



DEPARTMENT OF HEALTH AND HUMAN SERVICES

Larry Meredith, Ph.D., Director

DIVISION OF PUBLIC HEALTH
COMMUNITY HEALTH &
PREVENTION SERVICES

899 NORTHGATE DRIVE, SUITE 415

SAN RAFAEL, CA 94903

PHONE: (415) 473-4340

FAX: (415) 473-6266

Marin HIV/AIDS Care Council Meeting MINUTES

Wednesday, July 22, 2009

3:30p.m. - 6:30p.m.

899 Northgate Drive - 4th Floor Conference Room
San Rafael, CA 94903

Council Members Present: Roy Bateman, Kevin Cronin, Wade Flores, James Frazier, Walter Kelley, Jennifer Malone, Scott Marcum, Craig Richard, Norge Santana, David Witt.

Council Members Absent: Will Boemer*(AE), Jeff Byers (AE), Peter Hansen (LOA).

Staff Present: Cicily Emerson, Chris Santini, Michael Schieble, Jenny Stephens.

Public: Jon Botson, Cher Evans, Elaine Flores, Brian Slattery.

I. Call to Order.

Meeting called to order at 3:35p.m. by Co-Chair Kelley.

II. Roll Call.

Roll was called by Council Support and quorum was established with 8 of 12 Members present.

CM Boemer (AE) was absent and excused. CM Byers (AE) was absent and excused. CM Cronin and CM Witt arrived after the roll call increasing the final attendance to 10 of 12 Members present.

*CM Boemer appointed CM Santana as Proxy for all allocation votes. CM Santana produced a signed "Marin HIV AIDS Care Council Proxy", form.

III. Review and Approval of Agenda - VOTE.

The agenda was reviewed. Co-Chair W. Flores commented that the goal was to complete the agenda by 6:30p.m. and the meeting may be extended if necessary.

CM Marcum made motion to approve the Agenda. CM Richard seconded.

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

IV. Review and Approval of Minutes - VOTE.

CM Frazier made motion to approve the May 13, 2009, minutes. CM Richard seconded.

Council Support requested that Council Members carefully review the attendance report. Roll was not called during the May 13, 2009 meeting and the attendance report is based on the notes of Council Support.

07/22/09 Care Council Tape:

M. Schieble – "And a, for the May Thirteenth [minutes], please look at the attendance at the top and confirm that that's accurate. There was no role call taken at that meeting."

WF – "For the record on the May Thirteenth [minutes], um um even thought we um didn't officially do a role call we did ask every um Member present to a raise there hand or stand up and introduce themselves. That some what a of a short version of a role call for that meeting."

In reference to, "IV. Marin County HIV Prevention and Testing Services Presentation."
6:27p.m.

"Dawn Beggs was scheduled to present. CM Malone announced..."

CM Malone made the following statement for the record:

07/22/09 Care Council Tape:

JM – "I'd appreciate it if a under number four [IV.] and then under six-twenty-seven p.m. [6:27p.m.] um, I believe what I said at the time was where it says, 'Councilmen Malone listed some of the services available.' I'd appreciate if it reflected that I said, Councilmen Malone said in light of the lateness of the hour, she would simply list a few of the services available and that she and Ms. Begs would be available, blah, blah, blah. I especially wanted that to be reflected because I was dismayed about the time management of the meeting." [WF gives clarification of the location of the item in the minutes.]

JM – "Because, not, no reflection on any Council Member, but we had spent a lot of time talking about how to manage the time in that meeting and it's unclear why that didn't happen."

A voice **vote** was conducted. Ayes were heard. None were Opposed. The May 13, 2009, minutes were approved and comments noted.

CM Marcum made motion to approve the May 27, 2009, minutes. CM Bateman seconded.

A voice **vote** was conducted. Ayes were heard. None were Opposed. The May 27, 2009, minutes were approved.

