

**Marin HIV/AIDS Care Council Meeting  
MINUTES  
Wednesday, September 18, 2013  
4:30p.m. - 7:00p.m.  
3240 Kerner Blvd.  
San Rafael, CA 94901  
Connection Center – Room 110  
[ Approved October 9, 2013 ]**

Larry Meredith, Ph.D.  
DIRECTOR

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**Council Members Present:** Roy Bateman, Kevin Cronin, Trinity Duson, Elaine J. Flores, James Frazier, Deborah Kasel, Walter Kelley, Jennifer Malone, Scott Marcum

**Council Members Absent:** None

**Staff Present:** Cicily Emerson, Michael Schieble

**Public:** Jami Ellermann, Wade Flores, Lawrence Naderhoff

**I. Call to Order**

Co-Chair Marcum called the meeting to order at 4:44p.m.

**II. Roll Call**

Roll was called and quorum was established, with 8 of 9 Members present. CM Bateman arrived at 5:03p.m., increasing the attendance to 9 of 9 Members present.

**III. Review and Approval of Agenda - VOTE**

C. Emerson suggested that the "VII. Division of Public Health Report" be moved to after the "IX. Allocation". C. Emerson stated, "I have things to report, but I don't want to take time from the Allocation".

The order of the agenda was changed. The "VII. Division of Public Health Report" was reordered to "X." following "Allocation of Service Categories FY2014-'15".

CM Kelley motioned to approve the revised agenda. CM Frazier seconded. A voice **vote** was conducted. No objections were heard. The revised agenda was approved.

**IV. Review and Approval of August 7, 2013 Minutes – VOTE**

*Item tabled*

**V. Public Comment**

Lawrence Naderhoff "My name is Lawrence Naderhoff. I'm a Client at M.A.P. [Marin AIDS Project]. I've been a Client at M.A.P. for ten years.

I've watched this place [M.A.P.] just go downhill consistently the entire time I've been a Client. This place has just gone downhill, downhill, downhill, downhill! The place has less than 300 registered Clients. I want to know what justifies paying the Director, \$96,000 a year, when they don't know what they are doing and only until recently, probably the last year has ever bothered to come into the place twenty hours a week. The place is run like, I don't know!

Here's the deal, you get somebody good in there, you get good people, I've had good people taking care of my case load information, taking care of everything. As soon as you get somebody good in there who knows what they are doing, they get fired, and again, somebody is replaced with somebody that doesn't know what they are doing. Doesn't know the Clients! Doesn't know the atmosphere! I want to know why that is so and I want to know who the Directors are and what the Directors' role is in this. The Board of Directors, I want to know who these people are and what their role is in this. These people are asleep at the wheel.

Two years ago a graph came out. Over 75% of the money coming into M.A.P. goes to paying employee's

wages. There are less than 300 registered Clients. You can't justify paying anybody who works there more than \$35,000 or \$40,000 a year. You absolutely can't!

When I was down in Los Angeles and we had APLA [AIDS Project Los Angeles]. APLA was dismantled when they started behaving like this and when they started doing these things, and when they started over paying themselves.

One thing has never happened, the Director's position has never taken a dollar now. M.A.P. operates as a cash cow for the people that work at the top and that's all it operates. With less than 25% of the money coming in from the Federal government, [we] need all the money serving the people that it is meant to serve. There is something wrong with this equation. There is something wrong with this! There is no balance in that. There is no morality in that! There is no justification for it. There is no need for it to continue and I want to see it end. Thank you."

## VI. Co-Chair Report

### Backfill Request

Co-Chair Cronin reported that on August 14, 2013, he met with Larry Meredith, Sparky Spaeth, and Cicily Emerson from Marin County – Public Health Services to discuss the mid-year cuts to Ryan White Part A funding and request that the County provide backfill funding. Co-Chair Cronin stated, "The answer was basically 'No'".

A letter, dated September 18, 2013, which summarized the meeting and outlined the resulting action plan was provided to Council Members for review. (*see attachment*). Co-Chair Cronin reported that there was support for approaching Kaiser to "reimburse" Ryan White funds for services provided to Kaiser Members. CM Malone estimated that since March 2010, the value of Benefits Counseling, Case Management, Mental Health Services, and Home Based Care is \$143,000+. Fifty-one Kaiser Members were provided services.

