



# LOS ANGELES COUNTY COMMISSION ON HIV

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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 Commission members. Only members of the Commission on HIV are accorded voting privileges, thus Commissioners who have not signed in cannot vote. Sign-in sheets are available upon request.*

## JOINT PUBLIC POLICY (JPP) COMMITTEE MEETING MINUTES March 4, 2009



MEMBERS PRESENT	MEMBERS ABSENT	PUBLIC	HIV EPI AND OAPP STAFF	COMM STAFF/ CONSULTANTS
Whitney Engeran-Cordova, <i>Co-Chair</i>	Dean Page	Miki Jackson	Elizabeth Escobedo	Carolyn Echols-Watson
Lee Kochems, <i>Co-Chair</i>	James Skinner	Ted Liso		Jane Nachazel
Kyle Baker	Chris Villa	Ruel Nolloedo		Craig Vincent-Jones
Carrie Broadus		Terry Smith		
Jeffrey Goodman				
Manuel Negrete				
Ron Osario				
Kathy Watt				
Kimberlee Woods				

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  - 37) **Legislation:** HR 463: Prevention First Act of 2009, Congresswoman Slaughter, 1/13/2009
  - 38) **Legislation:** HR 756: National Pain Care Policy Act of 2009, Congresswoman Capps, 1/28/2009
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  - 41) **Legislation:** HRes 62: National Black HIV/AIDS Awareness Day, Congresswoman Lee, 2/25/2009
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  - 43) **Legislation:** SRes 7: Relative to Same-Sex Marriage, Senator Leno, 3/02/2009
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1. **CALL TO ORDER:** Mr. Engeran called the meeting to order at 12:25 pm.
2. **APPROVAL OF AGENDA:**  
**MOTION #1:** Approve the Agenda Order, as amended (*Passed by Consensus*).
3. **APPROVAL OF MEETING MINUTES:**  
**MOTION #2:** Approve 2/04/2009 JPP Committee meeting minutes, as presented (*Passed by Consensus*).
4. **PUBLIC COMMENT, NON-AGENDIZED:** Ms. Jackson attended Senator Nell Soto's memorial service. Mayor Antonio Villaraigosa spoke at the well-attended service. Senator Soto was courageous, and in spite of criticism, carried the County's names-reporting bill.
5. **COMMITTEE COMMENT, NON-AGENDIZED:** There were no comments.
6. **CO-CHAIRS' REPORT:** The next JPP Committee meeting will be 4/15/2009 from 2:00 to 5:00 pm.  
**MOTION #3 (Goodman/Kochems):** Move the JPP Committee Meeting to the third Wednesday of the month from 2:00 to 5:00 pm to better coordinate with the Prevention Planning Committee's (PPC) meetings (*Passed by Consensus*).
7. **COMMITTEE MEMBERSHIP:** This item was postponed.
8. **PUBLIC POLICY ISSUES DOCKET:**
  - A. **Review of 2009 Pending Legislation:**
    - Mr. Engeran-Cordova noted Committee members were assigned legislation for presentation at this annual meeting. Voting is by consensus where possible. The Committee had the following options for the disposition of legislation reviewed:
      - **Support:** In agreement with the bill and backs/approves of the principles, policy or interest of the bill.
      - **Oppose** Not in agreement with the bill and withholds support/approval.
      - **Watch/Follow:** No position is taken, but the bill will be monitored. If the legislation takes action(s) that impacts the interest of the Committee, the bill will be reviewed in its new form and a position would then be determined, if appropriate.
      - **Support, if amended:** In agreement with the bill if changes are made to the language that agrees with the principles, policy or interest of the Committee.
      - **Support, with recommendations:** In agreement with the bill, but accompanied by recommendations to improve the language. The recommendations are not binding for the support.

