



Meeting of the  
**POLICY COMMITTEE**  
Sean Cahill, PhD, and Kali Lindsey, Co-Chairs

December 15, 2010  
LGBT Center, 208 West 13<sup>th</sup> Street, Room 410  
3:00 pm – 5:00 pm

**Members Present:** Sean Cahill, PhD, Kareem Clemons, Gregory Cruz, Elaine Greeley, Kali Lindsey, Lorna Littner, Lucky Michaels, Jan Carl Park

**Members Absent:** Susan Alston, Matthew Lesieur, Esther Lok, Paul Meissner, Andresa Person, Dorella Walters

**NYC DOHMH Staff Present:** Nina Rothschild, DrPH

**Material Distributed:**

- Agenda
- Minutes from the October 28, 2010 Meeting
- List of Open and Closed Items

**Welcome/Introductions/Moment of Silence/Approval of the Minutes:** Dr. Sean Cahill welcomed meeting participants and noted that Kali Lindsey was on his way from the HIV Planning Leadership Summit. Members introduced themselves and observed a moment of silence. Kareem Clemons mentioned the anniversary of the death of Dennis de Leon. The minutes from the November meeting were approved by consensus.

**Review of the List of Open and Closed Items:**

- **FY1 Appropriations:** Congress will discuss appropriations in January. The new House leadership is discussing a return to the appropriations levels of 2008.
- **ADAP:** On December 13<sup>th</sup>, the House voted to increase ADAP funding by \$60 million. Now the Senate needs to agree.
- **Overturning the Ban on Blood Donations by MSM:** In December, DHHS decided to keep the ban in place. The Committee on Blood Safety and

Availability met, and Dr. Cahill testified, noting that the questions about gay behavior haven't changed in 20 years and recommending that the US should follow Europe's lead, where more specific questions about behavior – as opposed to a blanket question about whether the respondent has ever had sex with a man since 1977 – are asked. Advocates are working to obtain funding to study other ways in which to ask the questions.

- 30% of income toward rent: the NYS Assembly and Senate would have to override the Governor's veto of this legislation – an unlikely scenario -- and the whole process on this issue will have to start all over again with a new bill introduced into each legislative body.
- An increase in HOPWA funding of \$10 million above the fiscal year 2010 enacted level was proposed in the Senate Appropriations Committee draft budget. If the \$10 million increase is approved, a total of \$345 million would be allocated to HOPWA.
- Proposal by Mayor Bloomberg to eliminate 248 HASA case managers: this issue will probably come up again in this year's City budget.
- Presentation on Policy Committee activities to the full Planning Council: Dr. Cahill suggested postponing this presentation until the spring when we will have a better sense of the Governor's plans regarding health care access issues for PLWHAs.
- Practical implications of lifting of the ban on Federal funding for SEPs: Policy Committee members previously agreed to invite a representative of the Prevention wing of the Bureau of HIV/AIDS Prevention and Control to present to the PC about prevention work with SEPs or have a joint meeting of PC and PPG members for a presentation on SEPs. Policy Committee members noted that the PPG will reconvene in February and that we should have a joint PPG/PC meeting in the spring. Mr. Park noted that we need more communication internally between the two community planning bodies (PPG and PC), as per the directive in the National HIV/AIDS Strategy for greater synergy between prevention and treatment and care. Policy Committee members were not sure whether the ban on using Ryan White funds for purchasing syringes is still in place.
- Health care reform (HCR): federal agencies released their implementation plan for HCR, but the political environment is not optimal. The expansion of Medicaid may be challenged in Florida. The Virginia judge who seemed responsive to arguments against the Affordable Care Act (health care reform) did not stay the implementation of the law. This will be a political football for the next two years. GMHC's lobbyist says that authorization and appropriations are two different issues. All elements of health care reform cannot be de-funded, and the money has been appropriated for five years. Also, the Senate remains in Democratic hands, and the Republicans don't have 60 votes to repeal the ACA.

