

Greater Baltimore HIV Health Services Planning Council
Minutes of the Meeting of August 18, 2009

Vol. VI, No. 6

Draft • August 25, 2009

Meeting Attendance

Present¹	M. Becketts K. Bellesky R. Bradley C. Brown D. Brewer (proxy for J. Winslow) R. Disharoon C. Gibson R. Haden P. Hall C. Harvey Sr. T. Hawkins P. Henry (proxy for J. Keruly) D. Henson D. Hunter	M. Hitch J. Keller D. Kelson C. Massey R. Matens A. Middleton* G. Nelson M. Reese N. Robinson R. Rubino D. Shamer C. Thomas (proxy for W. Miller) B. Thomas-El
Absent	V. Burrell-Gibson V. Clark C. Edmonds R. Gore-Simmons M. Graves R. Green A. Foyles	T. James Ra. Johnson R. Johnson A. Leverrette W. Samuels L. Smith
BCHD	A. Ferrari	J. Ungard
Staff	C. Lacanienta J. Reed E. Saber	N. Slaughter R. Vaishnav Rhyne
Visitors	R. Booker M. Carroll D. Clark M. Cole M. Crady T. Davis J. Fleming L. Haskins D. Hockra	G. Jones-Childs C. Marta A. Newton D. Rivera L. Servance H. Smith L. Sowah K. Woolford
Handouts	Meeting agenda (August 18, 2009). Planning council packet (August 2009). Planning council minutes (June 2009). Grantee report (August 2009). Chair report (August 2009) PSRA Allocation Spreadsheet. FY 2010 Priority Setting and Resource Allocation minutes. Final action items and updates (August 2009). Pro-bono legal assistance to the Baltimore planning council (e-mail). Priority setting and resource allocation review group (flyer).	

¹ Attendance is based on sign-in sheet.

* Present but did not sign in.

Presentation by Heather Hauck (powerpoint slides).
Infectious Disease and Environmental Health Administration organizational chart.
Departmental Reorganization (memorandum).
POZ magazine (August 2009).
Maryland Will Trim Aid for Local Services (article).
This is Not a Drill (article).
Nominations for Planning Council Leadership 2009 — Frequently Asked Questions.

Executive summary

The Executive Committee meeting convened with quorum at 5:42 p.m.²

A. Middleton, interim chair, gave the chair's report. C. Harvey was requested to act as vice-chair for the meeting.

The chair bid farewell to two members of the planning council who have left after completing terms. The chair spoke about challenges that have faced the council and the hard work and dedication that is required of all planning council members to be successful.

The Department of Health and Mental Hygiene's Infectious Disease and Environmental Health Administration director, Heather Hauck, spoke about the changes that have been made and the effect that it will have on services being provided in the Baltimore eligible metropolitan area (EMA).

The planning council support office (PCSO) updated the council on the fiscal year (FY) 2010 Part A allocations.

The Part A Grantee announced:

- For Part A services: the transition of Part A services from Bon Secours Imani Center has ended; the grantee's office is working with providers to prepare for the first submission of client-level data.
- For Clinical Quality Management (CQM): The CQM office has awarded four contracts to address CQM needs and improvements through Plan-Do-Study-Act.³
- For the Baltimore City Health Department: a discount card program was launched to help consumers with the cost of prescription drugs; the start of a new program for men caught soliciting prostitution.
- For program support services: a positive self-management leadership and cultural competency training were announced.
- For technical assistance and capacity building: a fact sheet for accessing legal services through the Legal Aids Bureau was distributed.

The Part B representative announced the schedule for upcoming community meetings and that the grant award decision for the Part B MAI award has been received from HRSA.⁴

² Quorum is defined as attendance of at least 51 percent of membership.

³ CQM stands for clinical quality management and is the quality assurance program that assesses Part A funded agencies to ensure compliance with the standards of care as established by the planning council.

⁴ HRSA stands for the Health Resources and Services Administration. HRSA is an agency of the U.S. Department of Health and Human Services that works to improve access to health care services for people who are uninsured, isolated or medically vulnerable.

The Part D representative announced that the office has received its FY 2009 Part D and Part D-Youth Initiative award decision from HRSA. The representative also announced that members of the Youth Community Advisory Board would be attending the *Transitioning HIV Positive Youth from Adolescent to Adult Services* training and that this topic was relevant for the coming fiscal year.