3:46p.m. CM Cronin Arrives

CM Marcum made motion to approve the June 10, 2009, minutes. CM Santana seconded.

A voice **vote** was conducted. Ayes were heard. None were Opposed. The June 10, 2009, minutes were approved.

V. General Announcements.

Co-Chair Flores announced that a Gay / BI / Queer Men's Cancer Support Group will meet on July 23, 2009, at the San Francisco LGBT Center, Room 304. The Men's Cancer Support Group meets every two weeks. Contact T.J. Lee at 415-674-4768 for more information.

Co-Chair Kelley announced that "Our Love" a program of the Stop AIDS Project will present a screening of the movie, "The Wiz" on July 31, 2009, at the Eureka Valley Recreational Center. The evening will start with a barbecue at 6:30p.m. in Collingwood Park.

CM Marcum announced the Marin Pride Picnic. Contact Andy Fyne at M.A.P. for date, time, and location.

3:54p.m. CM Witt Arrives

VI. Public Comment.

07/22/09 Care Council Tape:

Brian Slattery – "I'm Brian Slattery, Director of Marin Treatment Center. I was here last time, so don't worry, we won't go over the whole thing like last time. I do want to thank Kevin for his kind comments about working together with Marin Treatment Center, it's a pleasure working with the Marin AIDS Project staff. I think we have a better collaborative relationship there then we have with many other agencies. It's a pleasure. Thanks Kevin.

To correct the record, it was reported by Dr. Santini that there are two people in methadone maintenance treatment, just not that it's a big deal, but there are actually three people in methadone maintenance treatment, only one of which is paid for by Ryan White because we always use Medi-CAL as a priority over Ryan White, so that the three, one in residential treatment not paid for by Ryan White because there is another funding source supporting her treatment on Treasure Island and there's a gentleman in drug free intensive outpatient treatment at Henry Oloff, so there's more than meets the eye.

I rise not to rattle anybody's cage or rock the boat as far as funding decisions, but to challenge your priorities. I think you have shocked and almost offended me and perhaps Ryan White. To see substance abuse at the bottom of the list, if you look back to the Ryan White Care Act, it's very clear that the money is for people who have HIV, who are indigent, and who have substance abuse and mental health problems as

the priority. I don't ask that you provide any more money than is needed and the money you have allocated, I have no dispute with at this point. In previous years there been much more demand, over one hundred thousand dollars [\$100,000.00] and we have utilized that, that's fine. That's not the level we need now and we are trying to be creative, but when I see substance abuse at the bottom of the pile, I ask you, what it makes me think of and I don't know why, but I'm going to share it with you, is Roselyn Carter and Tipper Gore going to Congress and pleading for parity of mental health and substance abuse in healthcare reform. Now I don't know how anybody can believe that mental health needs could be any more important in the setting of somebody having HIV in terms of them getting their act together, so that they can be healthy then substance abuse needs. Certainly, the volume of need and the expense required to meet the need is significantly different and I'm not challenging that, but I do believe and I think Congress believes, if there's any wisdom in Congress you could debate, but um the wisdom in the Ryan White Act whatever there is, clearly says substance abuse and mental health are to be priority populations. I'm not to challenge the amount of money, but to put that at the bottom of the list, particularly the outpatient, I understand the argument that was well articulated by one of your members about many more people could be served in any other modality than one person who has an episode of residential treatment. I certainly acknowledge that. It is a very legitimate argument. I want you to know, though, what we are doing in residential these days is using it primarily for residential detox at the Helen Vine Detox Center followed by outpatient treatment and in the case of this one individual, I spoke about at length, a Lady with full blown AIDS, with a major cocaine addiction who's on methadone maintenance, she's in residential on Treasure Island, but in the Load Star [Lone Star?] program, which doesn't require any of us to pay for. So my appeal is, that you recognize consistent with the law and with many people's thinking who are wiser than myself, that substance abuse impairment is as big of an obstacle to recovery as HIV as is mental health and you treat it with parity, moving it up and not giving it any more money.

