



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

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.

**PUBLIC POLICY COMMITTEE
MEETING MINUTES**

November 4, 2019

**Approved
1/13/2020**

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
Katja Nelson, MPP, <i>Co-Chair</i>	Aaron Fox, MPM, <i>Co-Chair</i>	Jason Brown	Cheryl Barrit, MPIA
Jerry D. Gates, PhD	Pamela Coffey/Alasdair Burton	Robert Gamboa	Jane Nachazel
Lee Kochems, MA	Nestor Rogel (<i>Alt.</i>)		Julie Tolentino, MPH
	Ricky Rosales	DPH/DHSP STAFF	Sonja Wright, MS, Lac
	Eduardo Martinez (<i>Alt.</i>)	None	
	Martin Sattah, MD		
	Craig Scott, MA (<i>Alt.</i>)		

CONTENTS OF COMMITTEE PACKET

- 1) **Agenda:** Public Policy Committee Agenda, 11/4/2019
- 2) **Minutes:** Public Policy Committee Meeting Minutes, 10/7/2019
- 3) **Table:** 2019 Work Plan - Public Policy, *Updated 10/31/2019*
- 4) **Recommendations:** (Revised) Black/African American Community (BAAC) Task Force Recommendations, 10/10/2019
- 5) **Table:** 2019-2020 Legislative Docket, *Updated 10/28/2019*
- 6) **Letter:** Office of the Governor, (Assembly Bill 318), 10/13/2019
- 7) **Letter:** Office of the Governor, (Assembly Bill 993), 10/12/2019
- 8) **Letter:** Office of the Governor, (Assembly Bill 1702), 10/13/2019
- 9) **Summary:** 2019 Legislative Accomplishments: Bills and Budget, 2019
- 10) **FAQ Sheet:** PrEP 2-1-1, "On-Demand" Pre-Exposure Prophylaxis (PrEP) for Sexual Intercourse
- 11) **Table:** HIV Viral Suppression Rates by Medi-Cal Manages Care Plan, 2015-2017

CALL TO ORDER-INTRODUCTIONS-CONFLICT OF INTEREST STATEMENTS: Ms. Nelson called the meeting to order at 1:12 pm.

I. ADMINISTRATIVE MATTERS

1. APPROVAL OF AGENDA

MOTION #1: Approve the Agenda Order, as presented or revised (**Postponed**).

2. APPROVAL OF MEETING MINUTES

MOTION #2: Approve the 10/7/2019 Public Policy Committee Meeting Minutes, as presented or revised (**Postponed**).

II. PUBLIC COMMENT

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

III. COMMITTEE NEW BUSINESS ITEMS

4. **OPPORTUNITY FOR COMMISSIONERS TO RECOMMEND ITEMS FOR FUTURE AGENDAS, OR ITEMS REQUIRING IMMEDIATE ACTION DUE TO AN EMERGENCY, OR IF NEED FOR ACTION AROSE AFTER POSTING AGENDA:** There were no items.

IV. REPORTS

5. EXECUTIVE DIRECTOR/STAFF REPORT

a. **Black/African American Community (BAAC) Task Force Recommendations:**

- Ms. Barrit noted this is a follow-up item from the Commission Co-Chairs and the Executive Committee. They have asked each Committee to review recommendations presented at the 10/10/2019 Commission Meeting and identify ways the Committee can support one or two. Many recommendations are programmatic, but there may still be support options.
- Recommendations were developed after a 2/14/2019 Commission panel recognizing the 2/7/2019 National Black AIDS Awareness Day (NBAAD). Staff summarize all Commission HIV awareness panels and a recommendation from this panel was to create a task force of Black/African American (B/AA) Commissioners and community members to address HIV with a focus on disparities impacting the population regarding low PrEP uptake and Continuum of Care outcomes.
- The Task Force was very intentional and completed its general and subpopulation recommendations within four-and-a-half months. Commission presentation was scheduled for October due to timing of other work.
- Mr. Kochems felt General recommendation 5., on young people's right to confidential sexual health services, and 6., on increasing PrEP awareness with advertising directed to subpopulations, overlap. They exemplify issues Public Policy should consider when reviewing the Legislative Docket, but he did not feel they rose to the level of initiating legislation.
- The Commission cannot sponsor legislation itself, but may propose legislation to the Board of Supervisors (Board) to support and/or may engage in advocacy to help facilitate legislation approved by the Board.
- He felt 8., on increasing use of local statistics, was becoming a policy issue. An effort to address that issue in Long Beach was unsuccessful. Policy-driven coordination between Los Angeles County (LAC) and Local Health Jurisdictions (LHJs) will likely be necessary to achieve progress, but he was unsure how to move forward.
- Ms. Nelson and Mr. Kochems also called attention to 14., to increase various mobilization efforts.
- Mr. Kochems noted a significant overlap between issues for the B/AA and transgender communities. Gaps are notable and may be an appropriate focus for a letter to the Board to elevate awareness of policy makers.
- Dr. Gates felt recommendations aim more at implementation. He suggested BAAC provide input on policy priorities.
- ➡ Staff will request Task Force members offer suggestions of federal, state, and/or local policy matters to pursue and Public Policy members will also further review recommendations to inform discussion at the 12/2/2019 meeting.