**House Committee Chairs for 112<sup>th</sup> Congress and Implications for HIV Policy:** Several new Committee Chairs in the House are relevant for HIV policy:

- Harold Rogers is the Chair of Appropriations and will try to attack the ACA.
- Paul Ryan is the Chair of Budget. He is a moderate Republican who has talked about changing funding for entitlements.
- Fred Upton is the Chair of Energy and Commerce;
- John Klein of Minnesota is the Chair of Education and Labor.
- Ileana Ros-Lehtinen is the Chair of Foreign Affairs.
- Darryl Issa is the Chair of Oversight and Government Reform.
- Ralph Hall is the Chair of Science and Technology.
- Nancy Pelosi will be the minority leader. She and Steny Hoyer and Jim Clyburn will run the House.

PEPFAR has a new requirement: an entity that spends less than half of its prevention funds on abstinence-only education must report this fact to Congress and provide an explanation.

**Older Americans Act:** In 1965, the Older Americans Act (OAA) addressed elder poverty (e.g., people choosing between food and medications). Funding from the OAA supports a number of initiatives, including senior centers and congregate meals. The legislation will expire next year, and GMHC will push for reauthorization. Dr. Cahill noted that older adults often have stigmatizing attitudes toward HIV+ older adults, and nursing home staff exhibit stigma. These attitudes are based in ignorance and fear. Supporting the OAA offers the opportunity to prioritize this population. GMHC wants the Secretary of Aging to list PLWHAs and LGBT elders as a vulnerable population and also wants the workforce members who deal with HIV+ seniors to be trained in HIV 101. Older adults are more likely to be diagnosed with HIV and AIDS in close proximity – i.e., late in the course of infection. Older women are more vulnerable to HIV than younger women because of vaginal dryness.

Lorna Littner noted that the older population is ignorant about risk and that nursing homes often don't accommodate intimacy among older gay adults. Dr. Cahill noted that older adults with HIV also have co-morbidities and that this is a growing population: approximately one-third of PLWHAs in the US are over 50 years of age.

**ADAP Waiting Lists:** Committee members noted the irony that we have recent evidence of the partial efficacy of pre-exposure prophylaxis in prevention infection but that we already have thousands of people on ADAP waiting lists (e.g., 2,400 in Florida and 800 in Georgia) and that giving medication for prevention, when some people are already sick, presents

some ethical issues. Arizona has reduced the number of drugs in its formulary, and some states are considering monthly expenditure caps. Mr. Park noted the proposition that the grantee will make a determination about eligibility for Ryan White services – for example, an individual might have to be at 400% of the federal poverty level, and anyone above this level might be disenrolled – leading to very negative headline coverage.

**Federal Budget:** The current expectation is for a Continuing Resolution to maintain funding at FY 10 levels until a new omnibus bill for FY 11 is passed.

**Twelve Cities Initiative:** An advisory committee is working on an enhanced HIV prevention plan involving representatives of 12 major cities. The plan includes required and recommended interventions for prevention (e.g., PEP, the DEBIs, Prevention with Positives) and for Ryan White.

**Cuomo Transition Team and Cabinet Appointments:** Committee members agreed to invite Guillermo Chacon of the Latino Commission on AIDS, who is a member of Governor-Elect Cuomo's transition team, to address the next meeting of the Policy Committee about the Governor's plans regarding a number of HIV-related issues, included increasing access to services and 30% of income toward rent.

**New NYC Ad Campaign;** Committee members discussed the new DOHMH public service announcement targeting young MSM of color at risk for HIV infection. The ad, Committee members agreed, is very sensationalistic and uses scare tactics. These tactics, however, don't work; rather, they cause denial and also reinforce stigma. The ad is unfortunate and embarrassing and should have focused, instead, on MSM resilience in the face of this epidemic. Policy Committee members agreed to draft a letter for the Executive Committee of the full Planning Council to sign addressed to Mayor Bloomberg with cc's to Commissioner Farley and Assistant Commissioner Monica Sweeney registering their displeasure.

**Adjournment:** The meeting was adjourned.