



DEPARTMENT OF HEALTH AND HUMAN SERVICES

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Marin HIV/AIDS CARE Council Meeting

Draft MINUTES

March 1, 2006

4:30 – 6:30 PM

899 Northgate Drive, 4th Floor Conference Room

Members Present: Elyse Graham, Cam Keep, Jennifer Malone, Lisa Becher, David Witt, Wade Flores

Staff Present: Chris Santini, Rebecca Smith, Sparkie Spaeth, Karen Kindig

Others Present: Dorothy Kleffner

I. Call to Order

Meeting called to order at 4:45 PM by CM Keep.

II. Roll Call

CM Boemer and CM Bateman were absent.

III. Review and Approval of Agenda

CM Becher motioned to approve the Agenda. (It was noted that item IX was added to a revised Agenda that was sent out after the 72 hour-prior deadline, and, therefore, no vote on that item would be allowed, per Brown Act.)

Vote was done by a show of hands. The Agenda was approved.

AYES: CM Graham, CM Keep, CM Malone, CM Becher, CM Witt, CM Flores

IV. Review and approval of February 1, 2006 Minutes

CM Graham motioned to approve the Minutes of February 1. Vote was done by a show of hands. The Minutes were approved.

AYES: CM Graham, CM Keep, CM Malone, CM Becher, CM Witt, CM Flores

V. General Announcements

a. CM Malone: 1) Marin Life PLUS will be presenting a free improvisation comedy class at MAP on Monday, 3/20/06 from 7-9 PM. 2) MAP will present a 5-session series on Healthy Relationships for HIV+ men on Tuesdays (3/21, 4/4, 4/18, 5/2, and 5/16/06) from 7:30-9:30 PM. 3) The next Marin Life PLUS retreat will be held at the Headlands Institute 6/9-6/11/06.

b. CM Flores: 1) HIV Health Services Planning Council will present a community forum at the Tenderloin AIDS Resource Center (TARC) on Wednesday 3/8/06 at 5:30 PM. 2) The deadline for submissions for the next Consumers' CARE Report is 3/15. 3) In speaking with different providers, CM Flores feels that the Marin CARE Council is gaining a reputation of having integrity.

VI. Public Comment

Dorothy Kelfner: 1) Dorothy would like to begin a community planning process around HIV health care and the way to deliver it, bringing community leaders, persons with HIV, and providers together to look at the issues. 2) Dorothy would like to begin a campaign to refurbish the reputation of HIV+ persons in Marin and see that they are allowed to attend provider meetings to have their voices heard.

VII. Co-Chairs' Report

CM Graham reported:

- a. The FY 06/07 Ryan White CARE Title I Award has been announced. SF EMA has been allocated \$27,964,864. Marin's allocation is \$1,026,420, which is a \$68,121 increase from the previous year.

CM Graham asked CARE Council members who are providers to remember to speak from the service category perspective instead of that of their particular agency and for community members to speak globally instead of from their individual experience. She also reminded Council members to be mindful of respectful communications.

CM Keep reported:

- a. CM Keep and Sparkie Spaeth made a presentation to the SF CARE Council on February 27th about demographics and operations of the Marin HIV/AIDS CARE Council. During the Marin presentation there were some concerns brought up by a member of the public that there is a perception that there are secret meetings being held in Marin. Sparkie responded that there are no secret meetings, but that there are occasional meetings that are not appropriate for the public to attend. Sparkie asked the member of the public to let her know which meetings are perceived as secret and she will then find out whether or not those are open to the public.

[A discussion ensued about what the Council could do to ensure that the perception that secret meetings are held does not persist. It was suggested that public County meetings (which address HIV issues) and all CARE Council, subcommittee, and ad hoc meetings be posted on the CARE Council calendar.]

- b. There was concern expressed by a Marin Council member at the presentation to the SF Council that the number of unaffiliated consumers was not accurately reflected in the report and that volunteers with a CARE funded organization could not be unaffiliated consumers.

CM Keep read an email from Jack Newby that referred to the HRSA guidelines regarding unaffiliated or unaligned consumers. CM Graham read the HRSA guidelines, which state, "Unaligned refers to consumers who do not have a conflict of interest, meaning they have no financial or governing interest in Title I-funded agencies. Consumer representatives counted towards the 33 percent PLWH/consumer representatives must be unaligned. Consumers who volunteer with a Title I-funded provider are not considered to "represent" that entity and are eligible for consumer membership on the planning council as unaligned members. " CM Graham asked the Council to be cautionary about discussing issues that may reflect an individual's health status to San Francisco because it may violate a Council member's privacy. She asked that if there are issues that pertain to Marin, they should be addressed in Marin first. If they cannot be resolved in Marin first, then they should go to San Francisco.

CM Flores stated that he was the SF Council member that expressed concern about the report. CM Flores stated that at the inception of the Council that there was only one unaffiliated consumer and that all others had expressed a conflict of interest. CM Flores said that there is no description of what an affiliated consumer is in the By-laws. CM Flores said he spoke with Lorenzo Taylor at HRSA who said volunteers are not affiliated, but if an organization requires an individual to sign a piece of paper that says they are a representative of that organization, and if they receive compensation from that organization, then they are not unaffiliated. CM Graham clarified that an affiliated consumer is a consumer who works for, or is on the Board of, or whose partner or family member works for a CARE funded agency. She said that a perceived conflict of interest is something different and that statement of such is a higher level of disclosure. She used the example that she is not affiliated with complementary therapies in Marin, but that she discloses a perceived conflict of interest, because she used to work for a CARE funded agency in San Francisco that provides complementary therapies. She said that none of the consumers in Marin ever stated that they were affiliated, but that they did disclose that they had a perceived conflict of interest. CM Flores said this should be defined in the By-Laws and that he thinks that there is one unaffiliated consumer and one affiliated consumer and one consumer whose status is unknown currently on the Council. CM Keep disclosed that he does volunteer with Marin AIDS Project and

receive a stipend for gas and lunch, as he stated previously in Council meetings, but that does not make him affiliated. CM Flores said that he asked Lorenzo Taylor from HRSA about this scenario and that he replied that he would disclose that as a conflict of interest just to be safe.

