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3 Meeting of the
4 **Policy Committee**
5 April 4, 2008, 3:00-5:00 pm
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7 **Members Present:** Sean Cahill, PhD, Matthew Lesieur (Chair), Jan Carl Park,
8 Dorella Walters
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10 **DOHMH Staff Present:** David Klotz, Nina Rothschild, DrPH
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12 **Material Distributed:** The meeting packet included the agenda; the minutes
13 from the previous meeting of the Policy Committee on March 7, 2008; a press
14 release from New York Assembly Health Committee Chair Dick Gottfried's
15 office on the 2008-9 NYS Health Budget; a notification about the New York
16 State Senate's approval of the health care package in the State budget; a
17 Housing Works AIDS Issues Update on the State health budget; a press
18 release on the New York Congressional delegation's call to lift the HRSA
19 mandatory 24 months cumulative lifetime cap on Ryan White-funded housing
20 assistance; a copy of the HIV testing bill proposed by Dick Gottfried; a draft of
21 a Planning Council letter to Assemblyman Gottfried endorsing his bill; a copy
22 of the proposed one-year moratorium on seven changes to Medicaid
23 sponsored by Representative John Dingell; a letter signed by CBOs and
24 government institutions to Representative Dingell supporting the proposed
25 moratorium; a letter signed by 19 US Senators to Senators Harkin and Specter
26 concerning HIV/AIDS Appropriations; and an announcement about the Ryan
27 White Reauthorization forum on April 15th.
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29 **Administrative Issue:** Jan Park noted that the Planning Council will speed up
30 the circulation of meeting materials and hopes to deliver them to committee
31 members five days in advance of meetings.
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33 **Policy Issues:**
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35 Federal, State, and City Appropriations: New York State legislative members
36 are close to a deal that would entail a 2% cut across programs, including
37 health programs. Some of the money that would have been cut has been
38 replaced, thanks to the strength of some lobbying groups such as nursing
39 homes, but the money for HIV has not been recouped. Dick Gottfried, Chair
40 of the Assembly Health Committee, may not fully realize the impact of the cuts
41 on communities of color. A brief window of opportunity (between April 4th

1 and April 7th) remains open, during which time the budget could be changed.
2 GMHC is using this window to ask for a restoration of the \$1.8 million that was
3 cut from the AIDS Institute budget, although GMHC knows that it will lose on
4 this issue. If advocates aren't able to achieve their goals during this window,
5 a supplemental health budget may offer some options.

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7 Mayor Bloomberg has not issued his final budget.

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9 A letter on federal HIV/AIDS Appropriations was written by Senator Hillary
10 Rodham Clinton and signed by 18 fellow senators. The letter should help the
11 Appropriations chairs to gauge how important various aspects of the budget
12 are.

13
14 Jan Park noted that he receives a number of action alerts regarding legislative
15 issues, and deciding which ones to forward to the Policy Committee or to
16 Planning Council members is a challenge. We have to be judicious because
17 forwarding documents involves using government resources, but forwarding
18 action alerts related to Appropriations is not a problem. Matt Lesieur
19 motioned for GMHC to send its action alert on the budget to the Ryan White
20 office for distribution to Policy Committee members. The vote tally on this
21 motion was 3 in favor with 1 abstention.

22
23 Proposed Federal Medicaid Regulations: Seven changes to Medicaid have
24 been proposed, one of which impacts on COBRA-funded targeted case
25 management. If this proposed change is implemented, the cost of escorts and
26 supportive counseling would no longer be covered. Also under the proposed
27 changes, clients would not have more than one case manager. Representative
28 John Dingell wants a one-year moratorium on the proposed regulations. The
29 Policy Committee generated a letter to Dingell in support of the moratorium
30 with cc's to the entire New York Congressional delegation. Mr. Lesieur
31 volunteered to call Representative Dingell's staff to see whether we have two
32 weeks before the letter needs to reach Mr. Dingell, in which case we can wait
33 for the full Planning Council to vote on the letter at its April 17th meeting. The
34 hope is that this bill will be attached to another piece of legislation, such as
35 the proposed rate increase for doctors who see Medicaid patients. Mr. Park
36 remarked on the importance of knowing what the negative impact of the
37 policy on New York City would be if the moratorium is not implemented and
38 the changes to Medicaid are enacted. New York State would lose roughly
39 \$1.5 billion. The New York State Department of Health and the City of New
40 York have already sent letters.

