

LOS ANGELES COUNTY
Commission ON HIV HEALTH SERVICES

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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 Committee members.
 Only members of the Commission on HIV Health Services are accorded voting privileges,
 thus Commissioners who have not signed in cannot vote.*

Approved 12/11/03

COMMISSION MEETING MINUTES
October 9, 2003

MEMBERS PRESENT	MEMBERS ABSENT	OTHERS PRESENT	OAPP STAFF PRESENT
Al Ballesteros, <i>Co-Chair</i>	Nettie DeAugustine, <i>Co-Chair</i>	Charlene Abe	Libby Boyce
Ruben Acosta	Adrian Aguilar	Cinderella Barrios-Cernik	Vicki Lowe
Carrie Broadus	Carla Bailey	Anthony Brazier	Jane Nachazel
Robert Butler	Nancy Eugenio	Mark Briggs	Rene Seidel
Charles Carter	Gunther Freehill	Diane Burbie	Lynda Steele
Ruth Davis	John Griggs	Brenda Carter	Diana Vasquez
Richard Eastman	Rebecca Johnson-Heath	Julie Coveney	Craig Vincent-Jones
Whitney Engeran	Wilbert Jordan	Steve Erickson	
William Fuentes	Marcy Kaplan	Darryl Flynn	
David Giugni	Edric Mendia	Susan Forrest	
Alexander Gonzales	Vicky Ortega	Sherice Harris	
Michael Gray	John Palomo	Tiffany Horton	
Marc Hauptert	Dana Pierce-Hedge	Ken Howard	
Charles Henry	Alexis Rivera	Miki Jackson	
Howard Jacobs	Vanessa Talamantes	Elliott Johnson	
Brad Land		Jennifer Karcher	
Mike Lewis		Gregory Polk	
Anna Long		Neisha Reynolds	
Andrew Ma		Sandra Rogers	
Elizabeth Marte		Wendy Schwartz	
Dani Mejia		James Stewart	
Dean Page		Nicole Werner	
Mark Parra		Jan Wise	
Chris Perry		Patricia Woody	
Paul Scott			
Fontaine Shockley			
Kevin Van Vreede			
Kathy Watt			
Fariba Younai			

- I. **CALL TO ORDER:** Mr. Ballesteros called the meeting to order at 9:41 a.m. He then introduced and welcomed new Commissioners and reminded Commissioners to sign in and out for the meeting.

- II. **APPROVAL OF AGENDA:** The Slate of Candidates Item under the Recruitment, Diversity and Bylaws Committee Report, and the Standards of Care report were moved up after Public Comment due to various Commissioners' need to leave the meeting early. The agenda was then approved without objection (**MOTION #1**).

- III. **APPROVAL OF MEETING MINUTES:** The minutes of the September 11, 2003 meeting were approved unanimously with the following alterations to the State Office of AIDS Report indicated in italics (**MOTION #2**):
 - Ms. Pierce-Hedge described \$8-7 million dollars in viral load funding had to be returned to ADAP to keep the program whole.
 - The allocation for viral load testing was reduced to \$1 million, and state funding for resistance testing was ~~stopped~~ *discontinued*.

- To compensate for shortfalls in ADAP funding, the OA used \$20 million (*Year 03-04*) in one-time rebate money from pharmaceutical companies.

IV. **PARLIAMENTARY TRAINING:**

- A. **Seriatim Process**: Mr. Stewart reviewed the seriatim process, which allows a long document to be considered one part at a time, and then debated and voted on as a whole.
- B. **Quorums**: He also explained that once a quorum is established in the meeting, it is presumed to exist until someone mentions that it doesn't. The Commission then passed the motion to limit debate (**MOTION #3**).

V. **PUBLIC COMMENT**: The following public comments were made:

- ***Tiffany Horton, Co-Chair, Counseling and Testing Task Force***, urged the Commission to pay attention to representation of Task Force seats when making decisions about membership restructuring, emphasizing their importance in highlighting issues of prevention, treatment and care.
- ***Ken Howard, Co-Chair, Mental Health Task Force***, spoke on the need for representation of Task Forces and balanced representation between providers and consumers in Commission membership.

Responding to Ms. Broadus' inquiry, Mr. Stewart explained that members of the public could speak on any agenda item.

