LOS ANGELES COUNTY COMMISSION ON HIV

3530 Wilshire Boulevard, Suite 1140 • Los Angeles, CA 90010 • TEL (213) 738-2816 • FAX (213) 637-4748
www.hivcommission-la.info

PUBLIC POLICY COMMITTEE
MEETING MINUTES

Approved 5/27/2015

March 25, 2015

The Public Policy Committee acts in accordance with the role of the Commission on HIV, as dictated by Los Angeles County Code 3.29.090. Consistent with Commission Bylaws Article VI, Section 2, no Ryan White resources are used to support Public Policy Committee activities.

MEMBERS PRESENT	MEMBERS ABSENT	PUBLIC	COMM STAFF/ CONSULTANTS
Aaron Fox, MPM, *Co-Chair*	Gregory Rios/Jenny O'Malley, RN, BSN	Miki Jackson	Jane Nachazel
Richard Zaldivar, *Co-Chair*	Jason Tran/Rob Lester, MPP	Michael Pitkin	
Kyle Baker		Craig Pulsipher	
Joseph Cadden, MD		Terry Smith	**DHSP STAFF**
Lee Kochems, MA		Jason Wise	None
Ricky Rosales			
Shoshanna Scholar			
Will Watts, JD			

CONTENTS OF COMMITTEE PACKET

1) **Agenda**: Public Policy Committee Agenda, *3/25/2015*
2) **Minutes**: Public Policy Committee Meeting Minutes, *1/28/2015*
3) **Application**: Certified Needle Exchange Program (NEP) Services, 2010-2011, *6/1/2010*
4) **Policies/Procedures**: Site Distance Restrictions, Los Angeles County of Los Angeles Policies and Procedures for Certified Needle Exchange Programs, *September 2005*
5) **Policies/Procedures**: County of Los Angeles, Policies and Procedures, Certified Needle Exchange Programs, *September 2006*
6) **Framework**: HIV Biomedical Prevention Framework for Los Angeles County, *2015*
7) **Fact Sheet**: California Secure Choice Retirement Savings Program, *2015*
8) **Bill**: AB 73: Provider Prevails Act, *3/16/2015*
9) **Bill**: AB 329: Pupil instructions: sexual health instruction, *2/13/2015*
10) **Bill**: AB 339: Health care coverage: outpatient prescription coverage, *2/13/2015*
11) **Bill**: AB 366: Medi-Cal: reimbursement: provider rates, *2/17/2015*
12) **Bill**: AB 374: Health care coverage: prescription drugs, *3/2/2015*
13) **Bill**: AB 383: Public health: hepatitis C, *2/18/2015*
14) **Bill**: AB 463: Pharmaceutical Cost Transparency Act of 2015, *2/23/2015*
15) **Bill**: AB 521: HIV testing, *2/23/2015*
16) **Bill**: AB 533: Health care coverage: out-of-network coverage, *2/23/2015*
17) **Bill**: AB 827: Public school curriculum: sexual health education, *2/26/2015*
18) **Bill**: AB 959: Data collection, *2/26/2015*
19) **Bill**: SB 4: Health care coverage: immigration status, *12/1/2014*
20) **Bill**: SB 33: Medi-Cal: estate recovery, *3/17/2015*
21) **Bill**: SB 128: End of life, *3/17/2015*
22) **Bill**: SB 137: Health care coverage: provider directories, *1/26/2015*
23) **Bill**: SB 277: Public health: vaccinations, *2/19/2015*
24) **Bill**: SB 608: Homelessness, *2/27/2015*
25) **Budget**: California HIV Alliance, 2015-2016 Budget Priorities, *2015*

1. **CALL TO ORDER**: Mr. Fox called the meeting to order at 1:15 pm.

2. **APPROVAL OF AGENDA**:
   MOTION #1: Approve the Agenda Order with Will Watts, JD to Agenda Committee Members roster **(*Passed by Consensus*)**.

3. **APPROVAL OF MEETING MINUTES**:
   MOTION #2: Approve 1/28/2015 Public Policy Committee meeting minutes, as presented **(*Passed by Consensus*)**.

4. **PUBLIC COMMENT *(Non-Agendized or Follow-Up)***:
   - Staff will provide Michael Pitkin with a copy of the Commission meeting Rules of Engagement.

5. **COMMITTEE COMMENT *(Non-Agendized or Follow-Up)***: There were no comments.

6. **CO-CHAIRS' REPORT**:
   - Mr. Fox reported the Senate Committee on Health heard issues concerning the Office of AIDS (OA) and overall HIV funding. It left open whether to re-invest in HIV and whether to modernize ADAP eligibility by increasing the cap to 500% Federal Poverty Level with adjustment for household size. It was first thought that ADAP expansion and modernization would cost $3 million in General Funds, but OA technical assistance found no added cost as well as savings after the first year.
   - The Assembly Budget Health Subcommittee will hear all public health programs 4/13/2015 and take testimony. It is more friendly to re-investment. $82 million was cut in 2009. $3 million was funded in 2014 for HIV prevention demonstration projects. The CDC reported cuts have resulted in 55 new HIV infections per year with over $20 million in lifetime costs.
   - The CDC also analyzed how well states were meeting National HIV/AIDS Strategy prevention goals. California has the second highest disease burden, but ranked approximately 16th of 35 states due to the 2009 cuts.
   - Mr. Fox sensed increased Legislature awareness that prevention is more cost effective than paying for treatment.