The County will do an assessment of the system of care to be completed in January 2014. A number of factors will be reviewed, including the changes coming from the ACA (Affordable Care Act). Co-chair Cronin stated, "The point I made at this meeting was that I felt something needed to be done because the system is going to start falling apart before anything gets done"... "This is a fairly accurate summary. The only issue I have is, I hoped we would be moving a little quicker." The resulting service reductions by M.A.P. were detailed. Co-Chair Cronin summarized the changes in services from the funding reduction as "severe cuts".

There was additional discussion about the Kaiser reimbursement request. CM Kasel stated, "Clients are going to have to do some things on their own, which increases the need for [Client] education".

Public Comment: C. Emerson commented, "It's a hard thing. I'm optimistic since our Office has been given the marching orders and that way it will get done and we will be able to approach all the people involved...and hopefully have some good outcomes".

## VII. Statements of Conflict of Interest

Council Support announced that the statement of Conflict of Interest appears on the agenda every time there is an Allocation or funding approval vote. It is a formal statement to the Public attending the meeting and reminder to other Council Members, which Members have an actual, perceived, or no conflict of interest.

For the record, Council Members made verbal statements of Conflict of Interest.

CM Bateman: Unaffiliated. County employee with a perceived Conflict of Interest.

CM Cronin: Actual conflict of interest – All Service Categories, except Substance Abuse and Oral Health. Affiliated with Marin AIDS Project /Service Provider.

CM Dushon: No conflict of Interest - Unaffiliated

CM E.J. Flores: No conflict of Interest - Unaffiliated

CM Frazier: No conflict of Interest - Unaffiliated

CM Kasel: No conflict of Interest - Unaffiliated

CM Kelley: No conflict of Interest - Unaffiliated

CM Malone: Actual or perceived conflict of interest - All Service Categories. Executive Director of Marin AIDS Project.

CM Marcum: No conflict of Interest - Unaffiliated

Public Comment: None

## VIII. FY2014-'15 Allocation by Service Category

5:03p.m. CM Bateman arrives

Co-Chair Marcum announced that the Care Council was starting the FY2014-'15 Allocation discussion.

Council Support gave an overview of the spreadsheet handout. It was clarified for Council Members that the Decision Matrix included all the prior information and columns "Q", "R", "S", and "T" were new. Column "Q" was the County Proposal for Fiscal Year 2014-'15. The output, the FY2014-'15 Marin Allocation, from the Care Council meeting will be presented on Monday, September 23, 2013, to the San Francisco Planning Council for approval.

There was a general discussion about the Allocation process. CM Kasel voiced concern about the process and the challenge of developing an Allocation when there was a high level of uncertainty and change in future funding. CM Kelley assured all Council Members that the Allocation was the first step in the process. The numbers would be reevaluated when the final award was known and during the fiscal year, unspent funds would be reviewed and reallocated.

CM Malone asked for details on the calculation of the new Service Category- Health Insurance Premium & Cost Sharing Service Assistance. The proposed amount of \$17,997 was based on the number of eligible individuals from the 200%-400% federal poverty level.

### County Proposal Summary

C. Emerson made the following comments about the County Proposal. 1.) Cost savings are anticipated from the ACA / Affordable Care Act. Primary Care aka Outpatient /Ambulatory Health Services was decreased by \$8,463 to a proposed amount of \$121,241. 2.) Mental Health was also decreased based on anticipated ACA cost savings. 3.) Medical Case Management was increased based on utilization data. 4.) Home and Community Based Care [RN & Attendant] were slightly increased based on utilization. 5.) Oral Health was increased based on utilization data. 6.) AIDS Pharmaceutical was decreased based on anticipated cost sharing. 7.) There are minor changes in the Support Service Category amounts. Any decreases were used to increase funding to Food.

Council Members shared their individual views on the amounts in the County Proposal. CM Bateman suggested a process, where each Council Member comment on the County Proposal and then the move to a Core Allocation and then a Support Allocation.

CM Malone made a **motion** to discuss the Core Service Categories and approve a dollar Allocation amount for each Core Service Category. CM Kasel seconded.

A voice **vote** was conducted. No objections were heard.

The discussion was focused on the Allocation amounts for Core Service Categories.

### Core Services

CM Bateman requested that the Mental Health amount be kept at the current level of \$80,325 and not decreased. Concern was noted about the ACA "Mental Health Parity" mandate and the potential of limited service availability from increased potential demand. Co-Chair Cronin commented that based on a conversation with Anne Donnelly, we are holding off enrolling people in the exchange because details are unknown.

CM Kelley made a **motion** to approve the following dollar amounts for each Core Service Category as the FY2014-'15 Allocation. CM Malone seconded.