41
42 Medicaid Managed Care: Mr. Lesieur will write a letter about exempting
43 PLWHAs from Medicaid managed care. The letter will itemize all the issues
44 that might emerge if PWAs on Medicaid were forced into managed care. The
45 Governor's office has proposed that managed care may be better for this

1 population, but we have heard disastrous stories about mandatory enrollment
2 of SSI recipients/the disabled population in managed care. New York State
3 Medicaid Director Deborah Bachrach has proposed that people would be
4 auto-assigned to Medicaid managed care and would have to select a SNP.
5 The Planning Council's main concern is whether the SNPs can handle an influx
6 of approximately 85,000 clients. Mr. Park noted that Dr. Bruce Rapkin will
7 present to the Planning Council on Special Needs Plans, and the presentation
8 should open the door to a discussion of Medicaid managed care for PWAs.

9
10 Ryan White Reauthorization: The first forum will take place on April 15th from
11 10:00-1:00 in the Bronx. The announcement about the forum will be
12 distributed to the public mailing list. The CAEAR Coalition has developed a
13 format for the forum, with eight broad questions for providers and eight for
14 consumers. Attendees will also be asked to fill out a survey. The point of all
15 the activity is to obtain an overall sense of gaps in the HIV/AIDS care system.
16 Mr. Park noted that the information about the forum has been provided to the
17 Consumers Committee, and information from the forum will constitute another
18 data set that can be added to the Priority Setting and Resource Allocation tool.
19 The town hall will be repeated in other boroughs.

20
21 Update on Proposed Changes to the New York State Testing and
22 Confidentiality Law: Some HIV advocates have already met with
23 Assemblyman Dick Gottfried and Senator Tom Duane on this issue. The bill
24 would make HIV testing a routine component of medical care, with durable
25 consent and an opt-out provision. Another testing bill is being brought
26 forward by New York State Health Commissioner Richard Daines. The Daines
27 bill gives the State Health Department more authority to promulgate
28 regulations and allows the Department to consent for someone who is
29 incapable of consent. The last activity on the Gottfried/Duane bill was in
30 January. Mr. Lesieur motioned to approve the draft letter generated by the
31 Policy Committee supporting the bill and to send the draft letter to the
32 Planning Council's Executive Committee. The vote was 3 in favor with one
33 abstention.

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35 Universal Health Insurance: The universal health insurance bill was proposed
36 by Assemblyman Dick Gottfried. A blue ribbon panel report on the proposal
37 is due out at the end of May.

38
39 HRSA Housing Policy: Twenty-five out of the 29 members of the New York
40 delegation signed a letter to Secretary Mike Leavitt on HRSA's 24-month
41 cumulative lifetime cap on Ryan White-funded housing services. One
42 possible additional action would be to have Senator Chuck Schumer visit a
43 Ryan White housing program to gather support for changing the HRSA policy.
44 This item will return to the Policy Committee agenda as an action item. After a

1 PWA exhausts 24 months of Ryan White-funded housing, options include
2 HOPWA housing, a City program, or a shelter.

3
4 **New Business:** Dr. Cahill noted that GMHC has been working on eliminating
5 the travel ban for foreigners infected with HIV in the PEPFAR bill. The Office
6 of Management and Budget (OMB) will look at the impact of the travel ban on
7 Ryan White. A vote will probably not take place before June. Dr. Cahill will
8 send information on GMHC's work in this area to Dr. Rothschild, who will craft
9 a letter. The immigration travel ban will become a regular Policy Committee
10 agenda item.

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12 Dr. Cahill also asked whether the Committee wants to take up the call for a
13 national AIDS strategy. The US requires counties to which it provides
14 HIV/AIDS funding, such as Botswana, to have an AIDS policy but does not have
15 one of its own.

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17 **Next Meeting:** The Policy Committee will meet again on May 2nd from 3:00-
18 5:00 at NYAC, 231 West 29th Street, Suite 1002.