VIII. **STANDING COMMITTEE REPORTS:**

- A. **Recruitment, Diversity and Bylaws (RD&B) Committee**: The agenda items on policies and procedures and commissioner orientation were postponed until after the Co-Chair's Report.
1. ***Slate of Candidates***: Mr. Butler reported that the City of Los Angeles nominated Wendy Schwartz, City of Los Angeles AIDS Coordinator's Office, for the City's seat on the Commission. After she addressed the Commission, the Commission approved her nomination (**MOTION #5**).

B. **Standards of Care (SOC) Committee**:

1. ***Dissemination Strategy***: In a presentation on a strategy for disseminating standards, Dr. Younai outlined the guiding principles and plans for the communication, publication and distribution of standards of care and best practices. She went on to explain the information dissemination efforts proposed to reach local, regional and national audiences. Discussion continued on types of standards to be used by the AETCs and collaborating with clinical and other service associations. The Commission then approved the proposed Dissemination Strategy with the amendment that it should emphasize collaborations and community involvement (**MOTION #9**).
2. ***Half-Day Outcomes Training***: Mr. Vincent-Jones announced that the training would be scheduled in December. Further discussion on this item would be continued to the next meeting.

VI. **CO-CHAIR'S REPORT**

- A. **Membership Structure**: Mr. Engeran gave a presentation on the follow-up to public comment on the Commission membership recommendations. The work group received comment/recommendations on the following five issues:
1. Commission membership must be reduced further.
 2. The Commission should be reduced to 25 members, in accordance with the claimant's understanding of HRSA guidance.
 3. The number of unaffiliated consumers should be increased.
 4. Too many providers were included in the Commission membership recommendations.
 5. Task Force seats should not be eliminated.

Mr. Engeran explained that the work group made no changes to the plan in response to those recommendations for the following reasons:

1. *The work group felt it reduced the Commission membership as much as it could without harming the Commission's future ability to "represent" and "reflect" appropriately; the workgroup also noted that reduction of the membership, by itself, was not a goal, but had to be done with attention paid to Commission effectiveness.*
2. *There is no HRSA 25-member planning council guidance from HRSA; in fact, most planning councils across the country now have more than 25 members.*
3. *The recommendations guarantee that one-third of the Commission seats will be filled by unaffiliated consumers; that is a minimum, not a maximum.*

4. *The workgroup noted that there are no more seats specifically dedicated to provider representatives than those called for by HRSA; similarly, they noted that specific provider seats do not outnumber other represented constituencies.*
5. *The workgroup noted that task force seats are not necessarily required seats, as are almost all others; they reiterated, however, that the Commission must devise other ways to involve the Task Forces as the committee and Commission levels.*

Mr. Engeran indicated that the workgroup would modify its presentation and/or the recommendations to address the following issues:

6. There is only one NMAETC in Los Angeles County.
7. Alter the DHS-designated seat to an OAPP-designated seat.
8. Commission should provide Technical Assistance to SPNs on Open Nomination Process.

VII. **RECESS:** The Commission recessed.

VI. **CO-CHAIR'S REPORT** *(continued)*:

A. **Membership Structure** *(continued)*: Mr. Ballesteros reconvened the meeting, and Mr. Engeran continued his presentation about the public comment in response to the Commission membership recommendations. He reviewed Introductory Recommendations #1-3 and Associated Recommendations #4-6 concerning membership.

1. **Sunset Review Process:** Ms. Abe, Chief Deputy Executive Officer, gave a presentation on the sunset review process for County commissions, noting that the Commission's sunset review date is June 30, 2004. First, after the Commission fills out a sunset review evaluation form, the Auditor-Controller would review the form and make recommendations to the Audit Committee, which would make a recommendation to the Board of Supervisors on extending the sunset review period or disbanding the Commission. She added that restructuring of Commission membership can be incorporated in the sunset review process. Mr. Polk, Chief Administrative Office, indicated his office would work with members of the Commission in addressing the Commission restructuring.

After agreeing to limit comments to one minute per speaker, the Commission, using the seriatim process, discussed each of the seven recommendations on membership structure one-by-one.

The following issues related to recommendation #1 issues were discussed:

- Maintaining structure, leadership and diversity are central concerns of the workgroup in developing the membership recommendations;
- The workgroup's recommendations would help inform the CAO in its discussions on Commission membership;
- The need to improve communication between the task forces and the Commission was highlighted;
- The need for a voice for the homeless and special populations at the Commission table was reiterated;
- It was recommended that Task Force seats should remain on the Commission given that sixteen EMAs have larger planning councils;
- A realignment of the seats would help streamline Commission processes;
- The size of the Commission needs to be pared down while still maintaining representation; and
- The need for greater involvement of Commissioners and mentoring of new Commissioners was underscored.