<b>Marin Ryan White Part A 2014-15 Allocation</b>				
<b>Service Category</b>	<b>Priority Rank</b>	<b>14/15 Part A Allocation</b>	<b>% of Total Award</b>	<b>Estimated 14/15 Part B Award</b>
<b>CORE SERVICES</b>				
Outpatient/Ambulatory Health Services	1	\$121,241	21.67%	\$25,000
Mental Health	3	\$80,325	14.36%	
Medical Case Management	4	\$136,467	24.39%	
AIDS Pharmaceutical Assistance	6	\$10,150	1.81%	
Home and Community-Cased Care	7	\$38,237	6.83%	
Oral Health Care	9	\$10,150	1.81%	\$26,000
Outpatient Substance Abuse Treatment	11	\$8,000	1.43%	
Health Ins. Premium & Cost Sharing Assistance		\$15,037	2.69%	

**\$419,608** 75.00%

Public Comment: None

Prior to the vote, Co-Chair Cronin announced that he wanted the minutes to reflect that “he was not voting”. This was his symbolic protest, because the County had failed to backfill the funding cuts in the current fiscal year. Council Support advised the Council that “not voting” was to abstain from a vote and that would affect the calculation of the vote. Co-Chair Cronin requested that the minutes reflect his protest.

A randomized roll call **vote** was conducted.

**AYES:** CM Bateman, CM Dushon, CM Frazier, CM Kelley, CM Marcum.

**Noes:** CM E.J. Flores, CM Kasel

**Abstain:** None

**Recuse:** CM Cronin, CM Malone

**5-2-0-2** Passed: 5/7= 71.4%

Support Services

A workgroup style discussion was conducted. The importance of Food and Emergency Funds were broadly discussed. CM Dushon described the two Service Categories, “...as the life blood” of Support Services. The Council discussed proper nutrition for PLWHA.

CM Bateman emphasized the importance of Benefits Counseling and made the point that spending a \$1.00 on Non-Medical Case Management (aka Benefits Counseling) was the only Service Category that could result in producing more than a \$1.00 benefit into the system of care. The example of access via C.A.M./Community Action Marin for PG&E assistance funds was given. Ryan White Funds as a payer of last resort was discussed. CM Bateman stated, “In Support [Services], getting people on benefits will produce more than \$1.00 spent”.

CM Kasel made a recommendation of a dollar amount for each Support Service category. The amounts were entered into the spreadsheet.

CM Kelley made a **motion** to approve “Deborah Kasel’s Proposal”, the following dollar amounts for each Support Service Category as the FY2014-’15 Allocation. CM Kasel seconded.

Marin Ryan White Part A 2014-15 Allocation				
Service Category	Priority Rank	14/15 Part A Allocation	% of Total Award	Estimated 14/15 Part B Award
<b>SUPPORT</b>				
Non-medical Case Management	2	\$90,301	16.14%	
Emergency Financial Assistance	5	\$32,631	5.83%	
Food Vouchers	8	\$9,587	1.71%	\$56,331
Medical Transportation	10	\$7,331	1.31%	
		\$139,850	25.00%	

Public Comment:

Lawrence Naderhoff comment continued on Tape II. "...doesn't make me healthy. It doesn't make my meds work any better. I need good food and I need to be able to pay my bills. To keep up on my rent. You're talking about, um, you're talking about management. Where you have a case worker telling you things, information that can be sent to you on a flyer in the mail. [For example] You can go to here to get this, you can go to there to get that, you can go there to get something else. This is information that could be put on a... *tape inaudible*... piece of paper and sent in the mail. I don't need to spend \$3.50 in gas getting across town to go there and have case workers tell me what they could tell me in the mail for fifty cents. So, it's not helping. It's not helpful at all!

As I have already expressed, M.A.P. itself is entirely too top heavy. I brought this topic up two years ago, when a friend of mine who worked at um, for a um, um. I've brought this topic up before, when a friend of mine had done some volunteer work through M.A.P., David Urban[*name?? – tape unclear*] was not being helped because he wasn't providing any more of his voluntary time. You don't have voluntary time to get help. He wasn't feeling it. You know and he had to fight with them. I brought this stuff up two years ago... [*tape inaudible*]. At the end of the day, it's like well, there is nothing we can do about that.

So this is what I'm saying, Case Management, the way these organizations are run, so top heavy and so inefficiently, I don't think pouring more money into that end of the spectrum is going to help me one single bit. Now, if I wanted to ask you about, you would all look at me. That money that comes into M.A.P., it comes in for me. It comes in for the single women with children, who are struggling to make it to the bus stop. Ok! I'm sorry, No! I don't think that more money should go to the top and not one more penny.

