



LOS ANGELES COUNTY COMMISSION ON HIV

3530 Wilshire Boulevard, Suite 1140 • Los Angeles, CA 90010 • TEL (213) 738-2816 • FAX (213) 637-4748
HIVCOMM@LACHIV.ORG • <http://hiv.lacounty.gov>

PUBLIC POLICY COMMITTEE MEETING MINUTES

March 5, 2018



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, <i>Co-Chair</i>	Kyle Baker	Jason Brown	Cheryl Barrit, MPIA
Terry Goddard, MA, <i>Co-Chair</i>	Jerry D. Gates, PhD	Craig Scott	Jane Nachazel
Lee Kochems, MA	Eric Paul Leue	Peter Soto	Doris Reed
Andrew Lopez (<i>Alt.</i>)	Martin Sattah, MD		Julie Tolentino, MPH
Eduardo Martinez (<i>Alt.</i>)			
Katja Nelson			
Ricky Rosales			DHSP STAFF
Greg Wilson			Maria Orozco

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- 4) **Table:** Los Angeles County Commission on HIV, 2018-2019 Legislative Docket, State Assembly & Senate Bills, 3/5/2018
- 5) **Bill:** Assembly Bill 315: Pharmacy benefit management, 7/11/2017
- 6) **Bill:** Assembly Bill 587: State government: pharmaceuticals: procurement: collaborative, 7/12/2017
- 7) **Bill:** Assembly Bill 595: Health care service plans: mergers and acquisitions, 1/22/2018
- 8) **Bill:** Assembly Bill 1791: Physicians and surgeons: continuing education, 1/8/2018
- 9) **Bill:** Assembly Bill 2119: Foster care: gender affirming health care and behavioral health services, 2/8/2018
- 10) **Bill:** Assembly Bill 2275: Medi-Cal managed care: quality assessment and performance improvement, 2/13/2018
- 11) **Bill:** Assembly Bill 2430: Medi-Cal: program for aged and disabled persons, 2/14/2018
- 12) **Bill:** Assembly Bill 2499: Health care coverage: medical loss ratios, 2/14/2018
- 13) **Bill:** Senate Bill 538: Hospital contracts, 5/26/2017
- 14) **Bill:** Senate Bill 790: Health care providers: gifts and benefits, 7/6/2017
- 15) **Bill:** Senate Bill 827: Planning and zoning: transit-rich housing bonus, 3/1/2018
- 16) **Bill:** Senate Bill 910: Short-term limited duration health insurance, 1/18/2018
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- 18) **Bill:** Senate Bill 974: Medi-Cal: immigration status: adults, 2/1/2018
- 19) **Bill:** Senate Bill 1021: Prescription drugs, 2/7/2018
- 20) **Bill:** Senate Bill 1108: Medi-Cal: conditions of eligibility or coverage, 2/13/2018
- 21) **Bill:** Senate Bill 1287: Health insurance: small employer groups, 2/16/2018
- 22) **Memorandum:** Washington, D.C. Update on the President's Proposed Federal Fiscal Year 2019 Budget, 2/15/2018
- 23) **Article:** Veteran and Affordable Housing Bond Act of 2018 (SB 3) - Official Website, 3/2/2018

CALL TO ORDER: Mr. Fox called the meeting to order at 1:06 pm.

I. ADMINISTRATIVE MATTERS

1. APPROVAL OF AGENDA:

MOTION #1: Approve the Agenda Order, as presented (*Passed by Consensus*).

2. APPROVAL OF MEETING MINUTES:

MOTION #2: Approve the 2/15/2018 Public Policy Committee Meeting Minutes, as presented (*Passed by Consensus*).

II. PUBLIC COMMENT

3. OPPORTUNITY FOR PUBLIC TO ADDRESS COMMISSION ON ITEMS OF INTEREST WITHIN COMMISSION JURISDICTION: There were no comments.