Co-Chair W. Flores - "Thank you."

Brian Slattery - "Thank you for the work you do, I realize, look at the paper, look at the detail and I've done it as some of you know for years and I again want to say I'm not here to do it, I'm happy to be a Provider, I need to focus my attention, this is one hell of a year for all of us. I think, you might want to keep your options open for ADAP, if you look at what's in the State budget as proposed, the AIDS drug assistance is pathetic, the State Legislature will act tomorrow, the Governor will act or not act subsequent to that and the book is still open on what is really going to happen for folks, so I really don't have anything to say about asking for money, but asking for your sense of, to recognize the legitimacy for the need for substance abuse treatment. Anybody who steps forward these days and asks for it has really gotten serious substance abuse problem and we always try to put them in outpatient if they have housing, if that can work and almost all the time it does work and generally it's not paid for by Ryan White."

CM Santana - "Can you repeat your name?"

Brian Slattery - "Sure, Brian Slattery, I'm the Director of Marin Treatment Center, been there since the beginning of time."

CM Witt - Almost.

Brian Slattery - Kaiser Member longer than that though. I have a card that they don't even recognize at the pharmacy. Thank you for your attention and I'm going to leave if there aren't any questions and this is Cher Evans".

CM Malone - "What's the protocol here about Member comments after the Public Comment?"

Co-Chair W. Flores - "We're not supposed to address the Public Comment."

CM Malone - "Yea, that's what I thought."

Brian Slattery - "I trust you do what feel right and some how it will work for all of us, the best you can, but I felt compelled."

CM Malone - "Can I make a general comment?"

Co-Chair W. Flores - "It would have to be the consensus of the Council. Is it Ok with everybody if CM Malone makes a general comment?"

CM Malone - "Actually I could address this by trying to look back at our latest minutes to see if they reflected something that I think is important to be sure that is captured, whether we captured it in those minutes or we put it in these minutes, but I think that the Council continues to have challenges and difficulties trying to understand what to do with priority ranking as opposed to allocation ranking. We had quite a bit of conversation about that last time and I recall that there was a proposal to put transportation, number one for example, and you know we talked about a lot of different ways of thinking about it, so um you know I think it's well for us to have that conversation again when we're thinking about how are these priorities used. To what extent do they mean something to us as a Council. I came away from the last meeting with the general sense that the Council was in consensus that the priorities didn't make a great deal

of difference, what mattered was the allocation, which is what will be address today. But they stand never-the-less as a public record and do give an impression about what we value.

Co-Chair W. Flores – “Thank you. Any other Public Comment? Thank you Brian.”

VII. Co-Chair Report.

Co-Chair Kelley – Reviewed the “Rules of Respectful Engagement”.

Co-Chair W. Flores – Gave instruction on the Allocation Process and reminded Council Members that their role was to consider the needs of all PLWHA in Marin.

1.) The Allocation process will begin with a general discussion. 2.) Each Category will be reviewed with a dollar amount motion, discussion, public comment, and vote. 3.) To increase a Service Category another Category amount must be decreased. 4.) Discuss one motion at a time. 5.) Do not cross talk. Address comments to the Council as a whole. 6.) Council Members with a Conflict of Interest were asked to state that they have a Conflict of Interest each time they speak.

Public Comment: None

VIII. Membership Committee Report.

1. Membership Co-Chair Richard started the Committee report noting that recruitment efforts continue to seek under and un-represented populations.

Membership Co-Chair Kelley introduced and read the qualifications of Care Council Applicant, Scott Marcum. It was noted that Mr. Marcum is an unaffiliated consumer that was referred and recommended by Brian Slattery of the Marin Treatment Center.

2. Council Membership – VOTE.

Committee Co-Chair Richard motioned to approve Elaine J. Flores as a member of the Care Council. No second required.