6. CO-CHAIR REPORT

a. **Committee Co-Chair Nominations**

- Ms. Barrit noted nominations were later the last few years as a leftover from integration and many new Commissioners who did not have the requisite 12 months on a Committee. Ideally, Co-Chairs should be seated at the start of the year.
- Mr. Kochems reported the Consumer Caucus was crafting a recommendation for one Co-Chair of each Committee and a Commission Co-Chair to be an Unaffiliated Consumer (UC) to elevate the consumer's voice. The Health Resources and Services Administration (HRSA) UC definition is a PLWH who receives a Ryan White Part A service and does not work for an agency receiving such funds. The challenge is to ensure that voice is empowered while expertise is maintained.
- This policy change and Bylaws revision cannot happen in time for elections this year, but the Consumer Caucus wants to initiate the conversation quickly to ensure that, as it has throughout the epidemic, the consumer voice leads.
- Ms. Barrit added, while the Consumer Caucus addresses issues of the change, its spirit can be incorporated now.
- Members who do not meet the 12-month requirement were: Ms. Coffey, Mr. Rogel, and Mr. Scott. UC members were: Ms. Coffey, Mr. Kochems, and Mr. Scott. Mr. Burton is a consumer, but is not currently receiving a Part A service.
- Mr. Kochems has served as Co-Chair in the past, but appreciates the expertise and support he had when he served from his then agency. On the other hand, he could raise pertinent issues. Ms. Barrit added the Consumer Caucus was also considering how best to mentor UC Co-Chairs to ensure they are fully equal Co-Chair partners.

- Accepted nominations were: Mr. Kochems, by Dr. Sattah; and Ms. Nelson, by Mr. Kochems. Mr. Fox was nominated by Ms. Nelson. Staff will ask Mr. Fox if he accepts. Nominations remain open until elections at the 12/2/2019 meeting.
- Staff will follow-up on whether a secondary member can serve as a Committee Co-Chair.

b. Committee Role on HIV and Older Adults

- Ms. Nelson reported the Aging Task Force met 10/29/2019. Attendees were Al Ballesteros, MBA; Mr. Brown, Ms. Barrit, Dawn McClendon, and herself. The Task Force chose to remain under the Executive Committee as do most task forces. It has also requested additional data from DHSP. The next meeting will be 1/28/2020 at 1:00 pm.
- Ms. Barrit was drafting components of what a possible position paper on what HIV and aging looks like now.
- Concurrently, she is urging all Committees to target the Commission's work to ensure it is the best way to move toward the Ending the HIV Epidemic (EtHE) goal, selecting one or two key projects rather than just creating another paper.

V. DISCUSSION ITEMS

7. COUNTY POLICY UPDATE

a. Housing:

- Ms. Nelson reminded the body that a Notice of Proposed Rulemaking identifies some adjustments to the Housing Opportunity Through Modernization Act (HOTMA). They were to: Section 102, on income reviews to public housing and Housing and Urban Development (HUD) Section 8 programs; Section 103, modify documents and standards for public housing residents whose income has grown over the threshold for initial eligibility; and, Section 104, set maximum limits for assets of families who reside in public housing and Section 8-assisted housing.
- Representatives of Housing Opportunities for People With AIDS (HOPWA) and some agencies planned to submit public comment. It does not now appear revisions would negatively impact Los Angeles County (LAC).
- HUD will host a webinar on 11/7/2019, 10:00 to 11:00 am, on "HOPWA Modernization, Embracing Changes and Facing Challenges." The link to register was on the HUD website. Comments on the rule were due 11/18/2019.
- Two Measure H Policy Summits remain. The closing one will be 11/21/2019, 1:00 to 4:00 pm, at the United Way.
- Summit Summary Reports were starting to be released. Public comments by Commissioners were reflected in the summary for the first Summit with: "People living with HIV should be prioritized." Ms. Nelson plans to expand on that comment with some clarification on what prioritization would mean at the remaining Summits.

