



# DEPARTMENT OF HEALTH AND HUMAN SERVICES

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**Marin HIV/AIDS Care Council Meeting**  
**MINUTES**  
**(Approved 2/11/2009)**  
**January 14, 2009**  
**4:30p.m. - 6:30p.m.**  
**3240 Kerner Blvd. – Room 107**  
**San Rafael, CA 94903**

**Council Members Present:** Roy Bateman, Will Boemer, Kevin Cronin, Robert Ferguson, Wade Flores, James Frazier, Peter Hansen, Walter Kelley, Jennifer Malone, Craig Richard, Norge Santana, David Witt.

**Council Members Absent:** Jeff Byers (LOA).

**Staff Present:** Deborah Gallagher, Chris Santini, Michael Schieble, Jenny Stephens.

**Public:** Jon Botson – Marin County Specialty Clinic, Cher Evans, Scott Marcum.

**I. Call to Order**

Meeting called to order at 4:36p.m. by Council Chair Flores.

**II. Roll Call**

Roll was called by Council Support. Quorum was established with 10 of 12 Members present. CM Bateman and CM Cronin arrived at 4:49p.m. during the “VII. Chair Report” and increased the attendance to 12 of 12 Members present. CM Byers (LOA) is on a medical leave of absence (per December 8, 2008 e-mail).

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

The agenda was reviewed.

CM Frazier made motion to approve the Agenda with the following edit; “VIII. Membership Committee Report. Conflict of Interest by New Council members”. Changed to read, “Conflict of Interest Statements by New Council Members”. CM Hansen seconded.

A voice **vote** was conducted. All were in Favor. None were Opposed. The edited agenda was approved unanimously.

**IV. Review and Approval of December 10, 2008 Minutes – VOTE**

CM Malone made motion to approve the December 10, 2008, minutes. CM Kelley seconded.

A voice **vote** was conducted. Ayes were heard. None were Opposed. The December 10, 2008, minutes were approved.

**V. General Announcements**

Chair Flores wished everyone a Happy New Year, adding, “...we’re at it again for 2009”.

CM Malone announced that M.A.P. will host a retreat for Positives, February 6<sup>th</sup>, 7<sup>th</sup>, and 8<sup>th</sup>, 2009, at the Marconi Retreat Center. Contact Andy Fyne at M.A.P.

CM Boemer announced that the C.A.E.A.R. Coalition held its’ Winter meeting. The monthly conference call will now be open to anyone who is interested. Contact information will supplied.

Public Comment: None

**VI. Public Comment – None**

**VII. Chair Report**

Chair Flores 1.) Chair Flores reported that the C.A.E.A.R. dinner was held and it was a nice evening dinner party, open bar, and honors. It was a great opportunity to meet people from other EMA's and C.A.E.A.R. Council Members were encouraged to attend events like this in the future and scholarships are available. Chair Flores will supply the contact information of the Marin Care Council to San Francisco, so Council Members receive the information. 2.) Council Member, Jennifer Malone was recognized and awarded a Certificate of Appreciation for her service and the completion of her term.

*4:49p.m. CM Bateman and CM Cronin arrive.*

3.) CM Malone thanked on behalf of the Marin Care Council, Chair Flores and awarded a Certificate of Appreciation for his leadership as Council Co-Chair and completion of his term and service. 4.) Chair Flores briefly described the agenda item, XII. Co-Chair Report – Continued. There was concern related to having only one Council Chair and should he get sick who would conduct the meeting. The matter would be discussed later in the meeting

Public Comment: None

**VIII. Membership Committee Report.**

Membership Co-Chair Frazier reported that the Membership Committee met in January. 1.) An application for Council Membership was reviewed and attempts were being made to invite the Applicant in for an interview. 2.) An exit interview had been received. Chair Flores offered to review the response with the Council. CM Malone requested that a summary of Exit Interviews be reported. 3.) Recruitment activities continue by the Membership Committee an appeal was made to all Council Members to recruit females.

4.) Conflict of Interest Statements by New Council Members.