A brief discussion followed. CM Bateman jokingly commented that E. Flores’ attendance record was better than his. CM Malone asked if there was any thing in the Bylaws about family members serving on the Care Council.

Public comment: None

A roll call **VOTE** was conducted

AYES: CM Bateman, CM Cronin, CM Frazier, CM Kelley, CM Malone, CM Marcum, CM Richard, CM Santana, CM Witt.

Noes: None

Abstain: None

Recuse: CM Wade Flores.

9-0-0-1

Elaine J. Flores was approved as a Member of the Care Council. CM E.J. Flores was seated as a Care Council Member.

3. Council Membership Renewals – VOTE.

Co-Chair Richard made motion that **Will Boemer** be approved for membership renewal to the Care Council. No second required.

Public Comment: None

A roll call **vote** was conducted.

AYES: CM Bateman, CM Cronin, CM E. J. Flores, CM W. Flores, CM Frazier, CM Kelley, CM Malone, CM Marcum, CM Richard, CM Santana, CM Witt.

Noes: None

Abstain: None

Recuse: None

11-0-0-0

Will Boemer was unanimously approved for an additional two year Care Council term.

IX. Community Outreach and Advocacy Report.

Committee Co-Chair Santana announced that the next COAC meeting will be the 4th Thursday of August.

Public Comment: None

X. Division of Public Health Report.

C. Emerson reported that “major cuts” were under way to the County budget. County Administrator, Matthew Hymel has updates and changes listed on the Marin County website. C. Emerson noted that considering the changes, “...overall the things look good for people in the system of care.”

Public Comment: None

*Note: 4:10p.m. break
4:23p.m meeting resumes*

XI. Conflict of Interest Disclosure by Council Members.

Each Council Member was asked to report any affiliation and if they had an Actual conflict of interest and/or a Perceived conflict of interest.

CM Bateman: Actual conflict of interest. Employed by Marin County, however salary is not funded by Ryan White. CM Bateman stated additional areas of perceived conflict of interest including that, “... Cicily Emerson is a friend of mine”. A complete Conflict of Interest statement is on file with Council Support.

CM Boemer: stated by Proxy CM Santana. Unaffiliated consumer of Ryan White Services . No Actual Conflict / Perceived conflict of interest as a MAP Consumer and Volunteer.

CM Cronin: Affiliated with M.A.P. Actual conflict as an employee of a Service Provider / M.A.P.

CM W. Flores: Unaffiliated consumer.

CM E.J. Flores: Unaffiliated.

CM Frazier: Unaffiliated. No Actual, however Perceived conflict of interest as a Positive Speaker and M.A.P. volunteer.

CM Kelley: Unaffiliated consumer.

CM Malone: Yes as the Director of the M.A.P. /Marin AIDS Project.

CM Marcum: Unaffiliated. No Actual conflict of interest.

CM Richard: Unaffiliated. No Actual, however a perceived conflict of interest.

CM Santana: Unaffiliated Consumer.

CM Witt: * *Statement on file. Excused to answer page.*

Public Comment: None

XII. Allocation Fiscal Year 2010 -'11 - VOTE.

The “*How To Use The 2010/11 Decision Matrix*” and “*10/11 Decision matrix for Allocation of Ryan White Funding in Marin County*” handouts were distributed. (see Attachment A and Attachment B).

Co-Chair W. Flores asked each Council Member that had developed an Allocation funding scenarios to present their work for the Core Service Categories and the amounts would be displayed on the projected spreadsheet.

Co-Chair W. Flores listed his suggestions for the Core Service Categories and gave reasons for the amounts. A discussion followed. In general, there was concern that since the State budget was not complete, the impact on certain Service Categories was unknown. There was discussion and speculation about the AIDS Drug Assistance Program (ADAP) and Medi-CAL Dental programs. CM Richard said, “we are in the dark” and suggested that, “...we go through the same process used for '09-'10 for 2010-'11...[with] small adjustments here and there.” CM Malone requested clarification from County Staff about the time frame. C. Emerson responded, “We have to report to San Francisco in August [2009]. We can't do it till the contracting and fiscal year”. CM Malone, “In that case I really agree with Craig and bidding our time”.