Committee co-chairs reported on their respective committee's activities:

- The Comprehensive Planning Committee (CPC) announced that the priority setting and resource allocation (PSRA) review group and a needs-assessment task force group will meet on August 20, 2009. The committee announced directives for review.
- The Continuum of Care Committee (COCC) held one work group and one committee meeting. The outreach services work group made final recommendations to the committee for review. A draft outreach services standards of care will be distributed in September for review.
- The Evaluation Committee completed its assessment of the administrative mechanism.⁵ The committee will host FY 2009 Part A 5-month joint reprogramming with the Counties Committee on September 1, 2009.
- The Nominating Committee made recommendations for adding two members to the pool list and 4 members onto the council.
- The Counties Committee debriefed from the June PSRA meeting. The committee also reviewed the legal services service category and submitted questions to the grantee in preparation for the council's 5-month joint reprogramming.
- The PLWH/A Committee will create a position paper regarding the reauthorization of the Ryan White program.

The planning council support office (PCSO) reported that it prepared and distributed notices, agendas and minutes and arranged logistics for six committee meetings, one work group, one planning council meeting.

The Executive Committee discussed term eligibility for officers.

The meeting adjourned at 6:51 p.m.

Proceedings

Introductions/Review of Minutes

A. Middleton, interim chair, asked C. Harvey, co-chair for the CPC, to act as vice-chair for the meeting.

The chair convened the Executive Committee meeting with introductions and a review of the minutes from July 15, 2009. The COCC co-chair noted that one revision regarding attendance in the COCC minutes will be requested at the next COCC meeting.

Motion	To accept the July 15, 2009 minutes.
Proposed by	R. Rubino
Seconded by	D. Kelson
Action	Passed, 0 abstention, 0 objections

⁵ The assessment of the administrative mechanism is an evaluation of the efficiency of the administrative mechanism in allocating funds and the effectiveness of services offered in meeting the identified need.

Motion	To accept the June 16, 2009 minutes.
Proposed by	D. Kelson
Seconded by	J. Keller
Action	Passed, 0 abstention, 0 objections

Motion	To accept the FY 2010 priority setting and resource allocation minutes
Proposed by	K. Bellesky
Seconded by	D. Kelson
Action	Passed, 0 abstention, 0 objections

Chair’s Report

The chair announced the planning council members who will be transitioning off of the planning council and thanked them for their hard work on the planning council. The chair congratulated Heather Hauck for accepting the position of director of the Maryland State Department of Health and Mental Hygiene’s Infectious Disease and Environmental Health Administration. The chair also encouraged all planning council members to continue to support the planning council, which has undergone many changes in recent months.

The chair introduced Heather Hauck, director of the Infectious Disease and Environmental Health Administration (IDEHA). Ms. Hauck discussed the transition from the Maryland AIDS Administration to the newly developed IDEHA. She noted that this would not affect the average consumer in any way. The new office has kept all staff because it receives all federal funding. She expects an improvement in the overall continuum of care because of increased collaboration between offices. There are many other states with similar models to the IDEHA. Ms. Hauck also acknowledged now that with closer collaboration with other offices more advocacy can be done to increase testing for all.

The chair then introduced Cyd Lacanienta, CEO, InterGroup Services, Inc. (IGS) and Lifeline advocate. Ms. Lacanienta noted that no current reauthorization legislation is written to extend the Ryan White program. Lifeline noted that a letter is available regarding the future of the Ryan White program entitled *This is Not a Drill*. The emphasis for reauthorization is to support the consensus letter created by the National alliance of State and Territorial AIDS Director’s.

The chair then introduced Ms. Lacanienta to present the FY 2010 allocation spreadsheet. Due to rounding errors, certain categories needed to be adjusted to ensure accurate funding levels. The following increases were made:

- OAHS — Primary medical care by .01 percent in the increase exercise.
- Substance abuse services — outpatient by .01 percent in the decrease exercise.
- Psychosocial support services by .01 percent in the increase exercise.

The following decreases were made:

- Counties set-aside for support services by .01 percent in the decrease exercise.
- Housing services (counties set-aside) by .01 percent in the decrease exercise.

