



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**

October 7, 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
Katja Nelson, MPP, <i>Co-Chair</i>	Aaron Fox, MPM, <i>Co-Chair</i>	Jason Brown	Cheryl Barrit, MPIA
Alasdair Burton (<i>Alt. to Coffey</i>)	Pamela Coffey (<i>Full to Burton</i>)	Pedro Guerrero	Jane Nachazel
erry D. Gates, PhD	Eduardo Martinez (<i>Alt.</i>)	Craig Pulsipher, MPP,MSW	Julie Tolentino, MPH
ee Kochems, MA	Craig Scott, MA (<i>Alt.</i>)	Lambert Talley	
vestor Rogel (<i>Alt.</i>)			DPH/DHSP STAFF
icky Rosales			None additional
artin Sattah, MD			

CONTENTS OF COMMITTEE PACKET

- 1) **Agenda:** Public Policy Committee Agenda, 10/7/2019
- 2) **Minutes:** Public Policy Committee Meeting Minutes, 8/5/2019
- 3) **Table:** 2019 Work Plan - Public Policy, Updated 7/1/2019
- 4) **Motion:** Los Angeles County to Join Legal Opposition to the Final Rule on Public Charge Inadmissibility, 10/1/2019
- 5) **FAQ Sheet:** Changes to Public Charge will affect Immigration applications filed on or after October 15, 2019, DRAFT
- 6) **FAQ Sheet:** Viral Suppression Rates of Medi-Cal Enrollees with HIV, 2015, Federal Fiscal Year 2018
- 7) **Table:** 2019-2020 Legislative Docket, Updated 10/2/2019
- 8) **FAQ Sheet:** Low Income Subsidy ("Extra Help") for Dual Eligibles Receiving Home and Community-Based Services, August 2019
- 9) **Report:** Evaluating the Impact of Prior Authorization Requirements for PrEP and PEP in California, September 2019

CALL TO ORDER-INTRODUCTIONS-CONFLICT OF INTEREST STATEMENTS: Ms. Nelson called the meeting to order at 1:00 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 8/5/2019 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

a. Commission Annual Meeting, November 14, 2019

- Ms. Barrit noted the Annual Meeting was scheduled at St. Anne's Conference Center from 9:00 am to 4:30 pm though it may end somewhat earlier. A facilitator has been engaged.
- The meeting will focus on the federal Ending the HIV Epidemic (EtHE) initiative including which agencies in Los Angeles County (LAC) received additional funding. There is a federal expectation of active community engagement in planning.
- The morning will be informational and the afternoon will address Commission response as it aligns with the statewide End the Epidemics (ETE) of HIV, STDs, and Hepatitis C; and the Los Angeles County HIV/AIDS Strategy (LACHAS).

6. CO-CHAIR REPORT

a. United States Conference on AIDS (USCA)

- Ms. Nelson attended the 9/5-8/2019 USCA in Washington DC. The theme was Ending the Epidemics In Their Memory using EtHE as a lens. Lunch time plenaries highlighted: Health and Human Services (HHS), Health Resources and Services Administration (HRSA) leadership discussing the EtHE plan; Undetectable Equals Untransmittable (U=U); and biomedical prevention including PrEP uptake. Other topics included housing, women, and the transgender community.
- Mr. Pulsipher noted US PLHIV Caucus and other activists' demands at the first plenary were: independent community partnership mechanism for EtHE with increased transgender involvement; a moratorium on molecular surveillance; and involvement in Centers for Disease Control and Prevention (CDC) discussions with Gilead on the patent for Truvada.
- The USCA website has posted videos of plenaries and several other presentations.
- The 2020 USCA will be in San Juan, Puerto Rico in October.

b. Role of Public Policy Committee on HIV and Older Adults:

- Ms. Nelson noted discussion on housing the Aging Task Force under Public Policy. Ms. Barrit said Executive did not take up the question but, if Public Policy was interested, it was appropriate since it had done initial work on aging issues.
- Ms. Nelson reported the Aging Task Force met a week and a half ago with Sonali Kulkarni, MD, MPH, Medical Director, and Rebecca Cohen, MD, Associate Medical Director, DHSP, to consider funding streams, program needs, and goals. It was agreed that the Commission and Aging Task Force could develop some form of guidance, e.g., a white paper.
- Ms. Barrit added the Commission may also partner with APLA Health. It recently received a grant to hold two summits, one each in Southern and in Northern California, on issues pertaining to older PLWH. The intent is for the summits to result in a white paper articulating the growing demographic need and evaluating the system's ability to meet it.
- Regarding the AIDS Education and Treatment Centers, Dr. Gates reported aging PLWH is an evolving issue. Most older PLWH are fairly healthy, but there are clearly mental and some physical issues. There is a provider issue in that most HIV providers are unfamiliar with geriatrics and most geriatricians are unfamiliar with HIV. A number of issues are associated with normal aging, e.g., eating and home safety. Elder abuse is also a growing issue with more federal funding. PLWH may be more susceptible to elder abuse due to cognitive impairment from multiple medications.
- Dr. Sattah felt this pertained to discussions on the value of separating primary from specialty care including discussion on transitioning PLWH to primary care physicians and using HIV specialists for more complex cases. Mr. Rogel said, in that case, training for cultural competence would be valuable for primary care providers. Dr. Sattah added, on the other hand, it may be valuable to train HIV specialists for a broader approach. He would like to see data on approaches.
- Mr. Burton supported training geriatricians in prevention and resilience to defer frailty as long as possible.
- Regarding age, older PLWH are considered to be 50 or older, but subsets such as 50-65 or 65-75 have distinct issues.
- No specific models are known to have been developed for aging PLWH, but some states have been developing models to support aging individuals. For example, Massachusetts is using a "village model" to increase social support through community engagement and volunteerism. Reviewing such models can provide options adaptable for aging PLWH.
- ➡ Agreed to house Aging Task Force under Public Policy, advise Executive Committee, and add to November Agenda.
- ➡ Consider eventual development of letter to Board of Supervisors (BOS) on aging recommendations.
- ➡ Attending the 10/29/2019, 1:00 to 3:00 pm, Aging Task Force meeting was urged. Mostly, three to four people come.

V. DISCUSSION ITEMS

7. COUNTY POLICY UPDATE

- Ms. Nelson reported the Los Angeles Homeless Services Authority (LAHSA) and Measure H representatives were in the process of a series of eight three-hour policy summits. In addition to opening and closing meetings, six are planned with the following themes: prevention, outreach, interim housing, permanent housing, employment, and partnerships with cities. Invitations are specifically extended to providers pertinent to each theme.
- The goal of summits is to discuss Measure H progress, gaps, challenges, and barriers to inform funding recommendations for the next three years which need to be approved by May. The third meeting is 10/8/2019. They are held at United Way.
- She felt one key takeaway is the need to build housing. Mr. Brown added another focus is prevention, e.g., it is more cost effective for a provider to pay one month's rent on behalf of a client who is behind than to pay \$10,000 to rehome a client.
- Ms. Nelson stressed in public comments on behalf of PLWH that it was about a place at the table, not necessarily about money. Small changes could be implemented to improve the experience of PLWH traversing the housing system.
- ➡ Written public comments on the process can be submitted until a date in November.
- ➡ The summit schedule is posted at homeless.lacounty.gov. The site lists a call-in number, but it did not work last time.
- a. **Public Charge**
 - Ms. Nelson said the rule was scheduled to go into effect on 10/15/2019, but multiple states and entities were pursuing lawsuits seeking an injunction. Per a Protecting Immigrant Families webinar that morning, three possible outcomes were: nationwide injunction, injunction specific to a geographic area or group of people, or the rule goes into effect.
 - The BOS passed a motion on 10/1/2019 to join in legal efforts against the rule. It was in the packet for information.
 - The rule does not impact Ryan White, but does impact many of the same populations. For that reason, the Commission has drafted a FAQ sheet for general distribution and posting on the website. Other entity FAQ sheets are also available.
 - ➡ Ms. Barrit will follow-up on and adjust the Public Charge FAQ sheet, as needed, regarding:
 - ↳ Whether the rule only applies, as indicated, to those inside the United States.
 - ↳ Regarding page two, bullet three, identify how many years back the rule will review.
 - ➡ Revise Public Charge FAQ sheet, as noted:
 - ↳ Add Housing Opportunities for Persons With AIDS (HOPWA) to "safe to use" list.
 - ↳ Add language that this is not meant to be legal advice.
 - ➡ Email any additional comments on the Public Charge FAQ sheet to staff. Following final review, it will be translated into Spanish, and both iterations will be posted and disseminated.

