesieur, Paul Meissner, Kimberleigh Smith  
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16 **NYC DOHMH Staff Present:** Rafael Molina, Nina Rothschild, DrPH, Anna  
17 Thomas  
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19 **Others Present:** Randall Bruce, Billy Fields, Mallory Lowenstein, N. Pantano,  
20 Carlos Rosario  
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22 **Material Distributed:**  
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- 24 • Agenda
- 25 • Policy Committee Minutes from April 21, 2014
- 26 • NYS HIV Testing Law Update Fact Sheet: May 2014
- 27 • CAEAR Coalition Fact Sheet for PLWH on the Ryan White Treatment  
28 Program
- 29 • CAEAR Coalition Fact Sheet on Ryan White Program Part A
- 30 • Ernest Hopkins's Testimony to House Labor, Health and Human  
31 Services, Education and Related Agencies Subcommittee on Behalf of  
32 the CAEAR Coalition
- 33 • Center for Consumer Information & Insurance Oversight Fact Sheet on  
34 Exchange and Insurance Market Standards for 2015 and Beyond
- 35 • PhRMA Presentation on Review of Formulary Coverage, Cost Sharing  
36 and Access
- 37 • ABAC Appropriations for HIV/AIDS Programs (March 20, 2014)
- 38 • GMHC Action Sheet on Mail Order Pharmacies
- 39 • NY Times Article on Medicare Policy on Physical Therapy and Other  
40 Services

- Act Up Statement to Dr. Tom Frieden, Director of the CDC
- June 2004 Planning Council Calendar

**Welcome/Introductions/Moment of Silence/Review of the Meeting**

**Packet/Review of the Minutes:** Adrian Guzman welcomed meeting participants. Attendees introduced themselves. Randall Bruce led the moment of silence. Nina Rothschild reviewed the contents of the meeting packet. The minutes from the April Policy Committee meeting were accepted for posting on the Planning Council website. The May minutes were deferred.

**CAEAR Coalition Meeting:** Jan Park spoke about the recent meeting:

- CAEAR Coalition members represent 350,000 people and advocate for increased Part A funding.
- Part A funding is not keeping pace with need, but no new funding is expected.
- Congress will probably produce a Continuing Resolution with flat funding. Washington is in a legislative bottleneck with a focus on Fall elections.

**Affordable Care Act (ACA) Update:**

- Health insurance plans funded through the ACA don't provide the wraparound services such as housing and food and nutrition that are essential for keeping PLWHA in care.
- Deductibles are very high for low income people.
- The cost of new meds for Hepatitis C is very high. Members of the HIV/AIDS community are concerned because new HIV medications coming to market soon may be similarly priced. Some people are pressing the government to withdraw pension investments in Gilead, which makes the most expensive Hep C med. NYS ADAP Director Christine Rivera is among a team of people who secure a reduced rate for medications. The Ryan White Planning Council invests \$20 million per year in ADAP.

**New York State HIV Testing Law Update:**

- The new law dispenses with written informed consent except in jails/prisons.
- With the opening of the registry to physicians in the community, the Health Department can work with providers to find patients who have fallen out of care.
- During post-test counseling, providers should explain that PLWHAs who may have fallen out of care may be contacted by a medical provider or by Health Department staff.

- 1 • Concern: most physicians don't have sufficient time to see their patients  
2 and may delegate the ability to access the HIV registry to staff. This  
3 scenario may lead to a breach of confidentiality – but breaches may  
4 incur criminal liability.
- 5 • No breach of confidentiality has ever occurred with data stored at NYC  
6 DOHMH.
- 7 • A NYC public hearing on the new law is scheduled for June 20<sup>th</sup> at 90  
8 Church Street.

#### 9 10 **Mail Order Pharmacies:**

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- 12 • Many health care plans require participants to use mail-order  
13 pharmacies.
- 14 • Patients should have a choice.
- 15 • Advocates are asking people to call the NYS Senate leadership and  
16 encourage leaders to pull the bill on mail order pharmacies from the  
17 Chair of the Insurance Committee so that it can come to a vote.
- 18 • The requirement to use mail-order pharmacies, many of which are  
19 located outside of the City and the State, is costing NY \$5 billion worth  
20 of jobs.
- 21 • The Planning Council has sent a letter on this topic to Mayor de Blasio.
- 22 • This issue should be brought to the Controller's attention because the  
23 Controller chooses health plans for City employees.

#### 24 25 **Brainstorming Questions for Upcoming Planning Council Meeting with** 26 **Commissioner Mary Travis Bassett and HIV Activists from ActUp/NY,** 27 **Treatment Action Group, and VOCAL/NY:**

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- 29 • Committee members discussed questions for the meeting on June 24<sup>th</sup>:  
30
  - 31 ○ How is DOHMH informing providers about consent and linkage  
32 to care?
  - 33 ○ How is the pilot program with MDs accessing the registry rolling  
34 out?
  - 35 ○ What is Dr. Bassett's vision of the future of HIV in NYC?
  - 36 ○ What is the Center for Health Equity and how will it tackle  
37 disparities?
  - 38 ○ What are the opportunities for providers to work with Dr. Bassett  
39 to address identified needs?
  - 40 ○ What are her plans for merging prevention and treatment/care  
41 community planning?
  - 42 ○ Ask for her commitment to work on cross-agency issues
  - 43 ○ The issue of fees for brokers is still outstanding. How will that be  
44 resolved?
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1 **Atlanta Principles:**

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- 3 • The Atlanta Principles are a series of demands of the CDC, asking CDC
  - 4 to commit to more frank health education, stronger partnership with the
  - 5 community, and more collaboration between prevention, treatment,
  - 6 and care.

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8 **Public Comment:**

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- 10 • More advocacy for Hep C in the Bronx will be conducted.

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12 **Items for Follow-Up:**

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- 14 • Invite Christine Rivera/Dan Tietz to address the policy committee or the
  - 15 Planning Council on negotiating with pharmaceutical companies on
  - 16 prices.
  - 17 • Contact other EMAs regarding handling of policy issues
  - 18 • Produce a resource guide for navigating the ACA
  - 19 • Translate the PC 101 document into Spanish
  - 20 • Ryan White data collection for eSHARE