CM Malone made a motion that the Council adopt the definition of unaffiliated or unaligned consumer from the HRSA guideline. CM Graham seconded the motion, and said that she supports the motion and suggests that it be put on the agenda for the next meeting. CM Flores said that this will need to go through Membership and By-Laws Committees. CM Witt asked if this was a By-Laws issue. CM Graham said that HRSA guides all functioning of the Council, and that the motion would be just for the purpose of clarification. CM Becher read the By-Laws section referring to unaffiliated consumers. CM Graham and CM Malone withdrew the motion and second and said that the definition of an unaffiliated consumer in the By-Laws was clear and consistent with HRSA guidelines.

CM Flores requested that, in the future, any item to be brought to the full SF CARE Council be first brought to the local (Marin) Council for review, discussion, and approval.

Public Comment: Dorothy Kleffner would like to see the "volunteer represents agency" statements removed from contracts that volunteers are asked to sign.

VIII. Membership/Outreach Committee Report

CM Flores reported:

- a. CM Flores would like to use the SF CARE Council's Membership Orientation Manual as a template for a Marin manual. He would like this on the next full Council meeting's agenda for a vote.
- b. A draft member recruitment flyer was created to post at Title I providers and send out via email. Its content still needs to be approved.
- c. One application for the CARE Council was received from a consumer, which will be reviewed at the next Membership Committee meeting.

CM Becher reported:

- a. 4 policies were reviewed in the Membership Committee and brought to the full Council for discussion:
 - 1) Reimbursement Policy: CM Becher motioned to accept the Policy as written. Rebecca Smith said that Marin Dept. of H & HS is not currently funded for reimbursement of Council members and that she is checking with SF about whether this is included in some of the financial Council support designated for Marin.
Vote was done by a show of hands. The Policy was accepted.
AYES: CM Graham, CM Keep, CM Malone, CM Becher, CM Witt, CM Flores
 - 2) Resignation Policy: CM Malone motioned to revise the wording so that it states: "Resignation from the Council shall be in writing to Membership Committee. Two weeks notice is preferable."
CM Becher motioned to accept the Policy with revised wording.
Vote was done by a show of hands. The Policy was accepted.
AYES: CM Graham, CM Keep, CM Malone, CM Becher, CM Witt, CM Flores
 - 3) Recruitment Policy: The Policy will be brought back to Membership Committee for further discussion.
 - 4) Member Removal/Discipline Policy: The Policy will be brought back to Membership Committee for further discussion. Rebecca Smith said that this policy differs for Marin from the San Francisco policy, because Council members are not sworn in by a government body, as they are in San Francisco, and therefore it may not be appropriate to say Council members may be removed by the Marin County H&HS Director.

Public Comment: Dorothy Kleffner is concerned that, according to the draft Member Removal & Discipline Policy, the Marin County H&HS Director has the authority to remove anyone from the CARE Council at any time. She sees a conflict of interest with H&HS being the biggest recipient (in Marin) of Title I funds and would like that to be addressed.

IX. Unspent Funds Discussion

CM Graham commented that not enough information is known yet to make a decision on how to use unspent funds. Some agencies don't foresee having unspent funds, while others do. CM Malone motioned that a working group be formed to explore unspent funds in the system, why they are unspent, and alternate ways to use the remaining funds. After it was realized that no vote could be made on the motion, since it was an added item to the agenda and not noticed in time, the motion was withdrawn. CM Graham took names of volunteers for a working group to explore unspent funds in the system and the reasons why and to look at alternate ways to use the remaining funds: CM Keep, CM Graham, CM Flores, CM Malone, Chris Santini, and Dorothy Kleffner.

Public Comment: Dorothy Kleffner would like to see the results of the working group published and made available to consumers. She also commented that she would hate to see the food budget cut and made the suggestion that vouchers be purchased for taxi, bus, food, etc. with some of the unspent funds.

X. HOPWA Oversight Committee Report

Since CM Bateman was absent, this item was tabled for a future meeting.

XI. July '06 – February '07 Allocation Process Discussion

This item was tabled until next month's meeting.

XII. Public Health Department Report

Sparkie Spaeth reported:

- a. The FY 06/07 Ryan White CARE Title I Award has been announced. (See Co-Chairs' Report above.)
- b. *[3 documents regarding the reauthorization of the CARE Act were handed out: 1) Coburn Health Bill ("Ryan White CARE Act Amendments of 2006), 2) Testimony of Elizabeth M. Duke, PhD, (U.S. Dept of H & HS) before the U.S. Senate Committee on Health, Education, Labor, and Pensions, (2/14/06), and 3) New York State Dept of Health AIDS Institute's Response to the Southern AIDS Coalition Policy Position and Analysis of HIV/AIDS Funding.]* Areas of great concern for California are the issues of 80/20 (often referred to as "double counting"), grandfather clause, and names vs. no names reporting.

XIII. Next Steps/Next Agenda Items

- a. Discuss making the Outreach Committee a stand-alone committee
- b. Membership Orientation Manual – VOTE
- c. Discuss Membership Removal/Discipline Policy and Recruitment Policy
- d. Candidate
- e. Allocation process discussion
- f. Unspent Funds working group – VOTE
- g. HOPWA Oversight Committee Report
- h. County Survey regarding allocation of funds

XIV. Meeting adjourned at 6:45 PM