   A. **Review of Committee Priorities**: There was no additional discussion.

7. **STERILE SYRINGE ACCESS (AB 1743)**:
   A. **County's Certified Needle Exchange Program (NEP)**:
      - Alessandra Ross, MPH, Injection Drug Use Specialist, OA, presented at the 3/12/2015 Commission on HIV meeting on the US history of access to sterile syringes and new prevention opportunities. California law changed with AB 1743 effective as of 1/1/2015. It permits licensed California pharmacies to sell or furnish syringes without a prescription to those 18 or older and allows adults to purchase and possess syringes from an authorized source for personal use.
      - There was general agreement the presentation was valuable in exploring a little addressed subject.
      - Ms. Scholar, LA Community Outreach Project/Clean Needles Now, said NEP regulations, e.g., distance from a school, were understandable in light of public backlash, but limit access and push remaining NEPs into a concentrated area.
      - The issue has worsened with increased charter schools. The City of Los Angeles requires a distance of at least 600 feet from schools while the County requires at least 1,200 feet. Public meetings are required for site approval and even minimal opposition is a political issue with NEPs focus on services for those least likely to access needles at a pharmacy.
      - Some NEPs have successfully partnered with methadone clinics, but those are also subject to public opposition. Clean Needles Now has successfully partnered with the Los Angeles LGBT Center and brings a mobile unit in their parking lot.
      - Ms. Scholar suggested a recommendation from the Commission to base site locations on public health criteria for effectiveness such as epidemiological data on geographic concentrations of high-risk needle sharing.
      - Mr. Rosales noted many of the City of Los Angeles City Councilmembers would like to support revising the guidelines, but receive calls from constituents, e.g., that their child found a syringe. Ms. Scholar added that issue was especially acute in gentrifying neighborhoods such as Hollywood where neighborhood councils and policing converge to reduce certain populations in an area. A Clean Needles Now cite in a high-risk Hollywood concentration area was pushed out.
      - There are also other ways to view access, e.g., physicians could distribute needles/syringes under their own authority and educating pharmacy staff could increase access through those venues. It is possible to interpret "authorized source" to allow syringe/needle delivery by an individual on behalf, e.g., of a NEP, but that would require a deliberate modification of current City and County regulations or a court challenge after an arrest.
      - Mr. Zaldivar suggested a follow-up presentation to Public Policy on hot spots, current NEP services, what populations they serve and how many people are served annually. Ms. Scholar said there are population snapshots, but was not aware of full studies. She felt recommendations should only pertain to need rather than specific site recommendations.

- Mr. Fox noted a recent conversation with Substance Abuse Prevention Control (SAPC) that indicated syringe/needle access would be moving to SAPC. Current leadership is much more sympathetic to concerns than previous leadership.
- Mr. Pitkin suggested including a law enforcement perspective, but Ms. Scholar was concerned to ensure a public health focus first. Law enforcement liaison officers usually represent a homeowner perspective. Ms. Jackson suggested it might be possible to identify a sympathetic retired law enforcement officer to help address concerns in advance.
- Mr. Zaldivar suggested reaching out to educate ministers and churches after the Work Group develops information on hot spots and recommendations. They can assist in influencing elected officials since it is a social justice issue.
- ➲ Initiate Syringe Access Work to develop a Commission policy. Initial members are: Messrs. Fox, Kochems, Pitkin, Rosales, Wise and Ms. Scholar. Additional members may be recruited at a later date, e.g., a County representative, recommended by Mr. Baker, such as a representative from NEPs services under Dr. Anna Long, Children's Medical Services, Department of Public Health and a representative from Gil Cedillo's office, recommended by Ms. Jackson.
- ➲ Agendize presentation on syringe access to Public Policy by Ricky Bluthethal or Peter Davidson
- ➲ Mr. Rosales and Ms. Scholar are integrating updated information into a bulletin for distribution to the Los Angeles Police and Los Angeles Sheriff's Departments. The update will reflect changes to syringe access law which took effect 1/1/2015 that remove the prior distribution cap of 30 syringes. They will provide the update for review when done.