8. STATE LEGISLATION AND BUDGET UPDATE

- Ms. Nelson said there has not yet been any information on how the statewide End the Epidemics (ETE) \$5 million each for HIV, STD, and Hepatitis C, or the County Health Executives Association of California (CHEAC) funding will be allocated.
- The next ETE Town Hall will be in Orange County on 10/18/2019, 9:00 am to 12:30 pm, at the Orange County Health Care Association, 1725 W. 17th Street, Training Center (Building 1729E) in Santa Ana.
- Mr. Pulsipher noted advocates were seeking Governor and Legislature support for a statewide HIV, STDs, and Hepatitis C plan. Meanwhile, the Governor appointed Richard Figueroa, Jr. as Acting Director DHCS. Previously the key contact for advocates, strategy for next year may change once the new contact is identified. Advocates are also starting to develop budget priorities for next year for HIV, STDs, and Hepatitis C so this is a good time to start proposing recommendations.
- One development is that OA, in conjunction with EtHE, is updating its HIV Integrated Plan first released in 2014 to include STDs and Hepatitis C. The process has started with an expected completion in July 2020 providing time for public comment.
- Ms. Nelson noted the Governor also appointed a new Director of CDPH, Sonia Angell, MD, MPH, on 9/13/2019.
- The first meeting of the Master Plan for Aging Stakeholder Advisory Committee composed of 34 gubernatorial appointees was held at the end of September. The focus was general goals and a timeline to complete the written plan, likely in September 2020. There will be opportunities to call into future meetings and comment on working documents.
- The package of housing bills signed by the Governor was complimented by a letter on his Homeless and Supportive Housing Advisory Task Force co-chaired by LAC Supervisor Mark Ridley-Thomas and Sacramento Mayor Darrell Steinberg. The Task Force held its second meeting last week at King-Drew Magnet High School of Medicine and Science. All 13 members from across California attended. The Task Force is charged with identifying over the next year short term actions and long-term recommendations on ending homelessness, removing barriers to housing, and increasing people in mental health care.
- Ms. Nelson and Mr. Brown attended the mainly preliminary conversation highlighted by mostly LAC-based presentations. The entire meeting was recorded and is available on the BOS website and Facebook.

a. Data Collection and Sharing Policies

- Ms. Barrit noted a Public Policy Committee Member had requested the Committee consider championing legislation that calls for more data sharing pertaining to HIV across state agencies. One data sharing example is the California Department of Health Care Services (DHCS), Office of AIDS (OA) data on Medi-Cal enrollees with HIV in the packet.
- Mr. Pulsipher noted an existing partnership between the California Department of Public Health (CDPH) and DHCS which oversees Medi-Cal, now in the process of releasing data on viral suppression by managed care plan. Medi-Cal is also required to report on performance measures and is moving to the Medicaid adult core set including Viral Load. There are also discussions on legislation to incentivize plans to increase viral load suppression.
- With everything already underway, he questioned what data sharing was being requested and why.
- ➡ Agreed memorialization of discussion was sufficient response to original request. If additional questions arise, information on existing activities can be brought forward for informational purposes.

b. Legislative Docket

- Ms. Nelson reported Governor Gavin Newsom had until 10/13/2019 at 11:59 pm to sign or veto submitted bills. If he does neither, a bill becomes law automatically.
- Three bills on the Docket had been signed to date: AB 711, Pupil records, name and gender changes; SB 233, Immunity from arrest (due to use of condom as evidence); SB 343, Healthcare data disclosure. The Commission supported the first two of these, but had a watch on the third which pertains to technical data reporting requirements.
- Many additional bills on the Docket have gone to the Governor's desk, notably: AB 993 (previously AB 1534), Health care coverage, HIV specialists (permits HIV specialist to be eligible primary care provider); SB 159, HIV pre-exposure and post-exposure prophylaxis (supports removing insurance preauthorization requirements and authorizing pharmacists to furnish without prescription). The Commission had a watch on the first and support on the second.
- The Governor has also signed many education-related bills and a package of some 15 bills on housing and homelessness, mostly related to zoning or easing restrictions for certain kinds of exemptions. A bill that would prohibit using Section 8 as a form of income to discriminate against an applicant has not yet been signed.

9. FEDERAL POLICY UPDATE

- Ms. Nelson noted a Notice of Proposed Rule-making (NPR) for HOPWA posted to the Federal Register. It makes a variety of technical tweaks, but she has not had the opportunity to review them. Public comment will be open for 60 days.
- Also pertaining to HOPWA, the proposed Federal Budget includes a cut of \$63 million from \$393 to \$330 million. There are multiple requests to contact senators in opposition to the cut.
- Mr. Fox was in Washington, DC where advocates are seeking inclusion of EtHE funding in the Federal Budget either via the regular probation process or via a Continuing Resolution (CR) when the current CR expires on 11/21/2019.
- Finally, the Federal Drug Administration has approved Descovy for PrEP excepting receptive vaginal sex. A 10/7/2019 Gilead press release announced a study on Descovy for PrEP in adult and adolescent cisgender women.
- ➡ Staff will review the HOPWA NPR and provide the deadline on public comments.

VI. NEXT STEPS

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

11. AGENDA DEVELOPMENT FOR NEXT MEETING:

- ➡ Agendize annual review of Bylaws concerning Commission charge preparatory to development of next Legislative Docket.

VII. ANNOUNCEMENTS

12. OPPORTUNITY FOR PUBLIC AND COMMITTEE TO MAKE ANNOUNCEMENTS: Mr. Talley announced Supervisor Ridley-Thomas recently appointed him to LAHSA and he volunteered to be the Commission's point person.

VIII. ADJOURNMENT

13. ADJOURNMENT: The meeting adjourned at 2:00 pm.