Council Support, M. Schieble stated, "Can I remind the Public that, please comment on the Service Category being discussed and voted on, and not specific Service Providers". [L. Naderhoff interrupts] "I understand. We got your comment on tape, but going forward, the Public should comment on the Service Category and not specific Providers. C. Emerson added, "Also, due to time constraints, we limit Public Comment to three minutes".

Wade Flores (*note: Some of W. Flores comment was inaudible because he could not be heard on the audio tape.*) "Hi, my name is Wade, a citizen of Marin and also a Council Member in San Francisco. For the first time in San Francisco, Food was the topic and priority across the board. So, they're asking for food in San Francisco. They are asking for \$120,000 [*tape inaudible*]... We're only asking for another \$20 or \$40 dollars. Some of you guys are not even considering to do that and I'm really angry [*tape inaudible*]... and I'm also mad at you guys. I mean, you could go through this whole process and none of you did your homework. The only part you made was this category [*tape inaudible*]... You could ask for a waiver for some of the categories that are in Support Services. Everybody in San Francisco [*tape inaudible*]... all asked for a waiver this time on their priority allocation. So you guys can ask for waivers on some of these categories".

Co-Chair Cronin asked C. Emerson if Marin would be eligible for a waiver. C. Emerson responded that San Francisco is applying for a waiver and Marin is a subcontractor of San Francisco and "...we would go with them if San Francisco is granted a waiver". C. Emerson added, "We generally don't respond to Public

Comment. You guys need to vote”.

Prior to the vote, Co-Chair Cronin restated that he wanted the minutes to reflect that “he was not voting” as a protest.

Support Services Motion - A randomized roll call **vote** was conducted.

**AYES:** CM Dushon, CM Frazier, CM Kasel, CM Kelley, CM Marcum.

**Noes:** CM Bateman, CM E.J. Flores

**Abstain:** None

**Recuse:** CM Cronin, CM Malone

**5-2-0-2** Passed: 5/7= 71.4%

*6:26p.m. Point of Order – meeting overtime*

*CM Frazier motioned to extend the meeting 6:45p.m. CM Kelley seconded. All were in agreement.*

**IX. Division of Public Health Report**

C. Emerson reported: 1.) The Marin FY2014-'15 Allocation will be presented for approval to the San Francisco HIV Health Services Planning Council on Monday, September 23, 2013. The meeting time is 4:30p.m. to 7:30p.m. Marin Co-Chairs were requested to attend. 2.) The Ryan White Clinics in Marin County are not currently in the ACA Exchange. Kaiser is the only one in the exchange. The County is aware of the situation. 3.) It has already been discussed. The assessment of the Marin system of care will be done in the fall and the results reported to the Care Council. 4.) The BiNational Health Week is scheduled for dates in October 2013. The Care Council has participated in the past with M.A.P in this community outreach opportunity. 5.) A waiver request by the San Francisco Council is currently underway. However, the current allocation is being done using the 75%/25% formula. There has been a waiver granted to Orange County.

Public Comment: None

**XI. Council Co-Chair Nomination and Vote - VOTE**

Council Support reviewed the Co-Chair nominations made at the August 7, 2013 Council meeting.

Nominees:

Roy Bateman, Deborah Kasel, Walter Kelley, Scott Marcum

There were no additional nominations. Nominations were closed.

After nominations were closed, R. Bateman and D. Kasel withdrew their names from consideration from the list of nominees.

Public Comment:

Wade Flores “Did you change your Bylaws, I thought there was a two term limit per Co-Chair.”

There was no additional discussion. Council Support distributed the ballots and instructed Council Members to: 1.) Write their names on their ballots. The vote was not a “secret ballot” the meeting minutes would recap the votes. 2.) Vote for two nominees by writing each name on the ballot. 3.) Consider before voting, that one of the Co-Chairs is to be HIV+. 4.) A super majority (66% or greater) is needed to be elected Co-Chair.

**Vote:** The vote was conducted by written ballot. The ballots were retained for the public record.

**Co-Chair Ballot Tally**

	R. Batman	K. Cronin	T. Dushon	E.J. Flores	J. Frazier	D. Kasel	W. Kelley	J. Malone	S. Marcum	total votes	
<b>WK</b>	X	X	XX	X	X	X	X	X	X	<b>10</b>	111.1%
<b>SM</b>	X	X	-	X	X	X	X	X	X	<b>8</b>	88.9%

**Walter Kelley** and **Scott Marcum** were approved as the Marin HIV/AIDS Care Council Co-Chairs for the term October 2013 to September 2014.