- **Support, with amendments:** In agreement with the bill, but accompanied by specific amendments in language. The amendments are not binding for the support.
  - **Oppose unless amended:** Not in agreement with the bill and withholds support/approval unless the language is amended to address Committee interests.
  - **No Action Taken:** No action taken because the bill is not sufficiently relevant to Committee interests. The decision to take no action will be noted on the Public Policy Issue Docket.
  - **Postpone:** No decision until further analysis, explanation, reporting and/or information is provided.
- The Committee will approve legislative positions, which will go to the Commission and Planning and Prevention Committee (PPC) as recommendations. Once the Commission acts on the Committee's recommendations, the approved are forwarded to the Chief Executive Office (CEO) recommending inclusion in the Board-approved legislative County positions.
  - Several healthcare reform bills not specific to HIV have been referred to the JPP Committee's Healthcare Reform Workgroup.
  - The docket of legislation with the Committee's position recommendations can be found at the end of this document.

9. **STATE BUDGET:** This item was postponed.
10. **FEDERAL BUDGET:** This item was postponed.
11. **PUBLIC BENEFITS:** This item was postponed.
12. **RYAN WHITE EXTENSION:** This item was postponed.
13. **HIV SURVEILLANCE:** This item was postponed.
14. **HIV/STD CONTROL IN THE ADULT FILM INDUSTRY:** This item was postponed.
15. **PREVENTION:** This item was postponed.
16. **CORRECTIONS:** This item was postponed.
17. **HEALTHCARE REFORM:** This item was postponed.
18. **WORK PLAN:** This item was postponed.
19. **ANNOUNCEMENTS:** There were no announcements.
20. **ADJOURNMENT:** The meeting was adjourned at 5:15 pm.

**PUBLIC POLICY ISSUES DOCKET – 2009**

**Note:** All motions passed by consensus except for the following:

**MOTION (Kochems/Broadus):** Support SB 56: Health Care (Alquist) (*Passed: Ayes:* Baker, Broadus, Goodman, Kochems, Osario, Watt; *Opposed:* Engeran-Cordova; *Abstentions:* none).

Date Added to Docket/Last Date of Activity	Issue/Item	Description	Recommendation/Opinion	Justification/Notes	Status	Next Steps
12/3/08	<i>True-Out-Of-Pocket (TroOP) Costs</i>	Allows AIDS Drugs Assistance Program (ADAP) medications to count towards a Medicare Part D recipients' share of costs.	<b>Support</b>			
12/3/08	<i>Early Treatment for HIV Act (ETHA)</i>	The Early Treatment for HIV Act designates HIV, alongside AIDS as a disability eligible for Medi-Cal Medicare Benefits.	<b>Support</b>			
12/3/08	<i>HIV/STD Control in the Adult Film Industry (AFI)</i>	Requires measures in AFI to prevent/reduce HIV/STD exposure and transmission.	<b>Co-Sponsor</b>	Workgroup seeking an author for introduction to State legislature.		