III. COMMITTEE COMMENT

4. NON-AGENDIZED OR FOLLOW-UP: There were no comments.

IV. REPORTS

5. EXECUTIVE DIRECTOR/STAFF REPORT:

- Ms. Barrit thanked Executive Committee and Unaffiliated Consumer (UC) participants for the 2/14/2018 Health Resources and Services Administration (HRSA) site visit. As is typical, HRSA held a general discussion followed by a closed door session with UCs to hear feedback on Ryan White (RW) services. Michael Green, PhD, MHSA and Pamela Ogata, MPH, DHSP, said HRSA was pleased with the visit overall and a productive conversation with UCs in particular.
- The Commission will be updated on HRSA's final report once available. Any findings will be addressed jointly with DHSP.
- She reported the Operations Committee recommended to the Executive Committee that Commission Public Comment be moved up to after the colloquia. The recommendation was not accepted and was returned to Operations.
- Commission Public Comment was originally moved from the beginning to the end of the meeting for several reasons, especially due to people giving comment prior to hearing related items which tended to push meetings off course. Mr. Fox added that placement at the end of meetings is consistent with other Los Angeles County (LAC) and state advisory boards and commissions. He felt it was also helpful in keeping meetings to the agenda.

6. CO-CHAIR REPORT:

- Mr. Fox was in Washington, DC the prior week for AIDS United meetings and Hill visits. The AIDS Budget and Advocacy Coalition, a body of the Federal AIDS Policy Partnership, presented 2018-2020 asks for the Centers for Disease Control and Prevention (CDC), HRSA, RW, Minority AIDS Initiative (MAI), and Housing Opportunities for People With AIDS (HOPWA).
- A key topic was the bipartisan agreement to fund the government for two years that raised the caps on both military and domestic spending. It averts sequestration cuts and tens of billions of dollars more will be available. Consequently, RW will be flat-funded and it is likely that many expected program cuts will be averted as well. Congress needs to determine how to spend the additional funds by 3/23/2018 or will need to do another short-term Continuing Resolution (CR).

V. DISCUSSION ITEMS

7. HEALTHCARE ACCESS:

- Mr. Fox called the body's attention to an apparent shift across the country by health insurance plans away from accepting co-payment discount cards from pharmaceutical companies or refusing to allow such cards to count towards a person's deductible or Out-Of-Pocket (OOP) maximum. It does not appear to be an issue in California, but is being monitored.
- Mr. Fox also spoke with the Office of the Los Angeles City Attorney two weeks prior regarding denial of coverage and increased cost of any type of insurance including life or long-term disability as a result of the person being on PrEP. That is discrimination, primarily against gay men. The California Commissioner of Insurance is also looking into the matter.
- ➡ Mr. Fox requested anyone willing to provide information on either of the two issues raised to contact him.

8. STATE LEGISLATION AND BUDGET:

a. Draft Legislative Docket:

- Ms. Barrit noted that, once approved by the Commission, she will work with the Chief Executive Office to issue a formal notification of the Commission's recommended positions. The Board of Supervisors (BOS) makes final decisions.
- Commission members or their agencies may have strong views about a particular bill, but members are reminded to properly identify themselves when speaking publicly, especially when speaking to the BOS or one of its members. Proper identification requires members to identify that they sit on the Commission, but are speaking as a member of the public or as a representative of a particular agency. Members should contact Ms. Barrit with questions. It is also helpful to contact Ms. Barrit as a matter of course in order to best coordinate influencing policy.
- Mr. Fox noted most positions are agreed to by consensus but, if consensus cannot be reached, a vote is taken. The 2018 Policy Priorities provides a guide to legislation. Increasingly, especially over the last few years, Public Policy has addressed bills pertaining to the health care system as a whole such as on Medi-Cal, Covered California, employer-based plans, and consumer protections that may or may not be HIV-specific; as well as bills pertaining to Social Determinants of Health (SDH) and equity issues impacting communities represented and served by the Commission.
- Most bills require a majority (50% plus one) to pass out of each chamber as indicated on the document by "Vote: majority." In California, bills that include a tax require two-thirds to pass out of each chamber as indicated by "Vote: two-thirds." Neither party currently has two-thirds due to loss of members because of sexual harassment charges.
- "Appropriations: yes or no" indicates whether or not moneys are listed in the bill. No such bills are expected as Governor Brown will not sign them. "Fiscal Committee: yes or no" indicates whether a bill will go through the Appropriations Committee. Federal Appropriations Committees designate actual funding, but California Appropriations Committees identify how much a bill would conceivably cost or save the state.
- "Local Program: yes or no" identifies the bill will impose requirements on local jurisdictions beyond state regulations.
- Bills on the docket have been flagged for initial consideration. The body may add other bills it feels are relevant. The first determination on any bill is whether or not to take a position. If not, the bill will be dropped from the Docket.
- Possible positions are: oppose, oppose unless amended, support, support if amended, support in concept, watch.
- Letters of support and opposition to bills are available for review once hearings begin. Supporters and opponents of a particular bill can also be requested to present to the Public Policy Committee to help inform its recommendations.