Motion	To accept the changes to the FY 2010 allocations to service categories.
Proposed by	J. Keller
Seconded by	K. Bellesky
Action	Passed, 0 abstention, 0 objections

Grantee's Report

The Part A grantee reported the following:

- Part A Administration
 - The Bon Secours Imani Center has official closed. Part A services were transitioned to the Bon Secours Family Care Center located at 1940 West Baltimore Street. No reports/problems have been received from consumers or providers regarding clients' ability to receive services since the closing of the Imani Center. Door-to-door transportation services will be provided to clients unable to travel to the new location.
 - The deadline for providers' first submission of client-level data, which is required of all primary medical care and case management programs, is September 15th and will cover the period of January through June 2009.
 - The HRSA HIV/AIDS Bureau has not released any update on the status of the Ryan White reauthorization.
 - The FY 2009 fiscal year for the Minority AIDS Initiative (MAI) grant officially began August 1, 2009.⁶ The MAI notices of award for FY 2009 have not been received by HRSA. HRSA is working to release this information. FY 2009 provider notices of award were distributed and all programs effective as of August 1, 2009.
- Clinical Quality Management Program (CQM)
 - Four contracts were awarded among primary medical care programs to enhance clinical quality management practices and improve the quality and delivery of HIV services.
- Baltimore City Health Department
 - A discount card program was launched to assist consumers with the cost of prescription drugs. Free prescription drug discount cards are available under the National Association of Counties that offers savings of approximately 20 percent from the retail price of commonly prescribed drugs. All city residents are eligible for the free card, regardless of age, income, or existing health coverage. Residents do not have to be Medicare beneficiaries to be eligible for this program. A national network of more than 59,000 participating retail pharmacies will honor the prescription discount card.
- Program Support Services
 - The positive self-management leadership training is scheduled for September 21 – September 24, 2009 from 8:30 a.m. to 3:00 p.m. at the Clarence "Du" Burns Arena, 1301 S. Ellwood Ave., Baltimore,

⁶ MAI is a funding stream authorized under the Ryan White Treatment Modernization Act to provide additional funding, beyond Part A, to minority areas affected by HIV/AIDS.

Md 21224.

- ⊖ A cultural competency training was held on August 4, 2009 at the Enoch Pratt Free Library.
- Grantee/HRSA-sponsored Technical Assistance and Capacity Building
 - A fact sheet for accessing legal services through the Legal Aid Bureau was provided by the grantee.

Part B Report

The Part B representative reported the following:

- The Maryland AIDS Administration has been incorporated into the Maryland State Department of Health and Mental Hygiene's Infectious Disease and Environmental Health Administration. This change will not reduce funding, jobs or affect overall service delivery.
- The MADAP Advisory Board meeting was cancelled due to lack of attendance. The next meeting is scheduled for October 22, 2009.
- The next Central Regional Advisory Committee (RAC) meeting will be held September 14, 2009 from 4:30 p.m. - 7:00 p.m. at Nebo Christian Ministries (240 N. Franklintown Road, Baltimore, MD).⁷ The focus of the meeting will be community dialogue on HIV/AIDS prevention and care services.
- The administration has received its notice of grant award from HRSA for the Part B MAI grant.
- Client Satisfaction surveys have been disseminated to providers for distribution to clients from August 1 through September 30, 2009.

Part D Report

The Part D representative reported the following:

- The Infectious Disease and Environmental Health Administration received its notice of grant award for the Part D and Part D-Youth Services Initiative grants.
- A Part D network meeting is scheduled for September 4, 1:30 — 3:30 at 500 North Calvert Street, Baltimore, MD.
- The administration is planning a Transitioning Youth from Adolescent Care to Primary Adult Care conference for providers. Additional information will be provided to the planning council in the coming months.

Committee Reports

Comprehensive Planning Committee (CPC):

The committee co-chair reported:

- The priority setting and resource allocation review group would be held on August 20, 2009 from 5:00 p.m. to 6:00 p.m. at the InterGroup Services office.
- The committee created a task force to begin revising the consumer needs assessment for 2010.
- The co-chair announced the following two directives to the Executive Committee:
 - To add bonus points to all applications that contractually agree to serve larger areas.

⁷ RAC, in partnership with the Maryland AIDS Administration, reviews and shares information and makes recommendations for HIV/AIDS care and prevention priorities in Maryland.

- The Executive Committee requested a definition of larger areas.