CM Witt motioned to adopt the 2009 -'10 Service Category amounts for the 2010-'11 Allocation and re-examine the amounts in September 2009. CM Malone seconded.

Public Comment: None

A roll call **vote** was conducted.

AYES: CM Bateman, CM Boemer (Proxy), CM E. J. Flores, CM Frazier, CM Kelley,
CM Marcum, CM Richard, CM Santana, CM Witt.

Noes: CM W. Flores

Abstain: None

Recuse: CM Cronin, CM Malone.

9-1-0-2

The 2010-'11 Service Category Allocation will be the same as the 2009'-10 amounts and will be re-examined in September 2009.

CM Frazier motioned to fund Council Support at 2.4% in the amount of \$22,502 for the 2010-'11 Allocation. CM Richard seconded.

Public Comment: None

A roll call **vote** was conducted.

AYES: CM Bateman, CM Boemer (Proxy), CM Cronin, CM E. J. Flores, CM W. Flores, CM Frazier,
CM Kelley, CM Marcum, CM Richard, CM Santana, CM Witt.

Noes: None

Abstain: None

Recuse: CM Malone

9-1-0-2

Council Support will be funded at \$ 22, 502.00 - 2.4% of the total amount of the 2010-'11 Allocation.

Public Comment: None

XIII. Next Step – New Business.

- Next Meeting August 12, 2009, 4:30p.m.-6:30p.m. – Connection Center, Room 109.
- Agenda topic – Review San Francisco non-discrimination statement form.

XIV. Meeting Adjourned at 5:20p.m.

Attachment A

HOW TO USE THE 2010/11 DECISION MATRIX

Assumptions Made: Flat funding of \$937,638 for 2010/11
 Same percentage of total for Council support (2.4%) = \$22,502

- Review columns.
- In preparation for the allocations meeting, you can put in the amounts that you would like to see in each service category in column M. If you use an electronic copy, there is a formula which will automatically add up your amounts in the blue boxes at the bottom of column M. Or you can print out the spreadsheet and put in the amounts yourself.
- Make sure that your core services add up to at least \$686,352.
- A similar process will take place at the meeting.

LEGEND FOR COLUMNS

A=	the priority ranking of each service category for 08/09 and 09/10 fiscal years
B=	amount of funding the Council allocated for each service category for the 08/09 fiscal year
C=	% of the total Ryan White award (including Council support category) for each service category for the 08/09 fiscal year
D=	what was <i>actually</i> spent in each service category in 08/09
E =	% of the total Ryan White award (including Council support category) that was <i>actually</i> spent in each service category in 08/09
F=	number of unduplicated (i.e. individual) clients (UDC) who received this service in that year. For the service category of food, we have an estimate of the number who received food gift cards.
G=	cost per client (excluding administrative costs where specified)
H=	number of units of service (UOS) (how many times this service was provided in total)
I=	cost for providing each unit of service
J=	the "cost cap" which is the total cost allowed for providing a unit of service in each service category
K=	amount the Council allocated for each service category for the 09/10 fiscal year
L=	% of the total Ryan White award (including Council support category) for each service category for the 09/10 fiscal year
M=	blank column for doing the 10/11 fiscal year allocations
N=	blank column for calculating the 10/11 fiscal year percentages