8. STATE LEGISLATION AND BUDGET UPDATE

- Ms. Nelson reported the EtHE coalition held a 10/18/2018 meeting in Orange County on the federal initiative that was well attended. New funding from Health Resources and Services Administration (HRSA) and the Centers for Disease Control and Prevention (CDC) is associated with this effort. Each of the 58 jurisdictions must submit a plan by 12/30/2019.
- End The Epidemics (ETE) is a statewide coalition initiated with California HIV Research Program (CHRP) funding. It has grown into a community effort to advocate for Governor Newsom to form a task force on the HIV, STDs, and Hepatitis C syndemic.
- The next ETE meeting will be 11/15/2019 in Oakland. The expected budget ask is \$20 million per HIV, STDs, and Hepatitis C.
- The State of California also has a budget-neutral, but comprehensive, plan titled, "Laying a Foundation for Getting to Zero."
- Governor Newsom's group addressing the Master Plan on Aging has established subcommittees on research, and on long-term care and services. The latter held its first listening session last week on In-Home Supportive Services (IHSS). Both subcommittees will be holding listening sessions on various topics. Sign up for session notices on the Master Plan website.

a. Legislative Docket

- The most recent Docket included 31 Assembly bills and 14 Senate bills along with two proposed state Constitution amendments and four federal items. Of state bills, 18 went to Governor Newsom's desk. He signed 15 and vetoed 3.
- The packet included the Docket, reflecting most updates, and Governor Newsom's three letters pertaining to his vetoes. It was also noted in discussion that AB 4 was now a two-year bill so was expected to be on the next Docket.
- SB 159 states the intent of the Legislature to enact legislation to reduce barriers to HIV PEP/PrEP by removing insurance preauthorization requirements and authorizing pharmacists to furnish it. This was approved by Governor Newsom and, technically, will be in effect as of 1/1/2020. Insurance preauthorization requirements will change as of 9/1/2020. Pharmacist training has to be developed by 7/1/2020 and then must be implemented.
- Ms. Nelson will follow-up on the context for remaining bills which were not forwarded to Governor Newsom's desk, e.g., why AB 302 was sent to the inactive file.
- Continue review of "HIV Viral Suppression Rates by Medi-Cal Manages Care Plan, 2015-2017" and request more information about the data, e.g., the driving force behind generation of the report and updates.

9. FEDERAL POLICY UPDATE

- Ms. Nelson reported another federal Notice of Proposed Rulemaking pertained to requiring proof of health insurance or ability to pay for health insurance when applying for a visa. It originally had a two-day public comment period last week pertaining to the rule. Several agencies signed onto a letter submitted by the Protecting Immigrant Families Coalition.
 - Federal courts have apparently blocked implementation for at least 28 days.
 - Mr. Gamboa reported another federal rule was released 11/1/2019 which eliminates prohibition of discrimination based on sexual orientation, gender identity, sex, and religion in all Health and Human Services (HHS) grants. Primarily focused on foster youth and adoption, it is through HHS so could be interpreted to apply to other areas, e.g., HIV and STI prevention, homelessness, anti-trafficking, and research. It essentially reverses an Obama-era rule limiting free exercise of religion. Because it reverses a pre-existing rule, it is understood that it is effective pending further action.
 - The Federal Register is not open so the official Notice of Proposed Rulemaking has not yet been submitted, but some 75 agencies were on a call that morning to discuss it and take comments to submit once it is posted in the Federal Register.
 - Congress will be on recess through 11/11/2019. The current Continuing Resolution (CR) runs through 11/21/2019. An additional CR is expected to allow Democrats to complete impeachment planning. Meanwhile, flat funding will continue.
- ➡ Include an update on the HHS proposed rule change.

VI. NEXT STEPS

10. TASK/ASSIGNMENTS RECAP: There was no additional discussion.

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

VII. ANNOUNCEMENTS

12. OPPORTUNITY FOR PUBLIC AND COMMITTEE TO MAKE ANNOUNCEMENTS: There were no announcements.

VIII. ADJOURNMENT

13. ADJOURNMENT: The meeting adjourned at 2:55 pm.