



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.*

**PUBLIC POLICY COMMITTEE  
MEETING MINUTES**

July 1, 2019



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>	Katja Nelson, MPP, <i>Co-Chair</i>	Jason Brown	Cheryl Barrit, MPIA
Kyle Baker	Pamela Coffey ( <i>Full to Burton</i> )		Jane Nachazel
Alasdair Burton ( <i>Alt. to Coffey</i> )	Jerry D. Gates, PhD		Julie Tolentino, MPH
Eduardo Martinez ( <i>Alt.</i> )	Lee Kochems, MA		
Nestor Rogel ( <i>Alt.</i> )	Eric Paul Leue		<b>DPH/DHSP STAFF</b>
Ricky Rosales	Martin Sattah, MD		None additional
Craig Scott, MA ( <i>Alt.</i> )			

**CONTENTS OF COMMITTEE PACKET**

- 1) **Agenda:** Public Policy Committee Agenda, 7/1/2019
- 2) **Minutes:** Public Policy Committee Meeting Minutes, 6/3/2019
- 3) **Table:** 2019 Work Plan - Public Policy, *Updated 6/26/2019*
- 4) **Priorities:** 2019 Policy Priorities, *Approved 4/11/2019*
- 5) **Table:** 2019-2020 Legislative Docket, *Updated 6/24/2019*
- 6) **Memorandum:** Sacramento Update - Pursuit of County-Advocacy Positions on a State Audit Request Related to the Lanterman-Petris-Short Act and Legislation Related to HIV Prophylaxis, 6/25/2019
- 7) **Table:** AB 993 (current docket) & AB 1534 (2017 docket), 7/1/2019
- 8) **Assembly Bill:** No. 993, as amended, Nazarian. Health care coverage: HIV specialists, *Published 4/11/2019*
- 9) **Assembly Bill:** No. 1534, Nazarian. Health care coverage: HIV specialists, *Published 9/1/2018*
- 10) **Summary:** Assembly Committee on Housing and Community Development: Rental housing discrimination: applications: criminal records, *Date of Hearing 4/24/2019*
- 11) **Notice:** All Insurers and Fraternal Benefit Societies Licensed to Sell Life, Disability Income or Long-Term Care Insurance in California: Insurer Underwriting Practices for Truvada/PrEP Users, 6/20/2019
- 12) **Fact Sheet:** The PrEP Access and Coverage Act, 2019
- 13) **Table:** Health Access, 2019 Budget Scorecard, Priorities for Health Care Consumers, *Updated 6/10/2019*

**CALL TO ORDER-INTRODUCTIONS-CONFLICT OF INTEREST STATEMENTS:** Mr. Fox called the meeting to order at 1:02 pm.

**I. ADMINISTRATIVE MATTERS**

**1. APPROVAL OF AGENDA**

**MOTION #1:** Approve the Agenda Order, as revised to reflect June (not May) Meeting Minutes (***Passed by Consensus***).

**2. APPROVAL OF MEETING MINUTES**

**MOTION #2:** Approve the 6/3/2019 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 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**

- Ms. Barrit noted Center for Disease Control and Prevention (CDC) Director Robert Redfield, MD, will visit Los Angeles County (LAC) 7/18/2019, one of several visits nationwide supporting the Federal Ending the HIV Epidemic: A Plan for America. Department of Public Health (DPH) leadership is spearheading plans for the all-day visit. Mr. Baker reported DHSP was participating in weekly conference calls with CDC representatives. Most details were expected to be finalized 7/2/2019.
- He and Mario Pérez, MPH, Director, DHSP, in concert with Ms. Barrit, have strongly advocated for the broadest possible community representation for the visit, but they will not be making final decisions. Health Resources and Services Administration (HRSA) also will visit LAC in September 2019, offering another opportunity to express perspectives.
- Ms. Barrit reported core presentations for the 7/11/2019 Commission Meeting will be on the homeless. A speaker from the Los Angeles Homeless Services Authority (LAHSA) will review the 2019 Homeless Count. Questions from the prior meeting were forwarded to LAHSA for their response, e.g., on methodology and the fluctuating number of homeless PLWH.
- Ashley Oh, lead for the Chief Executive Office (CEO) Homeless Initiative, will provide a programmatic and policy update. Ms. Oh graciously fielded many questions when she presented last year that were not actually in her purview. Ms. Barrit was coordinating with LAHSA to have two agencies on hand to assist with on site triage, referrals, and questions.
- Ms. Barrit reminded the body that the annual Mandatory Orientation will follow the 10/10/2019 Commission Meeting.
- ➡ Mr. Baker will advise Ms. Barrit once plans for Dr. Redfield's visit are finalized.
- ➡ Ms. Barrit will email the link to LAHSA's 2019 Homeless Count. Specific HIV-related data cuts will be presented 7/11/2019.
- a. **Committee Work Plan 2019:** There was no additional discussion.

**6. CO-CHAIR REPORT**

- Mr. Fox commented that Netflix has updated "Tales of the City" some 20 years after the last episode. He called attention to a scene around a dinner party table with cisgender gay men discussing concepts of white privilege, going through the AIDS crisis at its worst, what that felt like, and how that shapes people's ideas of being, or not being, privileged right now.
- The scene captures how different kinds of trauma and definitions of privilege intersect. This interaction impacts HIV work.

**V. DISCUSSION ITEMS**

**7. COUNTY POLICY ISSUES**

- a. **Housing Policy:** There was no additional discussion.