“Marin HIV/AIDS Care Council Conflict of Interest Disclosure Forms” were completed, signed, and dated by new and renewing Council Members and received by Council Support.

For the record, new Council Members reported any affiliation and made statements of an Actual conflict of interest and/or a Perceived conflict of interest.

CM Ferguson: Unaffiliated. No Actual / Yes Perceived conflict of interest as a Ryan White Consumer.

CM Santana: Unaffiliated. No Actual / Yes Perceived conflict of interest as a Ryan White Consumer.

CM Witt: Affiliated – Kaiser Permanente. No Actual / No Perceived conflict of interest.

Public comment: None

**IX. Community Outreach and Advocacy Report.**

COAC Co-Chair Boemer reported that the next Committee meeting is scheduled for January 22, 2009 from 5:30p.m. to 7:00p.m. at M.A.P.

Public Comment:

**X. Dr. David Witt report on the economy and impact on health insurance.**

CM Witt started with the comment, “People are losing their jobs, [we are] definitely seeing a decrease in insured people in California already.” “One of the questions is, how long COBRA continues for many people”.

Job loss, job reduction, and problems related to the lack of a State budget were presented as the economic factors to consider. Job loss results in COBRA. If people are not able to pay the COBRA premium, assistance may be needed. CM Witt stated, “... shortening of the work week is really bad news because it means that a company has already contracted and the only step after that is to layoff.” Job reduction or re-categorizing an employee from full time to part time may result in the change or loss of benefits. Layoffs are resulting in un-insured. “I think we are seeing a falling [Kaiser] Membership in some health plans and COBRA is running out which mean that it will be accelerated.”

CM Witt continued, “There are a number of effects that are being escalated by the State...the lack of a State budget is causing a cascade of visible layoffs in the Department of Public Health, [resulting in] decreased

positions in labs, decreased access to lab services, decrease number of people to investigate outbreaks, decreases in the review of hospitals, decreased implementation in just the Department of Public Health, which I happen to work with, is amazingly intense right now. All programs are in abeyance and it's not just the budgetary freeze we are in right now, we are beginning to realize that these positions are just not coming back. I think we are going to see that services we count on are going to be more and more of a problem. Then the obvious problem is going to be the increased demand place on Medicaid and MediCal...."

CM Witt ended on a positive note saying, "... the new Administration jobs creation may be in health care and there are some other factors that may mitigate it. We need to keep a monthly eye on it."

CM Frazier asked about the impact of the loss of a Congressmen due to a falling California population. CM Witt clarified that was not an immediate concern and would related to the results of the future ten year census.

Public Comment:

#### **XI. Update and Report on Monthly Spending.**

C. Santini reported that she had spoken to all Agencies and received additional invoices early in December 2008. There was no report to be distributed, since the only category with unspent funds continues to be "Residential Treatment Program" [Residential Substance Abuse]. As before, unspent money from the Residential Substance Abuse category will be added and allocated to the Transportation and Pharmaceuticals. C. Santini concluded say, "... everybody else seem to be on track."

CM Cronin asked for clarification on the Residential Substance Abuse category. Did it include both detox and /or 28 day programs. A review of the actual contract was suggested. The Council allocates at the Ryan White category level and detail would not be "regulated" or specified by the Council.

Public Comment: None

#### **XII. Review of 2009 Council Draft Calendar.**

J. Stephens provided an updated draft of the 2009 Annual Calendar.

A discussion followed of additional suggested topics and the month the topic would be scheduled.

CM Boemer made noted of the IFG Report scheduled for February 2009.

CM Bateman suggested Diversity Inservice. It was noted that the Inservice had been recently conducted and the topic would be helpful for new Council Members.

CM Bateman suggested that every other month or quarterly a report would be given on the "economic impact" [changes in the economy and impact on services or usage]. The Council Chair would schedule as needed.

CM Boemer suggested that hosting the San Francisco EMA meeting should be moved from March 2009 to possibly September or later in the year.