VII. **RECESS:** The Commission recessed.

VI. **CO-CHAIR'S REPORT** *(continued)*:

A. **Membership Structure** *(continued)*: Mr. Ballesteros reconvened the meeting, and the discussion continued on the Commission membership recommendations. Members of the public offered the following comments concerning recommendation #1:

- **Tiffany Horton, Co-Chair of Counseling and Testing Task Force**, spoke on the need for task force members to facilitate communication with the Commission;
- **Susan Forrest, Behavioral Health Services/Community Assessment Services Center**, spoke on the challenge of task force members being involved in community meetings while meeting other professional obligations;
- **Cinderella Barrios-Cernik, L.A. County Alcohol and Drug Program Administration (ADPA)**, expressed interest in the ADPA playing a role in the Commission's work;
- **Mark Briggs, former Commissioner**, spoke in favor of the restructuring process;

- **Elliott Johnson** offered his assistance in the restructuring process;
- **Sandra Rogers, Co-Chair of the Mental Health Care Task Force**, spoke on the need to codify the task forces' role in the Commission;
- **Miki Jackson, AIDS Health Foundation**, spoke in favor of restructuring and reducing the size of the Commission; and
- **Anthony Brazier, Homeless Health Care**, spoke on the need to continue representation of the homeless population on the Commission.

Recommendation #1 was amended. Recommendation #2 was amended without objection. The Commission then approved recommendations #1 and #2 as amended. The Commission unanimously agreed to strike down recommendation #5 from the vote. Recommendations #3, #4, #6 and #7 were approved. A substitute motion for Motion #4 by Mr. Engeran approved the entire document with accompanying recommendations. (**MOTION #4**)

- B. **Commission Transition Update**: There was no report.
- C. **Annual Meeting, 11/13-11/14/03: Evaluation: Laying the Groundwork for a Successful Future**: Mr. Vincent-Jones reminded Commissioners to submit their reservation forms for the annual meeting to Commission staff.
- D. **Joint Executive Committee meeting, 9/26/03**: Mr. Butler reported that the Committee discussed how, in lieu of merging the two bodies, the PPC and the Commission could work together to address prevention, care and treatment.
- E. **Committee Assignments**: Mr. Ballesteros announced that the Committee assignments were included in the packet. Comments and concerns about the assignments should be directed to the Co-Chairs.

VIII. **STANDING COMMITTEE REPORTS** (*continued*):

A. **Recruitment, Diversity and Bylaws (RD&B) Committee** (*continued*):

3. **Policies and Procedures**: This report followed the discussion and vote on the membership recommendations.
- a. **Alternates' Rights, Responsibilities and Restrictions**: Detailing the proposed policy for alternates, Mr. Stewart explained that while the Commissioner the alternate represents is present, the alternate should sit at the alternates' table and cannot act in an official capacity for voting or offering comments. The proposed policy, however, allows alternates to enter into formal Commission discussions at the discretion of the Co-Chairs. Also, alternates can make comments under public and/or Commissioner comment. Ms. Marte, Mr. Page and Mr. Hamilton stressed that alternates should have the same rights to speak at the Commission meetings as Commissioners do. Mr. Henry emphasized that alternates have an important role in the Commission meetings. Mr. Ballesteros reminded the speakers that the Co-Chairs have never not allowed the alternates to enter into formal Commission discussions. The Commission then adopted the proposed policy on "Alternates' Rights, Responsibilities and Restrictions" (**MOTION #6**).
 - b. **Attendance Standards**: Mr. Stewart reviewed the proposed attendance standards, including the policy that failure to be present for at least two-thirds of a meeting shall be considered as an absence and that six absences in any twelve-month period (combined Commission and committee meetings) could result in certain "attendance actions" to be imposed. He then described proposed procedures for holding Commissioners accountable for their attendance. Various Commissioners then spoke on the need for accountability in this area. It was noted that a Commission seat is considered present when an alternate is filling in for an absent Commissioner. Following discussion, the Commission adopted the proposed policy on Attendance Standards (**MOTION #7**).
 - c. **Special Rules of Order: Limiting Debate**: Mr. Stewart noted that the policy is the written version of an action that the Commission previously approved. As a result, it did not require a vote of approval.
 - d. **Transportation**: Mr. Stewart presented the proposed policy on transportation. After amending the draft policy to authorize the Co-Chairs to determine what "other Commission business" would be approved for transportation, the Commission approved the proposed policy on transportation (**MOTION #8**).
3. **Commissioner Orientation**: The Commissioner Orientation was included in the packet, and it was noted that the Orientation would immediately follow the Commission meeting.