Attachment B

10/11 Decision Matrix for Allocation of Ryan White Funding in Marin County															
SERVICE CATEGORY		08/09 Information										09/10 Information		2010-2011	2010-2011
	A	B	C	D	E	F	G	H	I	J	K	L	M	N	
Core Services	Priority Rank	08/09 Service Category Award	% of Total 08/09 Ryan White Award*	08/09 Service Category Dollars Spent	% of Total 08/09 Ryan White Award Spent*	Number of Unduplicated Clients Served	Cost per Unduplicated Client (UDC)	Number of Units of Service	Cost per Unit of Service (UOS)	Cost Cap for UOS	09/10 Service Category Award	% of Total 09/10 Ryan White Award**	10/11 Service Category Award	% of Total 10/11 Ryan White Award	
Outpatient /Ambulatory health services	1	\$169,516	20.0%	\$169,516	20.0%	121	\$1,401	618	\$274	\$250 per encounter	\$187,603	20.01%	187,603	20.01%	
Mental health services	2	\$100,800	11.9%	\$100,800	11.9%	39 Individual 11 Group 35 Psychiatrist	\$1,652	801 Individual 74 Group 184 Psychiatrist	\$95	Indiv-\$70-\$125/hr-\$250/enctr DOQ Grp-\$100-\$150/hr DOQ	\$111,555	11.90%	111,555	11.90%	
Medical case management	4	\$223,182	26.3%	\$220,379	26.0%	236	\$934	3160	\$70	\$60-\$125/hour DOQ	\$246,995	26.34%	246,995	26.34%	
Home and community-based health services (skilled nursing)	10	\$23,850	2.8%	\$25,886	3.1%	24	\$1,079	251	\$103	\$200-\$250 2hr visit-RN	\$67,903	7.24%	67,903	7.24%	
Home and community-based health services (attendant care)	10	\$37,507	4.4%	\$40,479	4.8%	10	\$4,048	949	\$43	\$110/2hr visit-Att	included above		included above		
Substance abuse treatment services-outpatient	11	\$15,000	1.8%	\$17,860	2.1%	1 outpatient cnslg 2 NRT doses 2 NRT cnslg	\$2,255 outptnt cnslg \$2,978 NRT doses \$1,845 NRT cnslg plus \$4,367 admin & operating	41 outpatient cnslg hrs 539 NRT doses 253 NRT cnslg	\$55 outptnt cnslg \$11 NRT doses \$15 NRT cnslg plus \$4,367 admin & oper	MediCal rates NRT	\$16,564	1.77%	16,564	1.77%	

Oral Health care	8	\$39,857	4.7%	\$41,944	4.9%	41	\$1,023	73	\$575	DentiCal rates	\$51,500	5.49%	51,500	5.49%
AIDS pharmaceutical assistance (local)	9	\$9,840	1.2%	\$9,840	1.2%	46	\$214	97	\$101	None	\$10,890	1.16%	10,890	1.16%
Support Services													693,010	
Case management (non-medical)	3	\$110,392	13.0%	\$112,007	13.2%	162	\$691	1163	\$96	\$60-\$125 per hour DOQ	\$114,781	12.24%	114,781	12.24%
Residential substance abuse treatment	12	\$10,000	1.2%	\$2,752	0.3%	2	\$1,376	11	\$250	\$250 per day	\$11,073	1.18%	11,073	1.18%
Emergency financial assistance	7	\$24,559	2.9%	\$22,944	2.7%	66	\$348	153	\$150	None	\$27,180	2.90%	27,180	2.90%
Food bank/home-delivered meals(vouchers)	5	\$55,624	6.6%	\$55,610	6.6%	~147	\$378	~2780	\$20	None	\$61,589	6.57%	61,589	6.57%
Medical transportation services	6	\$6,781	0.8%	\$8,468	1.0%	60	\$141	3052	\$3	None	\$7,504	0.80%	7,504	0.80%
Food bank/home-delivered meals(vitamins)		included with food	-	-	-	-	-	-	-	None		0.00%		
TOTALS		826,908									\$915,136		\$915,137	
*based on award amount of \$847,403											\$693,010	75.73%	\$693,010	75.73%
** based on award amount of \$937,638											\$222,126	24.27%	\$222,127	24.27%