Motion	To send the directive to the CPC to be reviewed.
Proposed by	R. Rubino
Seconded by	M. Reese
Action	Passed, 1 abstention, 0 objections

- To add bonus points to all applications for the psychosocial services service category with a focus on consumer-based programs, insofar that all activities cited in the work plan are within the allowable scope of services.
 - The Executive Committee asked that the CPC review what is meant by consumer-based and consumer-focused programs, as they are different.

Motion	To send the directive to the CPC to be reviewed.
Proposed by	R. Disharoon
Seconded by	D. Kelson
Action	Passed, 1 abstention, 0 objections

Continuum of Care Committee:

The committee co-chair reported:

- The workgroup on outreach services held its third and final workgroup meeting to solidify recommendations to the committee on outreach standards of care. Development of outreach standards of care is underway. A draft will be circulated to the council and stakeholders for review and feedback next month.
- The committee reviewed the workgroup’s recommendations on standards of care to ensure compliance with HRSA definitions and guidance.
- The committee co-chair attended the Ryan White Part A provider meeting at Sheppard Pratt to thank the providers for their participation in the council’s work. The co-chair updated providers on where the council is in its development of new standards of care for outreach services. Providers were encouraged to attend upcoming meeting(s) and to continue providing feedback and recommendations through the support office.

Evaluation Committee:

The committee co-chair reported:

- The committee completed the final phase of the council’s Assessment of the Administrative Mechanism.
- Final scores from the committee’s assessment will be tallied by the independent contractor and provided to the committee at its next meeting on September 1, 2009.
- Comments and recommendations from the committee will be made and presented to the planning council and grantee in September for inclusion in the FY 2010 Part A application to HRSA.
- The 5-month joint reprogramming meeting with the Counties Committee will be held on September 1, 2009 at the Howard County Health Department.
- The committee co-chair attended the Ryan White Part A provider meeting at Sheppard Pratt to thank the providers for their participation and cooperation in

the council's work. The co-chair announced that the committee received higher than a 90 percent response rate from providers on both provider questionnaires this year. Providers were encouraged to attend upcoming meeting(s) and to continue providing feedback and recommendations through the support office.

Nominating Committee:

The committee chair reported:

- Planning council vacancies and slots for members whose terms end August 31, 2009 were reviewed. The following motions were made:

Motion	To make a recommendation to the planning council to place R. Booker on the pool list.
Proposed by	C. Harvey, Sr.
Seconded by	K. Bellesky
Action	Passed, 0 abstention, 0 objections

Motion	To make a recommendation to the planning council to place J. Smith on the pool list.
Proposed by	C. Harvey, Sr.
Seconded by	D. Kelson
Action	Passed, 0 abstention, 0 objections

Motion	To recommend that the council forward the name of L. Anang Sowah to the mayor's office for appointment to fill the health care provider membership slot.
Proposed by	C. Harvey, Sr.
Seconded by	C. Brown
Action	Passed, 0 abstention, 0 objections

Motion	To recommend that the council forward the name of L. Servance to the mayor's office for appointment to fill the affected community membership slot.
Proposed by	C. Harvey, Sr.
Seconded by	C. Brown
Action	Passed, 1 abstention, 0 objections

Motion	To recommend that the council forward the name of S. Alston to the mayor's office for appointment to fill the affected community membership slot.
Proposed by	C. Harvey, Sr.
Seconded by	D. Kelson
Action	Passed, 0 abstention, 0 objections

Motion	To recommend that the council forward the name of M. Moaney to the mayor's office for appointment to fill the affected community membership slot.
Proposed by	C. Harvey, Sr.
Seconded by	D. Kelson
Action	Passed, 1 abstention, 0 objections

- The committee reviewed the eligibility and criteria stated in the bylaws for running for elected offices of the council.

- The committee interpreted a full-term on the planning council as having served three years of appointment, in total, including partial appointments.
- Pro-bono legal assistance from the Maryland Volunteer Lawyers Association was sought through the support office to provide guidance with the interpretation of the bylaws. Please see Appendix One for the write-up and guidance from the lawyer.
- The Executive Committee discussed the Nominating Committee’s interpretation of the bylaws and the guidance received from the pro-bono lawyer.
- The Executive Committee felt that bylaws section 2.4 was clear about what a full term of service is and that having served three years in total, including partial terms, was not the same as having served a full term.
- The committee felt that this section should be looked revised during the next iteration of revisions.