C. **Joint Public Policy (JPP) Committee**:

1. **Public Policy Support Allocation Request**: Mr. Engeran spoke on the Committee's request for a contractor to provide professional policy/legislative analysis services, and reviewed the project description outlining the

goals, costs, staffing needs and timeline. The Commission then approved the allocation of \$25,000 to provide public policy and analysis support to the Joint Public Policy Committee (**MOTION #10**).

D. **Finance Committee:**

1. ***Financial Reports:*** This item was continued to the next meeting.
2. ***Assessment of the Administrative Mechanism Recommendations:*** The recommendations were approved by the Executive Committee, which was the follow-up step required by the motion for approval at the prior Commission meeting.
3. ***FY 2004 Planning Council Support Budget:*** The Commission unanimously approved the budget as presented for inclusion in the Year 14 Ryan White CARE Act Title I Application (**MOTION #12**).

E. **Priorities and Planning (P&P) Committee:** There was no report.

IX. **PREVENTION PLANNING COMMITTEE (PPC) REPORT:** There was no report.

X. **OAPP REPORT:** There was no report.

XI. **COMMISSIONER COMMENT:** There was none.

XII. **ANNOUNCEMENTS:** The following announcements were made following the Finance Committee Report.

- Mr. Engeran reported on the Care Act Reauthorization Public meeting, noting that Ms. DeAugustine and Mr. Henry provided testimony.
- Mr. Eastman announced the Medical Marijuana Task Force meeting on October 25, 2003 at the Hollywood Ramada Inn. He also noted that three L.A. City Council members wrote letters in support of the Task Force.
- Ms. Broadus announced a Second District Coalition Seventh Anniversary celebration in which Supervisor Yvonne Burke would participate, at 801 W. 70th Street in Los Angeles.
- Mr. Henry acknowledged that the City of West Hollywood will honor Howard Jacobs in October for his contributions to disability awareness.
- Ms. Watt announced a site in Hollywood for housing for HIV+ people and gay and lesbian seniors.
- Mr. Butler reminded everyone that the new Commissioner Orientation would follow the meeting.
- Mr. Vincent-Jones reminded Commissioners to fill out reservation forms for the Commission Annual Meeting on November 13-14, 2003 at the Westin in Pasadena.

XIII. **ADJOURNMENT:** The meeting was adjourned at 1:50 p.m.

MOTION AND VOTING SUMMARY		
MOTION #1: Approve the Agenda.	<i>Passed by Consensus</i>	Motion Passes
<p>MOTION #2: Approve the minutes of the September 11, 2003 Commission meeting with the following alterations to the State Office of AIDS Report indicated in italics:</p> <ul style="list-style-type: none"> ▪ She (Ms. Pierce-Hedge) described \$8 7 million dollars in viral load funding had to be returned to ADAP to keep the program whole. ▪ The allocation for viral load testing was reduced to \$1 million, and state funding for resistance testing was stopped <i>discontinued</i>. ▪ To compensate for shortfalls in ADAP funding, the OA used \$20 million (<i>Year 03-04</i>) in one-time rebate money from pharmaceutical companies. 	<i>Passed by Consensus</i>	Motion Passes
MOTION #3: Limit debate to one minute per person when speaking to agenda topics; all persons desiring to address a topic shall be allowed to do so before others are allowed to address it a second and/or subsequent times.	<i>Passed by Consensus</i>	Motion Passes
<p>MOTION #4, Amendment to Recommendation #1, indicated in italics: Adopt the proposed matrix of designated seats <i>as the framework for continued discussion of the planning of the structure of the Commission.</i></p>	<p>Ayes: <i>Acosta, Ballesteros, Broadus, Carter, Davis, Eastman, Fuentes, Hauptert, Land, Ma, Mejia, Ortega, Scott, Shockley, Van Vreede</i></p> <p>Opposed: <i>Engeran, Giugni, Jacobs, Lewis, Marte, Perry, Watt</i></p> <p>Abstentions: <i>Butler, Gray, Gonzales, Long, Parra</i></p>	<p>Motion Passes: 15 Ayes 7 Opposed 5 Abstentions</p>
<p>MOTION #4, Amendment to Recommendation #2, indicated in italics: The Commission shall ensure parity of gender, ethnicity, race in nominating members to its body, along with a broad representation of sexual orientation and identity, Behavioral Risk Groups (BRGs), age disease progression, and including members of underserved, out-of-care, new-into-care, newly diagnosed and other special populations (<i>and task forces, caucuses and coalitions representing such populations</i>) whenever possible and appropriate.</p>	<i>Passed by Consensus</i>	Motion Passes