1/28/09	<b>SB 1: Health care coverage: children</b> (Steinberg & Alquist)	Expands eligibility for State health care programs by modifying income and citizenship requirements.	<b>Support</b> , (JPP consensus 3/4/09)	Expands the availability of health care services to disenfranchised populations, reducing reliance on County health care programs.	Introduced 12/1/08 Amended 1/22/09 Amended 2/12/09	JPP opinion recommended for Commission approval, 3/12/2009.
1/28/09	<b>SB 3: Workers: Compensation Permanent Disability Benefits</b> (Cedillo)	The bill provides a voucher of \$6,000 for re-education and skill enhancement for a limited period.	<b>Set Aside</b> , (JPP consensus 3/4/09)			
1/28/09	<b>SB 54: Health care coverage: pricing</b> (Leno)	Prohibits a health insurance policy from being subject to premium price or charge differentials because of the gender of any individual.	<b>Support</b> , (JPP consensus 03/04/09)	Reduces barriers to health care based on gender, which actuarial tables sometimes use discriminatorily as proxies for behaviors and risks, reducing access to people with HIV/AIDS.	Introduced 1/15/09  Companion Bill: AB 119	JPP opinion recommended for Commission approval, 3/12/2009.
2/2/09	<b>SB 56: Health care</b> (Alquist)	Declares the legislature's intent to implement universal reforms to the State's health care coverage.	<b>Support</b> , (JPP vote 3/04/09: Ayes: 6; Noes: 1; Abstentions: none)	Consistent with improved access and equitable health care coverage intended in the Commission's Ryan White Reauthorization Principles.	Introduced 1/20/09	JPP opinion recommended for Commission approval, 3/12/2009.
2/2/09	<b>SB 57: California Major Risk Medical Insurance Program (MRMIP)</b> (Aanestad)	Requires a person to be rejected for coverage by at least 3 different health plans or a qualified medically uninsurable condition to be eligible for MRMIP.	<b>Postponed</b> , (pending further information 03/04/09)	Expert analysis is requested.	Introduced 1/20/09  Related Bill: SB 227	Review by JPP Committee on 4/15/09.
2/2/09	<b>SB 92: Health care reform</b> (Aanestad)	Allow a healthcare provider based in another state to offer, sell, or renew a health care service plan contract or a health insurance policy in this state without holding a license issued by this State.			Introduced 1/21/09 Amended 2/25/09	Referred to the Healthcare Reform Workgroup by the JPP Committee on 2/4/09.
2/24/09	<b>SB 158: Health care coverage: human papillomavirus vaccination</b> (Wiggins)	Requires plan contract and insurance policies to provide coverage for the Human Papillomavirus (HPV) vaccination.	<b>Support</b> , (JPP consensus 03/04/09)	HPV is known to increase susceptibility to sexually transmitted diseases including HIV.	Introduced 2/12/09	JPP opinion recommended for Commission approval, 3/12/2009.