Bill	Title	Discussion	Position
AB 315 (Wood, Dahle, Nazarian)	Pharmacy benefit management	This addresses concerns about a lack of transparency regarding cost at the point of transaction and possibly excessive profits pushing drug costs. This is one of the package of bills backed by the Care 4 All California coalition seeking to improve quality, cost, and access.	Watch; ask sponsors for information, e.g., on Magellan
AB 587 (Chiu)	State government: pharmaceuticals: procurement: collaborative	It was noted the California AIDS Drug Assistance Program (ADAP) acquires drugs at a very good price now with the rebates so it is important not to disrupt that.	Support; with more ADAP information
AB 595 (Wood)	Health care service plans: mergers and acquisitions	This bill was prompted by concern for areas, especially rural areas, in which one hospital buys the others, reducing choice; or a Catholic hospital buys others, reducing types of services such as abortion.	Support (Unanimous)
AB 1791 (Waldron, Gipson)	Physicians and surgeons: continuing education	Does not require, but adds to "shall consider" list, for physician continuing education on PrEP/PEP.	Support (Unanimous)
AB 2119 (Gloria)	Foster care: Gender affirming health care and behavioral health services	This bill was developed over years largely to redress denial of care by judges despite medical sign-offs, court appointed advocate, and caregiver support. The Los Angeles LGBT Center is co-sponsoring this bill.	Support (Unanimous)
AB 2275 (Arambula)	Medi-Cal managed care: quality assessment and performance improvement	Some concerns were raised about burdens to plans, especially in more rural areas, but there is no stated opposition at this time. Plans may seek to negotiate revisions with the author rather than publicly oppose.	Support (Unanimous)

AB 2430 (Arambula)	Medi-Cal: program for aged and disabled persons	This bill eliminates Medi-Cal share of cost up to 138% Federal Poverty Level (FPL) for those people eligible for the program for aged and disabled, a key issue for the working poor.	Support (Unanimous)
AB 2499 (Arambula)	Health care coverage: Medical loss ratios	Increases minimum percentage of premium revenue that health care plans expend on medical services by 5% in most cases; increases rebates to insured if minimums not met. More plans would be expected to pay rebates at the higher rate and subject to criminal prosecution if not paid.	Support; with questions
SB 538 (Monning)	Hospital contracts	This is another in a package of bills backed by the Care 4 All California coalition seeking greater transparency, but details are unclear.	Watch; ask sponsors for information
SB 790 (McGuire)	Health care providers: gifts and benefits	The bill exempts drugs such as sample packs given to a health care provider for free distribution to patients.	Support (Unanimous)
SB 827 (Wiener)	Planning & zoning: Transit rich housing	This bill is designed to incentivize extremely low, very low, low, or moderate housing near transit stops and corridors. Consumers may benefit by better transportation access, but there may be health impacts from impaired air quality, e.g., near freeways. There are concerns large developers will build units that push out current residents and price out the poor. Mr. Martinez is on the record as strongly opposing the bill.	Watch; request presentation from both sides
SB 910 (Hernandez)	Short-term limited duration health insurance	Response to Trump administration action to undermine the Affordable Care Act (ACA) by allowing short-term health plans that skirt ACA requirements. Prohibits such plans.	Support (Unanimous)
SB 971 (Nguyen)	Criminal procedure: Misdemeanors	Makes technical changes to criminal procedures, but the reasoning is unclear.	Watch; get information
SB 974 (Lara)	Medi-Cal: immigration status: adults	Expands Medi-Cal to all up to 138% FPL regardless of citizenship status using state funds. (Minors covered two years ago.) Eligible RW Ambulatory Outpatient Medical (AOM) patients would receive Medi-Cal for covered services. Would free RW funds for other services like housing, but HRSA might adjust the award. 13 coauthors.	Support (Unanimous)
SB 1021 (Wiener)	Prescription drugs	The Commission supported AB 339, expiring 1/1/2020, capping cost-sharing for a 30-day supply of a prescription drug at \$250 plus other provisions. This extends the bill.	Support (Unanimous)
SB 1108 (Hernandez)	Medi-Cal: conditions of eligibility or coverage	Response to Trump administration use of Medicaid 1115 waiver demonstration projects to require work or community engagement activities as a condition of Medi-Cal eligibility or coverage though many work already. Prohibits that rule.	Support (Unanimous)
SB 1287 (Hernandez)	Health insurance: small employee groups	Response to Trump administration action to undermine the ACA by allowing association health plans that skirt ACA requirements. To date, this is Intent language to ensure stringent regulation.	Watch; pending actual language