Motion	To adhere to the definition of a full term as written in the bylaws under section 2.4.
Proposed by	R. Rubino
Seconded by	J. Winslow
Action	Passes, 0 abstention, 0 objections

- The committee reviewed the current slate of eligible nominees for the September special elections for chair and vice chair of the council. Nominations will close at the August council meeting.
 - Jeanne Keruly – nominated for council chair and vice chair.
 - Walter Samuels – nominated for council chair.

Planning council members had the following concerns regarding the eligibility of members to run for planning council office.

- The council should have had the opportunity to discuss before a decision was made by the Executive Committee.
- The process in which decisions were made was rushed and members did not have enough time to make an educated decision.

Motion	To rescind the Executive Committee decision regarding the literal interpretation of the bylaws for eligibility criteria for holding office.
Proposed by	R. Haden
Seconded by	D. Brewer
Action	Failed, 3 abstention, 11 objections

People Living with HIV/AIDS Committee:

The committee member-at-large reported:

- The committee received the resignation of its co-chair due to personal scheduling conflicts. An interim co-chair for the PLWH/A Committee was elected by the committee.

- The recent resignations of the planning council chair and vice-chair were discussed.
- The committee voted to draft its position paper on the reauthorization of the Ryan White act.

Counties Committee:

The committee co-chair reported the following:

- The committee debriefed the Counties' June priority setting and drafted recommendations for consideration to the priority setting review group.
- Parking-lot issues, including the provision of legal services for counties' residents, were discussed. Questions were developed related to legal services and forwarded to the grantee in preparation for the council's 5-month reprogramming meeting on September 1, 2009.
- Outreach services for residents in the surrounding counties were discussed and feedback provided to the Continuum of Care Committee for the development of the outreach standards of care.

Planning Council Support Office Report

IGS reported the following:

- The planning council support office provided technical and administrative support to six committees that met this month, one workgroup and one planning council meeting.
- The PCSO attended the Ryan White Part A provider meeting and updated providers on planning council activities.

New Business

Motion	To extend the meeting by 15 minutes.
Proposed by	D. Brewer
Seconded by	R. Haden
Action	Passed, 0 abstention, 0 objections

Meeting adjourned at 6:51 p.m.

Motion	To adjourn.
Proposed by	C. Harvey Sr.
Seconded by	D. Brewer
Action	Passed, 0 abstention, 0 objections

Planning Council Approved Minutes

Alice Middleton

Alice Middleton
Planning Council Chair

Appendix 1.

E-mail conversation with Dan Wilansky.

On Aug 17, 2009, at 10:32 AM, Wilansky, Daniel P. ((Balt)) wrote:

The issue is whether a planning council member is eligible for the position of chair or vice chair under section 4.2.4. of the Bylaws of the Greater Baltimore HIV Health Services Planning Council (the "Bylaws") if that member: (1) completed the remaining term of a vacancy; (2) completed part of a new term but resigned during that term; and (3) has greater than three years of experience total if one adds the time in (1) and (2).

While the Bylaws do not expressly address this matter, we interpret the Bylaws such that the member at issue is not eligible under section 4.2.4. As you know, section 4.2.4.c. states that members seeking the offices of chair or vice chair must "[h]ave served one full term of appointment to the council." The Bylaws do not expressly define "full term."

Accordingly, we must look to other sections of the Bylaws to provide meaning to the phrase. The section that provides the necessary context is section 2.4, which states: "The term of office for each council member shall begin on the date of appointment or September 1 and terminate on the last day of August after serving the full term for that designated position, or serving out the remaining term of a vacancy created under article II, section 2.2." This section makes a sharp distinction between serving a "full term" and "serving out the remaining term of a vacancy." That is, serving out a remaining term does not amount to serving a full term.

Accordingly, the member is left with two partial terms that cannot be aggregated. The first partial term is not a full term for the reasons stated above. The second partial term is also not a full term. See Section 2.4.4. (full terms must be three years). Other language in section 2.4 also supports this position. As stated above, section 2.4 states that "[t]he term . . . shall begin on the date of appointment or September 1." This language makes clear that the clock for each term restarts on the date of each appointment or September 1. Again, aggregating terms is not permitted. Lastly, this is a minor point, but under a "plain meaning" approach, aggregating terms seems to stretch the notion of a term beyond its normal use.

I hope this is helpful. If you would like me to discuss with the interim chair, can you please let me know a time – the afternoon will be difficult. If you have any questions, please feel free to let me know.

Thanks,

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