



Meeting Minutes
POLICY COMMITTEE
Matthew Lesieur and Darryl Ng, Co-Chairs

January 29, 2010
Village Care of New York, 154 Christopher Street
10:00-12:00

Members Present: Sean Cahill, PhD, Elaine Greeley, Matthew Lesieur, Kali Lindsey, Lorna Littner, Paul Meissner, Darryl Ng, Jan Carl Park, Andresa Person, Jim Shields (alt. for Dorella Walters)

Members Absent: Susan Alston, Kareem Clemons, Gregory Cruz, Esther Lok

NYC DOHMH Staff Present: Nina Rothschild, DrPH

Others Present: Jay Izes, MD, Judy Juster, Marcelo Soares

Material Distributed:

- Agenda
- Minutes from December Policy Committee Meeting
- List of Open and Closed Items
- Draft of Letter to Governor Paterson, Health Commissioner Daines, and Medicaid Director Frescatore Expressing Concern re Medicaid Managed Care for PLWHAs
- Presentation by Rebecca Novick on Expansion of Mandatory Medicaid Managed Care
- NYC Budget Information
- Fact Sheet from VCNY on Proposed NYS Budget

Welcome/Introductions/Moment of Silence/Review of the Meeting Packet:

Committee Co-Chairs Matthew Lesieur and Darryl Ng welcomed meeting participants. Members introduced themselves. Darryl Ng led the moment of silence. Nina Rothschild reviewed the contents of the meeting packet.

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

- **HRSA 24-Month Cumulative Lifetime Limit on Ryan White-Funded Housing:** This HRSA policy grew out of a situation in San Francisco in which housing was deemed to be transitional, not emergency. HRSA met with advocates and committed to reviewing the issue but did not promise anything beyond a review. In New York City, approximately 150-200 people who receive Ryan White-funded housing and are not eligible for housing funded by other payers (principally because they are undocumented) would face eviction. They have been notified, but no transition plan has been developed for them.
- **Thirty Percent of Income for Rent:** This bill has to re-pass the NYS Senate.

Medicaid Managed Care for PLWHAs: Rebecca Novick, a staff attorney with the Legal Aid Society's Health Law Unit, presented an Update on the Expansion of Mandatory Medicaid Managed Care:

- The New York State Department of Health has applied to the Center for Medicare and Medicaid Services (CMS) to mandate the enrollment of Medicaid-eligible PLWHA in New York State into managed care plans. The current exemption of Medicaid-eligible PLWHAs from Medicaid managed care will probably end on March 31, 2010. Final approval from the federal government, however, has not yet been received. The State is planning for the transition and focusing particularly on ensuring that PLWHAs don't become lost to follow-up.
- When it receives the go-ahead from the federal government, the State will enroll the first 2500 patients in Medicaid managed care and examine their experience before enrolling additional groups.
- PLWHAs will not be auto-assigned to SNPs because of confidentiality concerns but may switch into or out of a SNP at any time.
- Eventually, individuals who do not voluntarily enroll in a plan will be assigned to one. This policy, known as auto-assignment, is not optimal because the patient is not necessarily making an educated decision and may wind up in a plan without any of his or her traditional doctors.
- Some PLWHAs have built their own network of providers and are successfully managing their care. If, however, all of their providers do not belong to a single managed care plan, they may have to find some new specialists and lose the continuity.
- Obtaining a referral from a primary care provider to a specialist - a feature of most managed care plans - may prove to be an extra burden for an already fragmented population.
- As of a meeting a couple of years ago, some Medicaid managed care plans did not have HIV specialists on their roster, leading to concerns about the adequacy/quality of the care they will provide.
- Certain services, including prescriptions, COBRA case management, methadone maintenance, and others are carved out and can still be obtained through traditional fee-for-service.
- Certain groups will remain exempt from enrollment in managed care, including Seriously and Persistently Mentally Ill Adults and homeless individuals.

Dr. Cahill asked whether any training on the carve-outs for medications is available to pharmacists. New York State and New York City are providing this training.

Committee members agreed to send a more generic letter of invitation to New York State Medicaid Director Donna Frescatore to address the Planning Council on Medicaid managed care, rather than a more detailed and specific letter to Governor Paterson, Commissioner Daines, and Director Frescatore drafted by Esther Lok.

New York State Budget: New York State Governor David Paterson's budget reflects a \$7.4 billion dollar deficit. Hospitals, nursing homes, home care, personal care, pharmacy services, insurance, and managed care would all undergo cuts. The major concerns are the cap on home care and on personal care at 12 hours per person. In addition, the Governor wants to eliminate the exemption for HIV pharmaceuticals from the Medicaid preferred drug program. Certain HIV/AIDS medications may not be included in the formulary because they are too expensive. The bright side of eliminating the exemption is that the State may be in a position to negotiate better reimbursements from drug companies. Policy Committee members signed on to a letter in the last planning cycle concerning HIV pharmaceuticals and the formulary and agreed to reaffirm the position articulated in that letter.

Paul Meissner noted that community health centers and some hospitals are able to obtain AIDS medications at lower cost than ADAP.

Policy Committee members discussed Multi Service Agencies (MSAs) and Community Service Providers (CSPs). Funding was explicitly granted to these organizations under Governor Cuomo and has been guaranteed for many years but now is discretionary and may be cut. Mr. Lesieur asked why agencies should not be forced to competitively bid for the funds in order to give previous non-recipients a chance to obtain additional funding. Elaine Greeley, however, noted that this guaranteed stream of funding has helped to maintain continuity and enable agencies to offer a baseline of services. Committee members discussed issuing a statement concerning the State budget. Dr. Cahill agreed to send a letter regarding the restructuring of MSAs and CSPs in the State budget for a Planning Council letter to Assembly Speaker Sheldon Silver and the Health Committee Chairs. The letter will also deal with the delay on the implementation of the increase in public assistance for PLWHAs. The delay will only lead to a \$14 million savings for the State but adds to the burdens confronting the PWA population.

New York City Budget: Mayor Bloomberg is proposing case manager staff reductions with a potential layoff of 248 HASA caseworkers. Mr. Lesieur noted that the HIV/AIDS community has spent a lot of time working on the improvement of services provided by caseworkers, and Dr. Cahill noted that the number of layoffs is very high. The budget, however, is preliminary, and may be altered. Committee members agreed to draft a letter to City Council Speaker Christine Quinn on the proposed City budget.

Health Care Reform: National health care reform is now up in the air. Paul Meissner suggested that New York State may propose its own plan.

CAEAR Coalition Update: Matthew Lesieur was elected Vice Chair of the CAEAR Coalition. Jan Park and Patrick McGovern were elected to the Board. UCHAPS has expressed interest in collaborating with the CAEAR Coalition on HIV testing. Almost \$5 million dollars are being spent on individuals who test negative.

Public Comment: Marcelo Soares stated that he would like to be on the Board of Directors Task Force dealing with the issue of appointment of PLWHAs to boards of organizations receiving Ryan White funding from NYC DOHMH. Mr. Park informed him that only Planning Council members can serve on the Task Force.

Approval of the Minutes: The minutes from the December meeting of the Policy Committee were approved.