Co-Chair Flores suggested inviting a Representative from the State Office on AIDS to present information on "...how the process is done." Training on the calculations used for funding and the budget process. D. Gallagher commented that in March during the Epidata report, "I can explain the numbers". "I can't explain the process [at the State] and the formulation and all that." CM Witt added, "... that it's not just the numbers, but what to expect [about funding] that will be useful."

Public Comment: C. Santini reported that on January 5, 2009, LIG / Prevention met. For the joint Care Council – LIG meeting, instead of having a presentation from each group there was a proposal to have a speaker of interest to both groups. The topic suggested was, "HIV and aging". C. Santini offered to contact and provide a speaker for the joint Care Council / LIG meeting. The discussion that followed attempted to clarify the topic. 1.) What are the needs (treatment) of the HIV population as they age. 2.) Prevention with Positive people of aging population. 3.) How is the increase of HIV exposure in the aging population being addressed. Speakers and resources were suggested including; Gil Kilpatrick of New Leaf Services, Paul Dalton, Dr. Susan [last name unknown] an M.D. on the San Francisco Council, and the San Francisco Points of Integration Committee.

During the public comment period a discussion developed about the challenges service providers face based on funding. Funding is specific to HIV treatment and separate and specific for prevention and collaboration is needed. CM Malone requested for joint meeting topic, "... for consideration at some future

point, from the stand point of a Provider, I find that one of the most challenging things about the treatment track and prevention track is that the funding drives programming to be separate.” “...clients approach services down these paths because that’s kind of the way that things are set up, so it makes it seem as though ... you [Clients] are separate people.” “You can’t be approached as a whole person. I wish there was some way that we could think of how to work in collaboration around how to meet the needs of whole people, given the fact that money does come through separate streams.” “...if we can address the broader question it would be a big contribution to the quality of care.” CM Bateman commented, “... it’s frightening where Providers are constrained by funding sources” and added, “... is this the topic for a community forum?” CM Witt commented, “I do think it’s an important topic.” “...why do we have a rotten vaccination rate when a kid comes into an E.R.” The example was another healthcare scenario of not treating the needs of a “whole person” based on funding sources. CM Boemer stated that the typical Client commentary at a Forum is, “...I can’t do this, go there, get that.” CM Malone added, “...People [Clients] get carved up based on the issue of the moment.” CM Cronin added that a gap between prevention and care introduces an element of new exposures. Additional discussion on case management, the need for a nurse case managers, competencies of case mangers, current system of Provider billing and time sheet reporting, possible enhancements to the Client satisfaction survey, was had on the collaboration topic.

**XIII. Division of Public Health Report.**

S. Spaeth not present. Nothing to report from County Staff that was present.

Public Comment: None

**XIV. Co-Chair Report (continued)**

**1. Nominations for Council Co-Chair – VOTE**

M. Schieble of Council Support reported that the Council was currently not in compliance with the Bylaws. The October 2008 “quick review” of the Bylaw report was in error.

Minutes October 8, 2008: “CM Byers asked if the bylaws required that the Council have Co-Chairs. M. Schieble, of Council Support quickly reviewed the bylaws and reported that there was not a stated requirement. The Council had a precedence of Co-Chairs which was important for meeting facilitation and allowed the work load to be shared. It was suggested that Council Support do a complete review of the bylaws.”

After a complete review of the Bylaws, Council Support reports:

Marin HIV / AIDS Care Council Bylaws (approved by Full Council 08/03/05 (Revised 10/11/07), Article III – Membership, Section 3, was read by Council Support.

“Officers. The Care Council shall elect, using a voting mechanism determined by the Care Council, **two** Co-Chairs, and at least one of the elected Co-Chairs shall be a person living with HIV/AIDS, and with due consideration of the importance of bringing women and people of color with HIV/AIDS into leadership position.” (Appendix G – page 64).

In order to comply with the Bylaws, nominations for Council Co-Chair were reopened.

Jennifer Malone was nominated for Care Council Co-Chair by CM Frazier. CM Malone declined the nomination based on “...concerns about the time commitment”.