**X. Membership - VOTE**

Trinity Dushon Subsequent Term Renewal Vote – VOTE

Council Members reviewed the “Marin Care Council Subsequent Term Application”.

CM Kelley made a motion to approve Trinity Dushon for a subsequent term. CM Kasel seconded. There was no additional discussion.

Public Comment: None

A randomized roll call **vote** was conducted.

**AYES:** CM Bateman, CM Cronin, CM Dushon, CM E.J. Flores, CM Frazier, CM Kasel, CM Kelley, CM Malone, CM Marcum

**Noes:** None

**Abstain:** None

**Recuse:** None

**9-0-0-0**

Trinity Dushon was unanimously approved for a subsequent term.

**XI. Community Outreach and Advocacy**

*Tabled due to meeting time*

**XII. General Announcements**

CM Bateman in an e-mail dated, September 11, 2013, stated, “I will be on vacation in October, so I will miss the October Care Council meeting.”

CM Marcum announced that Whistlestop in San Rafael is offering free flu shots on October 2, 2013.

CM Malone reported that the Marin AIDS Project Board of Directors has adopted a deficit budget. To address the short fall, there will be a 10% furlough starting in November, the Agency will be closed every other Monday, the volunteer program is being eliminated, there is a significant reduction in health education. Staff costs are being reduced with a reduction in full time work to half time, the reduction of part time work, and changes to the employee health insurance coverage. An article detailing the changes will appear in the Marin Independent Journal. CM Malone stated, “We feel extremely badly about having to make these decisions. We think extremely highly of our Staff and feel that the services we provide are highly valued, if you look at the Satisfaction Survey ratings every year.”

CM E.J. Flores reported that she approached Panera Bread in San Rafael and they will be donating unsold bread to M.A.P.

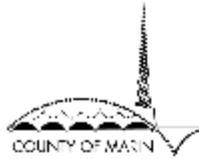
**XIII. Next Steps – New Business**

Next Meeting: October 9, 2013, - Connection Center, 4:30p.m. - 6:30p.m.

**Next Step / To Do's**

- Agenda Item – Review of 2013 calendar and planning of 2014 Council calendar .
- Agenda Item - Client education on money management.
- Agenda Item Community Outreach and Advocacy activities and event planning.
- CS – Certificates of Appreciation / Co-Chair term KC & SM, TD Completion of two year Council term.
- MJS – Contact SF Council Support for a script of Co-Chair instructions for Public Comment.
- MJS – Draft Co-Chair instruction for Public Comment.

**XIV. Meeting Adjourned at 6:42p.m.**



DEPARTMENT OF  
**HEALTH AND HUMAN SERVICES**

Prevent and promote health, well-being, and vitality for all in Marin County



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September 18, 2013

Kevin Cronin  
Marin HIV/AIDS Care Council

Dear Kevin,

Thank you for taking the time to advocate for low income individuals living with HIV/AIDS in Marin. I wanted to give you a formal response to your request and summarize our agreements moving forward as a result of the meeting that was held on August 14<sup>th</sup> in my office.

As we discussed in the meeting, timing is important when looking at our budget, and given that we are already into our new fiscal year, we are not recommending going to the Board of Supervisors for any backfill for the Ryan White cut that was received this year.

Your suggestion to approach Kaiser is an excellent one and HHS can assist in addressing this issue. As we stated in the meeting, we will need some information about the number of clients who are seen and the services that are provided to move forward with this suggestion.

Given the cuts that Ryan White continues to face and the changes coming with the ACA (Affordable Care Act), HHS thinks it is prudent at this time to conduct an assessment of the system of care. The analysis will include looking at current services provided, priorities, challenges, opportunities, and best practices. This will also include recommendations for both future directions, funding levels, and essential programs. This assessment will take place in the fall, to be wrapped up by January. It will be conducted by HHS staff and the input of the Care Council will be solicited.

Our hope is that the current cuts can be offset by some contribution from Kaiser. However, we remain open to approaching the Board of Supervisors in the spring; after we have reviewed information gathered in the assessment and the impact of ACA.

Thanks again for your continued advocacy and service to those living with HIV/AIDS in Marin.

Sincerely,

Larry Meredith, Ph.D., Director  
Department of Health & Human Services  
County of Marin