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3/4/09	<b>SB 227: Health care coverage</b> (Alquist)	Requires health care service plans and health insurers to provide coverage at rates set by MRMIB regardless of health status or previous health care claims.	<b>Postponed.</b> (pending further information, 03/04/09)	Expert analysis is requested.	Introduced 2/23/09  Related Bill: SB 57	Review by JPP Committee on 4/15/09.
3/2/09	<b>SB 374: Health care providers: reasonable disclosure: reproductive choices</b> (Calderon)	Entitles a patient to all available medical choices reasonably necessary for informed consent in personal reproductive health decisions.	<b>Postponed.</b> (pending further information, 03/04/09)	Issues to be reviewed include existing state rules and the impact of the "Conscious Rule" implemented by the Bush administration.	Introduced 2/26/09  Companion Bill: AB 120	Review by JPP Committee on 4/15/09.
3/2/09	<b>SB 810: Single-payer health care coverage</b> (Leno)	Makes all California residents eligible for single pay.			Introduced 2/27/09	Referred to Healthcare Reform workgroup
2/3/09	<b>AB 2: Individual health care coverage</b> (De La Torre)	Prohibits insurers from canceling or rescinding an individual health care plan, contract or policy unless conditions are met.	<b>Support.</b> (JPP consensus 03/04/09)	Protects health care coverage of those living with HIV/AIDS who are not eligible for Medi-Cal.	Introduced 12/1/08  Related Bill: AB 108	JPP opinion recommended for Commission approval, 3/12/2009.
2/24/09	<b>AB 23: Medi-Cal continuous eligibility</b> (Jones)	Changes the expansion effective date of Medi-Cal eligibility for 19 year olds from 1/1/12 to 1/1/10.	<b>Support.</b> (JPP consensus 03/04/09)	Expands Medi-Cal funded health care coverage for a special population facing significant barriers, reduces the reliance on local programs.	Introduced 12/1/08 Amended 2/23/09	JPP opinion recommended for Commission approval, 3/12/2009.
2/3/09	<b>AB 108: Individual health care coverage</b> (Hayashi)	Prohibits insurers from rescinding a health care service plan contract or policy for any reason after 18 months following the issuance of the plan, contract or policy.	<b>Support with amendments.</b> (JPP consensus 03/04/09)	Amend to 12 months as indicated in AB 2. Protects health care coverage of those living with HIV/AIDS.	Introduced 1/12/09 Amended 2/26/09  Related Bill: AB 2	JPP opinion recommended for Commission approval, 3/12/2009.
2/24/09	<b>AB 119: Health care coverage: pricing</b> (Jones)	Prohibits a health insurance policy from being subject to premium price or charge differentials because of the gender of any individual.	<b>Support.</b> (JPP consensus 03/04/09)	Reduces barriers to health care based on sex which actuarial tables sometimes use discriminatorily as proxies for behaviors and risks, reducing access to people with HIV/AIDS.	Introduced 1/15/09  Companion Bill: SB 54	JPP opinion recommended for Commission approval, 3/12/2009.
3/3/09	<b>AB 120: Health care providers: reasonable disclosure: reproductive choices</b> (Hayashi)	Entitles a patient to all available medical choices reasonably necessary for informed consent in personal reproductive health decisions	<b>Postponed.</b> (pending further information, 03/04/09)	Issues to be reviewed include existing state rules and the impact of the "Conscience Rule" implemented by the Bush administration.	Introduced 1/15/09  Companion Bill: SB 374	Review by JPP Committee on 4/15/09
3/3/09	<b>AB 169: Communicable disease involuntary testing</b> (Portantino)	Adds custodial officers to those who can have an arrestee's blood tested for communicable diseases when exposed to blood or bodily fluids.	<b>Oppose.</b> (JPP consensus 03/04/09)	Emphasis on protecting custodial officers, without commensurate protection for PLWH/A in correctional facilities.	Introduced 1/29/09	JPP opinion recommended for Commission approval, 3/12/2009.
2/24/09	<b>AB 217: Medi-Cal: alcohol and drug screening and brief intervention services</b> (Beall)	Establishes the Medi-Cal Alcohol and Drug Screening and Brief Intervention Services Program in care and treatment facilities.	<b>Support.</b> (JPP consensus 03/04/09)	Expands drug and alcohol intervention services for use at care facilities; substance use is a primary comorbidity to HIV.	Introduced 02/3/09	JPP opinion recommended for Commission approval, 3/12/2009.
2/24/09	<b>AB 221: HIV testing: skin punctures</b> (Portantino)	Exempts HIV counselors from the phlebotomist certification requirement.	<b>Support.</b> (JPP consensus 03/04/09)	Remedies barriers to HIV testing at a greater number of sites, and reduces the cost of HIV testing.	Introduced 2/4/09	JPP opinion recommended for Commission approval, 3/12/2009.