**8. STATE LEGISLATION AND BUDGET**

- Mr. Fox said the Governor has 12 days after the State Legislature passes a piece of legislation, including the Budget, to sign it or the bill takes effect as passed. Governor Gavin Newsom signed the Budget about six hours before the deadline with a small number of line item vetoes, none Commission-tracked health and human services items. The Budget starts 7/1/2019.
- The community ask was for \$20 million ongoing each for HIV prevention, Hepatitis C (HCV) prevention, and STD prevention and treatment. The Budget provides \$5 million each ongoing. While much less, it is important that this is ongoing funding for the first time that provides stability to build infrastructure, hire staff, or initiate long-term budgeting and programming. It is also important to note that LAC did fulfill its obligation of support under the Board of Supervisors (BOS) STD Motion.
- Governor Newsom did insert multiple 2021 sunset provisions, but it is not entirely clear to which funding they pertain or under what circumstances they would be triggered. Mr. Baker added that, due to the sunset provisions, DHSP will use any

funds allocated to LAC for items not dependent on ongoing funding such as social marketing for Undetectable Equals Untransmittable (U=U). Mr. Fox anticipated most funds will go to Community-Based Organization (CBOs).

- The Budget also allocates \$40 million over five years to help counties rebuild their public health infectious disease infrastructure. Mr. Baker noted the County Health Executives Association of California (CHEAC) was the chief driver of this funding and had had both internal conversations and conversations with the State on distribution. One suggestion was to use population plus poverty while others emphasized using the more normative disease burden focus.
- Mr. Fox continued that the Health For All movement has made another incremental gain. The movement began during the Brown administration with an ultimate goal of extending Medi-Cal to anyone financially eligible regardless of citizenship status. Under Governor Brown, children under 18 were covered. The Legislature wanted to add both young adults and seniors. Governor Newsom approved adding those 18 through age 24, making California the first state to do so.
- Previously, the Federal government zeroed out the penalty for not meeting the individual mandate to maintain health insurance, part of the Affordable Care Act (ACA), though the penalty remains in the Federal tax code. California has now imposed its own individual mandate and penalty, but the penalty is more progressive consistent with California's more progressive tax code and has more hardship protections. Funds raised will help middle income people meet premiums.
- After considerable negotiation, the Budget also directs \$2 billion to address the homeless crisis statewide.
- ➡ Mr. Fox will check to see whether any of the sunset triggers affect the HIV/HCV/STD funding.

**a. Legislative Docket**

- Regarding SB 159, HIV pre-exposure and post-exposure prophylaxis, it had a hearing in the Assembly Business and Professions Committee on 6/25/2019 and passed out of that with 14, ayes; 0, noes; 2 abstentions. Most people on the Committee do know the issue well. It will move to the Senate Health Committee on 7/9/2019. LAC also supports it.
- Ms. Tolentino tried to schedule a presentation to answer questions on AB 993, but has not received a response just as there was no response to the request for the bill's earlier AB 1534 iteration. Consequently, the position remains Watch.
- Mr. Fox called attention to the Notice in the packet from Insurance Commissioner Ricardo Lara. Advocates across the State had brought this matter to Commissioner Lara's attention after hearing from people taking PrEP who were denied life, disability, or long-term care insurance; or who had such insurance and saw premiums rise after starting PrEP. On being challenged, insurance companies identified taking PrEP as a higher risk indicator.
- Advocates previously sought relief from the Department of Managed Health Care and prior Insurance Commissioner Dave Jones, but without result. Commissioner Lara assumed office 1/7/2019 and issued the Notice 6/20/2019.

**9. FEDERAL POLICY UPDATE**

- The House passed its Labor, Health and Human Services (HHS) Appropriations Bill with all HIV funding including, e.g., CDC, HRSA, HRSA's Bureau of Primary Health Care, and National Institutes of Health (NIH). While favorable, it is clearly a House Democrat priority bill so the Senate may not agree. It increases Ryan White funding by some \$115 million and split about a \$100 million increase between the CDC and the Bureau of Primary Health Care which will do a major PrEP component. Usually this bill is addressed last making the early start hopeful, but there is no agreement with the Senate as yet.
- Ending the HIV Epidemic estimates are in the range of \$235-\$250 million, but details are unclear including whether increased funding such as for Ryan White will be restricted to service categories or also support Ending the Epidemic.
- AIDS United's position is that all funding needs to be more flexible to most effectively work with local plans.
- It will also be doing a nationwide series of meetings to present a white paper and policy initiatives on HIV and aging.
- On another front, many organizations are concerned with a new HHS conscience rule. Multiple lawsuits are being filed by organizations with various foci, e.g., HIV, transgender rights, reproductive rights. Implementation has been postponed.

**a. Ending the HIV Epidemic: A Plan for America**

- Mr. Fox was in Washington, DC two weeks prior for AIDS United Public Policy Council meetings. They met with Gilead on its role in allowing the Truvada patent to expire one year early and its PrEP donation. Much like questioning by US Representative Alexandria Ocasio-Cortez during hearings on the pharmaceutical industry, representatives were asked why Gilead did not simply lower the price though the representatives were not in a position to answer. While not nasty, advocates did urge doing more to ensure access and increase funding to CBOs, especially those serving People Of Color (POC) and transgender individuals to support, e.g., capacity building and PrEP awareness.
- On a related matter, US Senator Kamala Harris introduced The PrEP Access and Coverage Act detailed in the packet. It would ensure all expenses are covered and increase awareness. Unlikely to leave the Senate, it still raises awareness.
- There has been no information to date on how funds and medications will be distributed.

**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**

- 13. **OPPORTUNITY FOR PUBLIC AND COMMITTEE TO MAKE ANNOUNCEMENTS:** There were no announcements.

**VIII. ADJOURNMENT**

- 14. **ADJOURNMENT:** The meeting adjourned at 1:52 pm.