8. BIOMEDICAL INTERVENTION IMPLEMENTATION:

A. PEP, PrEP and Biomedical Interventions Scale-Up:

- Mario Pérez, MPH, Director and Sonali Kulkarni, MD, Medical Director, DHSP, presented on the HIV Biomedical Prevention Framework for Los Angeles County at the prior week's Health Deputies meeting. The Department of Health Services (DHS) representatives also supported DHSP as did representatives from the Commission, the Community Clinic Association and many community stakeholders. Mr. Baker reported the Health Deputies were attentive.
- Ms. Jackson noted the proposal identifies net County funds for drugs and questioned whether that referred to net County funds in general. Ryan White prohibits use of any funds, including identified Maintenance of Effort funds, for such drugs. Mr. Baker replied, as the Framework states, Ryan White funds would not be used to support drug costs.
- The Los Angeles County PEP/PrEP Work Group is developing PrEP education for Community Clinic Association members and working out some My Health LA operational pharmacy issues with DHS.
- Ricky Rosales, AIDS Coordinator's Office, City of Los Angeles, has also been asked to develop a report for the Mayor.

9. STATE LEGISLATION/POLICY ISSUES:

A. 2015 Legislative Session:

- This session's legislation submittal deadline was the end of February. Bills are first reviewed by their pertinent policy committee, e.g., health. Usually bills pass out of those committees since their authors have done preliminary work. The deadline for bills to leave policy committees is the end of April. They then usually go to appropriations committees and hearings begin. Weighing in early puts positions on the record before hearings start for the most effective voice.
- Mr. Baker clarified that recommendations are forwarded to the Board after the Commission approves a Legislative Docket. The Board then acts as it sees fit on the recommendations so they may or may not reach the Legislature.
- Mr. Fox noted more legislation may require review this year because more PLWH are covered under non-Ryan White payers due to ACA implementation. A list of bills for consideration has been compiled that includes HIV-specific bills as well as those that pertain to access to treatment, the role of health plans and how they impact consumers, and a few other general bills that will impact PLWH, e.g., on data collection, drug pricing and homelessness.
- Mr. Fox reported no author was identified for the bill to modernize criminal statutes by decriminalizing HIV status. Supporters will be working to identify an author to introduce the bill in the next session.
- ➲ Special April 2015 meeting: Sole subject of Legislative Docket, 4/1/2015, 12:00 noon to 2:00 pm, in order to present to the Commission in May. Members may suggest additional bills by emailing Messrs. Fox, Zaldivar and Dawn McClendon.

10. COMMUNITY COLLABORATIONS:

A. California HIV Alliance:

- The Alliance budget ask would modernize ADAP eligibility and fund: $3 million, stabilize/maintain OA-HIPP with #1 million to hire staff and $2 million targeted to help ADAP enrollers with new ADAP, OA-HIPP and Covered California work; $3 million, PrEP access/affordability; $3 million, re-investment in HIV services for small- and mid-sized counties that often see marginalized populations yet lack the infrastructure and buy-in larger counties had to backfill 2009 cuts.

- The Alliance was also supporting asks from the California Hospital Association related to Hepatitis: $3 million, syringe access and disposal; and $5 million, Hepatitis C testing.
- The Alliance developed around 2009, especially after the budget cuts, as a group of organizations able to do policy work. Their primary focus is the annual budget ask though it may also address systemic or legislative issues.
- The County also supports some issues, e.g., it has discussed OA-HIPP issues with the state, and uses its influence where appropriate and needed.

11. NEXT STEPS:

A. Communications Plan (Dissemination, Outreach to Elected Officials/Community Mobilization Strategy):

- Ms. Nachazel noted the plan's purpose was to have strategies in hand to respond to issues as they arose and to provide Commission members and interested community members with advocacy training, e.g., writing effective letters.
- There was general agreement strategies for current issues have been effective so a formal plan was not needed at this time. A broader plan with Commission buy-in may be developed later in the year, possibly after July. Strategies could include, e.g., educating Commission members on effective advocacy with Board and other elected officials.

➲ Delete Item from agenda until further notice.

B. Task/Assignment Recap: There was no additional discussion.

C. Agenda Development for Next Meeting(s): ➲ Standard 4/22/2015, 1:00 to 3:00 pm meeting: Continue agenda as written with two exceptions: retain Item 7. Sterile Syringe Access, but delete bill number and Sub-Item A; and delete Item 11. A.

12. ANNOUNCEMENTS:

- The White House Office of National AIDS Policy will hold the first of four national listening sessions in Los Angeles on 4/22/2015. Sessions are preparatory to revision of the National HIV/AIDS Strategy. DHSP and others are hosting the visit.
- Mr. Pitkin noted HIV Matters will be at Plummer Park on 3/31/2015, 5:30 to 8:30 pm. Speakers are: Judith Currier, MD, MPH; Tony Mills, MD; and Eric Daar, MD. Dinner is included. AIDS Project Los Angeles and Being Alive are co-sponsors.
- Mr. Fox noted Attorney General Pamela Harris has requested a court allow her to block a ballot initiative that would encourage killing gay men. Some legal scholars argue Ms. Harris lacks that authority, but she is making the attempt.

13. ADJOURNMENT: The meeting adjourned at 3:05 pm.