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2/24/09	<b>AB 244: Health care coverage: mental health services</b> (Beall)	Requires health care plan coverage for the diagnosis and treatment of mental illness.	<b>Support</b> , (JPP consensus 03/04/09)	Provides mental health service parity in private health care plans; mental illness is a primary co-morbidity to HIV.	Introduced 2/10/09	JPP opinion recommended for Commission approval, 3/12/2009.
3/2/09	<b>AB 382: Department of Corrections and Rehabilitation: inmates and wards: classification</b> (Ammiano)	Adds the sexual orientation and gender identity of an inmate or ward to the list of characteristics to be considered when classifying inmates.	<b>Support with amendments</b> , (JPP consensus 03/04/09)	May keep affected members of special populations safer, but should include language to strengthen and monitor classifications implementation so that it is not used for discriminatory purposes.	Introduced 2/23/09	JPP opinion recommended for Commission approval, 3/12/2009.
3/2/09	<b>AB 517: Safe Body Art Act.</b> (Ma)	Requires all practitioners who perform body art to register with the county, comply with specific requirements and obtain a health permit.	<b>Postponed</b> , (pending further information, 03/04/09)	Further input requested from the HOAC, along with more background information.	Introduced 2/24/09	Review by JPP Committee on 4/15/09.
3/2/09	<b>AB 830: Drugs and devices</b> (Cook)	Allows DHCS to annually use recognized drug compendia in consideration to add drugs for the Medi-Cal/Medicare formularies.	<b>Support</b> , (JPP consensus 03/04/09)	HIV/AIDS medication compendia are among those recommended for use.	Introduced 2/26/09	JPP opinion recommended for Commission approval, 3/12/2009.
3/2/09	<b>AB 861: County integrated health and human services</b> (Ruskin)	Implements integrated services and benefits in certain comprehensive county health and human services systems.	<b>Postponed</b> , (pending further information, 03/04/09)	The Committee will research past and current related legislation, and assess impact from legislation.	Introduced 2/26/09	Review by JPP Committee on 4/15/09.
3/2/09	<b>AB 1045: HIV and AIDS reporting</b> (John A. Perez)	Reduces the CD4 reporting requirements in the HIV surveillance system	<b>Oppose unless amended</b> , (JPP consensus 03/04/09)	Reduces CD4 reporting requirements needed to help the State maximize federal funding and assess unmet needs. Amendments needed for neutral/ support would indicate that labs must know the origin of the CD4 count and the section modifying serial CD4 reporting requirements must be removed.	Introduced 2/27/09	JPP opinion recommended for Commission approval, 3/12/2009.  Conversations with Assembly Member Perez
3/2/09	<b>AB 1397: Tissue donation</b> (Hill)	Makes existing law regarding sperm donation HIV/HTLV-1 screening requirements for sperm donors voluntary.	<b>Postponed</b> , (pending further information, 03/04/09)	Intent of the bill to be reviewed.	Introduction 2/27/09	Review by JPP Committee on 4/15/09.
3/2/09	<b>AB 1445: Medi-Cal</b> (Chesbro)	Allows separate Medi-Cal reimbursement for multiple encounters/visits in the same day.	<b>Support</b> , (JPP consensus 03/04/09)	Promotes the availability of health care services, expands access to services and reimburses providers at more equitable rates.	Introduction 2/27/09	JPP opinion recommended for Commission approval, 3/12/2009.
3/2/09	<b>AJR 9: Ryan White HIV/AIDS Treatment Modernization Act of 2006</b> (John A. Perez)	Urges Congress and the U.S. President to extend from 2009 to 2012 (the Ryan White HIV/AIDS Treatment Modernization Act).	<b>Support</b> (JPP vote, 2/4/2009)	Allows the HIV surveillance system more time to mature, and provides more time to prepare for the next version of Ryan White consistent with the Commission's Reauthorization Principles.	Introduced 2/26/09	JPP opinion recommended for Commission approval, 3/12/2009.
2/24/09	<b>ARes 29: Health disparities: racial and ethnic populations</b> (Jones)	Directs the Health and Human Services Agency to provide leadership in eliminating health disparities among racial and ethnic populations.	<b>Support</b> , (JPP consensus 03/04/09)	Commission's commitment to reducing health disparities and expanding access.	Introduced 2/19/09	JPP opinion recommended for Commission approval, 3/12/2009.