- The Public Policy Committee took positions as indicated on the following bills on last year's Docket.

2017 Bill Review	Title	Position	Discussion/Status
AB 182 (Waldren)	Heroin and opioid abuse	Support (Changed from Support with Amendments)	This bill failed to pass and is dead.

AB 186 (Eggman)	Controlled substance: Safer drug consumption program	Support	This bill for supervised injection sites with linkage to care and treatment failed last year by two votes. It is expected to return this year. The BOS also supports.
AB 888 (Low)	Cal Grants: private postsecondary educational institutions	Support	Most likely will not come back this year.
AB 1033 (Garcia)	Sexual battery: condoms	Oppose	Most likely will not come back this year.
AB 1534 (Nazarian)	Healthcare coverage: HIV Specialists: Primary Care Physicians	Oppose (Changed from Watch)	Mr. Fox will follow-up on this bill to determine status. Its prospects are currently not known.
SB 562 (Lara)	Single-Payer Health Insurance Program (The Healthy CA Act)	Support	This bill is failed to pass and is dead. While it moves the conversation, the Assembly would not support it and Governor Brown will not sign it.
SB 695 (Lara, Mitchell)	Sex offender registration	Support	Mr. Fox will follow-up on this bill to determine status. Its prospects are currently not known.

- Add AB 1136 to Docket. It would require the California Department of Public Health to develop a real-time internet database to display information on beds in inpatient psychiatric facilities, crisis stabilization units, residential community mental health facilities, and licensed residential substance abuse disorder treatment facilities.
- Add SB 3, Veterans and Affordable Housing Bond Act of 2018 to Docket.
- Mr. Scott is working on a list of federal bills to build support and will provide the list to Mr. Fox for review.
- Refer any additional bills for Docket inclusion to Ms. Barrit or Ms. Tolentino.
- Staff will research pro and con speakers for AB 827.

9. COUNTY LEGISLATION AND POLICY ISSUES:

- a. **Housing Policy Advocacy:** Mr. Fox reported a group of mayors has joined together to ask Governor Brown for \$1.5 billion to address housing. Mr. Goddard added there are underlying social justice and economic issues. All governmental levels must work together to address the issues.

VI. NEXT STEPS

10. **TASK/ASSIGNMENTS RECAP:** There was no additional information.

11. **AGENDA DEVELOPMENT FOR NEXT MEETING:** There was no additional information.

VII. ANNOUNCEMENTS

12. OPPORTUNITY FOR PUBLIC AND COMMITTEE TO MAKE ANNOUNCEMENTS:

- Mr. Rosales reported the City of Los Angeles Prevention Request For Proposals was being uploaded to their website that day. He will send out an email with the link.
- Mr. Brown noted "Everyone In," a community engagement homelessness initiative led by the United Way of Greater Los Angeles will launch 3/9/2018 at Echo Park Lake.
- Mr. Martinez reported AIDS Healthcare Foundation has purchased one hotel in Downtown Los Angeles and one in Hollywood to help address the homeless situation. The program is also expanding to Florida.

VIII. ADJOURNMENT

13. **ADJOURNMENT:** The meeting adjourned at 3:04 pm.