Walter Kelley was nominated for Care Council Co-Chair by CM Bateman. Seconded by CM Malone.

Norge Santana was nominated for Care Council Co-Chair by CM Malone. Seconded by CM Witt.

Craig Richard was nominated for Care Council Co-Chair by CM Boemer. Seconded by CM Frazier. CM Richard commented, “...I’ll take it under advisement”.

Nominations were tabled. Additional nominations will be accepted at the February 2009 meeting and the Co-Chair vote will be conducted.

## 2. Notice of Bylaw Change / Facilitation of Care Council Meetings when Co-Chairs are absent.

Chair Flores introduced the Meeting Facilitation Amendment. The following Bylaw amendment was presented and discussed:

### 12/31/2008 Amendment to Article VI – Meetings”

If the Chairperson or Chairpersons of the Marin HIV/AIDS Care Council are absent or unable to attend or lead the monthly Care Council meeting, any other Chairperson/Chairpersons from either the Membership or Community Outreach and Advocacy Committees shall then lead the full council meeting. If no Chairperson/Chairpersons from said committees are available, then a County representative shall lead the meeting. If no County representative is available, then a member of the County Support Staff shall lead the meeting. If any of the prior said parties are not available to either attend nor lead the meeting, then that monthly meeting will be cancelled with notice of 72 hours.”

During the discussion, Council Support read the process from Robert’s Rules of Order, “*An elected chairman pro tem*”. [§47 Officers, Temporary Occupants of the Chair, 3.) An elected chairman pro tem]. CM Witt suggested to strike the County Representative / County Support language from the amendment, reasoning that a quorum most likely would not be present if a Committee Co-Chair was not available. There was a consensus to edit the amendment, have additional discussion, and vote at the next meeting. There will be a vote on the Bylaw change at the February meeting.

During the discussion, CM Cronin proposed, “... that we go through the process to get in noticed.” Giving public notice of a Bylaw change vote, so Article III – Membership, Section 3, could be changed from two Co-Chairs to one Chair. CM Richard asked, “Are we still considering whether one or two Co-Chairs? Do we want to consider that?” “... cuz if we want to put that up for vote, we have to have it next month in the meeting and vote in March. If we are going to change Article III, Section 3.” “That came up for discussion and I wanted to make sure that was ended.” CM Malone commented not to amend that article of the Bylaws and gave a number of reasons including, “... [Co-Chair] sharing the heavy work load.” The discussion concluded that the Bylaw should not be changed.

Public Comment: None

## XV. New Business

CM Frazier recognized and introduced Council Applicant, Scott Marcum. Council Members introduced themselves.

Council Support reported that the minutes will be distributed following the monthly meeting. Instead of sending the minutes out with an e-reminder prior to the monthly meeting, minutes will be sent so Council Members will have time to review them and act on the “ToDo’s”.

Public Comment: None

### Next Step –

- Agenda Item: February 2009 Co-Chair Nominations and vote.
- Agenda Item: Marin County Lobbyists to report on (possible) changes to Medical and Social Services that will impact Marin County.
- Agenda Item: S. Spaeth: Report on Marin County budget reduction scenarios 2009-'10. Outline impact to services in the 5% reduction plus additional 5% reduction. Discuss impact on Ryan White usage.
- Agenda Item: Summary report of exit interview.
- WB – Forward the C.A.E.A.R. Coalition monthly conference call contact information.
- WB – Contact Jeff Byers via cell phone number.
- WF– Report San Francisco New Member Orientation dates.
- WF – Develop contact for Marin for San Francisco EMA notices and events.
- WF – Contact M.D. (Susan) in San Francisco for HIV and aging presentation.
- Tour of the Marin Health and Wellness Center.
- Develop messaging for Health and Wellness Center.
- Report from Infrastructure Work Group.

**Next Meeting:** February 11, 2009, 4:30p.m.-6:30p.m.

Parking Lot:

- Care Council self evaluation. Compare to mission statement.

**XVI. Meeting Adjourned at 6:03p.m.**