COMMISSION ON HIV HEALTH SERVICES

Minutes from October 9, 2003 Meeting

Page 7 of 7

MOTION AND VOTING SUMMARY <i>(continued)</i>		
<p>MOTION #4 (Substitute), as amended:</p> <p>A. Forward the proposed seat framework and accompanying amended recommendations (except recommendation #5) to all strategic partner partners for advice, further consultation and consent.</p> <p>B. Request the CAO that the Commission and its leadership be included in the subsequent consultation.</p> <p>C. Continue to develop strategic recommendations concerning jurisdiction and structure of the Commission and empower the Co-Chair to designate members of work groups as necessary.</p>	<p>Ayes: <i>Ballesteros, Broadus, Butler, Carter, Davis, Engeran, Fuentes, Gray, Hauptert, Jacobs, Land, Lewis, Long, Ma, Marte, Mejia, Parra, Van Vreede, Younai</i></p> <p>Opposed: <i>Eastman, Giugni, Perry, Scott, Shockley</i></p> <p>Abstentions: <i>Acosta</i></p>	<p>Motion Passes: 19 Ayes 5 Opposed 1 Abstention</p>
<p>MOTION #5: Nominate Wendy Schwartz to fill City of Los Angeles seat on the Commission.</p>	<p><i>Passed by Consensus</i></p>	<p>Motion Passes</p>
<p>MOTION #6: Adopt the proposed policy on "Alternates' Rights, Responsibilities and Restrictions" as presented.</p>	<p><i>Passed by Consensus</i></p>	<p>Motion Passes</p>
<p>MOTION #7: Adopt the proposed policy on "Attendance Standards" as presented.</p>	<p><i>Passed by Consensus</i></p>	<p>Motion Passes</p>
<p>MOTION #8: Adopt the proposed policy on "Transportation" as amended.</p>	<p>Ayes: <i>Acosta, Broadus, Butler, Carter, Gray, Davis, Eastman, Engeran, Fuentes, Giugni, Hauptert, Land, Lewis, Long, Ma, Mejia, Parra, Perry, Scott, Schockley, Van Vreede, Watt</i></p> <p>Opposed: <i>Jacobs, Marte</i></p> <p>Abstentions: <i>Ballesteros</i></p>	<p>Motion Passes: 22 Ayes 2 Opposed 1 Abstention</p>
<p>MOTION #9: Approve the proposed Dissemination Strategy outlining the guiding principles and plans for the communication, publication and distribution of standards of care and best practices, as presented, with the amendment that the Dissemination Strategy emphasize collaborations and community involvement.</p>	<p><i>Passed by Consensus</i></p>	<p>Motion Passes</p>
<p>MOTION #10: Approve the allocation of \$25,000 to provide public policy and analysis support to the Joint Public Policy Committee in the timeline and for the purposes specified.</p>	<p>Ayes: <i>Acosta, Ballesteros, Broadus, Butler, Carter, Davis, Eastman, Engeran, Fuentes, Gray, Hauptert, Land, Lewis, Long, Ma, Parra, Perry, Shockley, Van Vreede</i></p> <p>Opposed: <i>Giugni, Jacobs, Mejia, Scott, Watt</i></p> <p>Abstentions: <i>None</i></p>	<p>Motion Passes: 19 Ayes 5 Opposed 1 Abstention</p>
<p>MOTION #12: Adopt the proposed FY 2004 Planning Council Support Budget as presented for inclusion in the Year 14 Ryan White CARE Act Title I application.</p>	<p><i>Passed by Consensus</i></p>	<p>Motion Passes</p>