



Meeting of the  
**POLICY COMMITTEE**  
February 11, 2009

Matt Lesieur and Darryl Ng, Co-Chairs

**Members Present:** Susan Alston, Elaine Greeley, Rachelle House (alt. for Esther Lok), Coco Jervis, Matt Lesieur, Paul Meissner (on speaker phone), Reynolds Mulero, Darryl Ng, Jan Carl Park, Andresa Person

**Members Absent:** Sean Cahill, PhD, Gregory Cruz, Terri Faulkner, Esther W.Y. Lok, Dorella Walters

**DOHMH Staff Present:** Nina Rothschild, DrPH, Jessica Wahlstrom

**Material Distributed:**

- Agenda
- Minutes from previous Policy Committee meeting in January 2009
- List of Policy Committee open and closed items
- Testimony of Village Care of New York on the Governor's FY 2009-2010 Executive Health Budget
- Preliminary analysis of NYS 2009-10 Executive Budget Proposal prepared by Housing Works
- Text of HR 179 (bill to lift the federal ban on funding for syringe exchange introduced to Congress by Representative Jose Serrano) and accompanying information (list of sponsors, actions, and bill summary)
- Sign-on letter to President Obama concerning federal funding of syringe exchange
- Sign-on letter to President Obama asking him to remove HIV from the HHS list of communicable diseases of public health significance
- Sign-on letter to New York State legislative leaders concerning Executive Budget
- Glossary of terms and abbreviations
- Planning Council calendar for February 2009

**Welcome/Introductions:** Matt Lesieur and Darryl Ng welcomed participants. Members introduced themselves.

**Selection of Recurring Meeting Date/Time:** Policy Committee members agreed that they would meet on the second Wednesday of each month at CHCANYS located at 535 8<sup>th</sup> Avenue, 8<sup>th</sup> floor.

**Review of the Meeting Packet:** Nina Rothschild reviewed the contents of the meeting packet.

**Review of the List of Open/Closed Items:** Jan Carl Park reviewed the list of open and closed items.

**Federal, State, and City Budget Issues:**

Federal:

- New York State may receive \$10-\$12 billion in FMAP dollars over a 27 month period.
- House and Senate conferees are ironing out the differences between their respective versions of the stimulus package. After the stimulus package is passed, legislators will deal with appropriations. From our perspective, the House version of the appropriations is preferable to the Senate version.
- Policy Committee members agreed to send a letter to Representative Nita Lowey regarding New York's appropriations
- Congress is currently operating under a CR (continuing resolution) and will continue to do so if an appropriations bill is not passed by March 1, 2009.
- Two new EMAs have been recognized – 1) Nassau and Suffolk and 2) New Haven. We are unclear whether these new EMAs will bring their TGA funds with them or whether they will dip into the general pool of EMA funds (thereby leaving fewer dollars to be distributed to other EMAs).
- Matt Lesieur agreed to schedule a visit to Nita Lowey's office to advocate for the House version of the Ryan White Appropriations. Some consumers will accompany him.

State:

- New York State will not contribute to ADAP for one year because the State will receive enough money in rebates from pharmaceutical companies to finance the program.
- The deficit reduction plan for New York State for this year has been passed. This year's agreement between the Governor and the Legislature provides for relatively few cuts to health care. Jan Park commented that sharing any information on cuts to home care with the Planning Council's PSRA Committee would be useful because PSRA will

- recommend funding levels. If City-funded programs are cut, we will see migration to Ryan White programs for home care.
- Letter to Assembly members Silver and Tedisco and Senators Smith and Skelos: the sign-on letter supports consumer protections against policies such as step therapy (or “fail-first” therapy), under which a patient would have to fail a cheaper drug regimen before being given access to more expensive medications. Although the policies outlined in the letter seem to impact negatively on consumer health, agreeing to them may allow the State more clout to arrange for rebates from pharmaceutical companies. Approximately 60,000 HIV-positive individuals on Medicaid could be affected by the policies outlined in the letter. Darryl Ng noted that the letter is not specifically about HIV but, rather, about Medicaid in general; it could, however, impact on HIV-infected persons. Reynolds Mulero commented that a version of step therapy has been tried with health care provided to some prison populations, and the effect has been disastrous. Nine members of the Policy Committee voted to send the letter to the full Planning Council for sign-on; one Committee member abstained; and no members voted against moving the letter forward.

City:

- The New York City preliminary budget was released recently but is subject to change based on three factors: 1) the stimulus package size 2) the resources received by the State and 3) revised City revenue projections. Currently, the City has to close a \$4 billion dollar budget gap. Mayor Bloomberg has proposed several measures to close gaps, including lowering City employee health benefit costs. The City Council will hold hearings on the preliminary budget and will vote on the final budget by the end of June. When the budget hearing is announced, Policy Committee members will be asked whether they want Matt Lesieur, Darryl Ng, and/or Community Co-Chair Soraya Elcock to advocate for restoring funds. Planning Council members are Mayoral appointees and have never testified in their role as PC members at a City Council hearing on the budget, but the absence of a previous history of testifying does not necessarily preclude them from testifying now.

**Letter in Support of Serrano Bill on Syringe Exchange:**

- Policy Committee members agreed to send Representative Serrano a letter thanking him for introducing the bill to lift the ban on federal funding for syringe exchange and to send a similar letter to Congressional Representatives from UCHAPS cities and to the whole New York delegation asking for their support. Mr. Lesieur agreed to

check whether FAPP members have a list-serve with all members of Congress to facilitate distribution of the letter.

**Preparation for ADAP Discussion with Christine Rivera:** Christine Rivera, who directs the New York State AIDS Institute's ADAP Program, will speak at the next Policy Committee meeting. Policy Committee members discussed potential questions to ask her:

- What assurances do we have that the ADAP contribution which the State is withholding this year will be restored next year?
- What is the State's plan for maintaining access to the drugs if the budget shortfall of this year becomes permanent?
- What conversations is NYS Health Commissioner Dr. Richard Daines having with Governor Paterson to avoid having to implement a doomsday plan?
- What can the Planning Council do to help protect the ADAP program?
- What drugs are in the formulary?
- Can she provide an overall presentation on ADAP (e.g., how many people are covered, what the cost is, etc.)?

Policy Committee members agreed that Mr. Lesieur and Mr. Ng would speak with Ms. Rivera prior to her presentation.

**Approval of the Minutes from the January Meeting:** The minutes from the January meeting of the Policy Committee were approved by all present with one abstention.

**Adjournment/Next Meeting:** The meeting was adjourned. The Committee will meet again on March 11<sup>th</sup> at CHCANYS.