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2/25/09	<b>HR 5: Relative to same-sex marriage</b> (Ammiano)	Formalizes the Assembly's opposition to Proposition 8.	<b>Support</b> , (JPP consensus 03/04/09)	Supports greater inclusiveness and access by affected populations.	Introduced 12/2/08 Amended 2/5/09 Amended 2/12/09 Amended 3/2/09  Companion Bill: SR 7	JPP opinion recommended for Commission approval, 3/12/2009.
3/2/09	<b>HR 27: Medicare Fraud Prevention and Enforcement Act of 2009</b> (Biggert)	Establishes additional provisions to combat waste, fraud and abuse within the Medicare Program.	<b>Watch</b> , (JPP consensus 03/04/09)	No specific features related to HIV service delivery, but will monitor for re-visions.	Introduced 1/6/09	
2/24/09	<b>HR 109: America's Affordable Health Care Act of 2009</b> (Fortenberry)	Provide increased funding to promote best practice protocols for high risk health insurance pools.	<b>Support</b> , (JPP consensus 03/04/09)	Promotes and enhances the availability of quality health care services to high risk individuals, such as PLWH/A.	Introduced 1/6/09	JPP opinion recommended for Commission approval, 3/12/2009.
2/2/09	<b>HR 179: Community AIDS and Hepatitis Prevention Act</b> (Serrano)	Permits the use of Federal funds for syringe exchange programs.	<b>Support</b> , (JPP consensus 03/04/09)	Reducing the transmission of blood-borne pathogens including HIV and viral hepatitis. Consistent with prior commission support with needle exchange programs.	Introduced 1/6/09	JPP opinion recommended for Commission approval, 3/12/2009.
2/24/09	<b>HR 444: 340B Program Improvement and Integrity Act of 2009</b> (Rush)	Expands the 340B drug discount program to additional health care service facilities.	<b>Support</b> , (JPP consensus 03/04/09)	Alcohol/drug abuse treatment facilities will be covered by 340B; primary co-morbidity to HIV.	Introduced 1/9/09	JPP opinion recommended for Commission approval, 3/12/2009.
2/24/09	<b>HR 463: Prevention First Act of 2009</b> (Slaughter)	Improves access to women's health care among other anticipated results.	<b>Support</b> , (JPP consensus 03/04/09)	Improves preventive health care services for women, an HIV special population.	Introduced 1/13/09	JPP opinion recommended for Commission approval, 3/12/2009.
2/24/09	<b>HR 756: National Pain Care Policy Act of 2009</b> (Capps)	Expands research, education, training, outreach and public awareness about pain care and management.	<b>Support</b> , (JPP consensus 03/04/09)	Enhances health care services for patients with chronic pain, including PLWH/A with conditions such as neuropathy.	Introduced 1/28/09	JPP opinion recommended for Commission approval, 3/12/2009
3/2/09	<b>HR 805: Strengthening America's Public Health System Act</b> (Baldwin)	Strengthens capacity and increases funding for the nation's disease surveillance activity.	<b>Postponed</b> , pending further information 03/04/09.	Analysis requested from the Department of Public Health.	Introduced 2/3/09	Review by JPP Committee on 4/15/09.
2/2/09	<b>HRes 24: Expressing the sense of Congress on the need for a national AIDS strategy</b> (Lee)	Calls for the creation of a national AIDS strategy.	<b>Support with amendments</b> , (JPP consensus 03/04/09)	Consistent with the Commission's Ryan White Reauthorization Principles. The Committee requests language more inclusive of people of color and varying sexual orientation.	Introduced 1/21/09	JPP opinion recommended for Commission approval, 3/12/2009.
3/2/09	<b>HRes 62: National Black HIV/AIDS Awareness Day</b> (Lee)	Supporting the goals and ideals of National Black HIV/AIDS Awareness Day.	<b>Support</b> , (JPP consensus 03/04/09)	This resolution addresses the need for awareness in the African American Community which AIDS is the leading cause of death among males and the second leading cause among females between the ages of 25 and 44.	Introduced 2/25/09	JPP opinion recommended for Commission approval, 3/12/2009.

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2/2/09	<b>S 21: <i>Prevention First Act</i></b> (Reid)	Improves access to women's health care among other anticipated results.	<b>Support,</b> (Commission approved 3/12/09)	Improves preventive health care services for women, an HIV special population.	Introduced 1/6/09	JPP Committee review on 3/4/09
2/25/09	<b>SR 7: <i>Relative to same-sex marriage</i></b> (Leno)	Formalizes the Senate's opposition to Proposition 8	<b>Support,</b> (JPP consensus 03/04/09)	Supports greater inclusion and access by affected populations.	Introduced 12/1/08 Amended 12/18/09 Amended 2/26/09 Enrolled 3/2/09  Companion Bill: HR 5	JPP opinion recommended for Commission approval, 3/12/2009.