



Meeting of the
EXECUTIVE COMMITTEE
Thursday, February 12, 2009
3:00-5:00 pm

Cicatelli Associates, 505 Eighth Avenue, 2nd Fl., NY, NY

MINUTES

Members Present: Jan Carl Park (Governmental Co-Chair), Steve Hemraj, (Finance Officer), Victor Benadava, Gregory Cruz, John-Anthony Eddie, Antionettea Etienne, Marya Gilborn, Alexander Hardman, Jennifer Irwin, Joann Hilger (alt. for Fabienne Laraqe, MD, MPH), Julie Lehane (alt. for Tom Petro), Matthew Lesieur, Gonzalo Mercado, Darryl Ng, Diane Rudnick (alt for Joan Edwards), Charles Shorter, Dorella Walters

Members Not Present: Soraya Elcock (Community Co-Chair), Damian Bird, Maria Irizzary

Staff Present: NYCDOHMH: Nina Rothschild, DrPH, Darryl Wong

Public Health Solutions: Rachel Miller

Materials Distributed: Agenda; December 11, 2008 Executive Committee Minutes; Tribute to Martin Delaney – Project Inform Newsletter (1/23/09); FY 08/Prelim FY 09 MAI Spending Plan (Flat Funding); Preliminary FY 09 MAI Spending Plan (Max Award); FY 07 MAI Progress Report 8/1/07 – 7/31/08, FY 09 2008 Priority Setting Tool; PSRA Committee Comments; Priority Setting Tool- Scoring Descriptions; FY 19 Base Spending Plan – 2% Reduction (PSRA Approved 2/5/09); Understanding the Cells in the Scenario Planning Worksheet; Finance Committee Report (FY 08 Reprogramming Plan, Yr 18 MAI Commitment & Expenditure Report a/o 12/08, Yr 18 Part A Q3 Report), Proposed ByLaws Amendment on Policy Committee Protocol for Urgent/Less Urgent Matters, Letter to State Leaders re: Executive Budget proposals for prescriptions drugs in Medicaid program; February 19, 2009 Planning Council Draft Agenda; HIV Epidemiology & Field Services Semi Annual Report October 2008 for period from 1/107 – 12/31/07; February 2009 Planning Council Meeting Schedule.

Welcome: Steve Hemraj opened the meeting, followed by member introductions. Mr. Eddie led the moment of silence with recognition of all living PLWHAs and those who have passed.

Review of Agenda/Minutes: Mr. Wong reviewed the meeting materials. The minutes of the December 11, 2008 Executive Committee minutes were approved, with changes noted in attendance.

FY 2009-10 MAI Spending Plan

In anticipation of the next MAI award for 8/09 -7/31/10 two spending plans were approved at the 2/5/09 PSRA meeting and is being brought to the Executive Committee for review and approval. Mr. Park called attention to the MAI 2007 Progress Report. Ms. Hilger reported that because of the March 20, 2009 submission date of the Yr 3 MAI Continuing Funding Grant Application, there are two plans included in today's materials: 1) FY08- 09 with current (flat funding) and 2) the FY09 Spending Plan based on the maximum award allowed, \$10,750,000. The latter would apply if there is no award received by 3/6/09. Based on the PSRA Committee's work in 2008, there are three service categories in the MAI plan, representing the consolidation of Maintenance in Care and Treatment Adherence into Medical Case Management (which is currently being RFP'd with start dates of 8/1/09), Early Intervention Services and Housing Placement. If NYC were to be awarded additional MAI funds, the PSRA Committee approved on 2/5/09 a spending plan that made available 10% of any increase in funding for Housing Placement program services with the balance (90%) of the increase going to Medical Case Management. Early Intervention Services would receive flat funding.

Mr. Park reminded members of conflict of interest guidelines with respect to voting and called for a motion to accept the two scenarios as described above with the percentage split in the event of a funding increase.

The motion carried, with 12 in favor and 4 abstentions.

FY 2009-10 Base Scenario Plan

Mr. Park introduced the scenario plan for Part A Base funding in the event of possible cuts, e.g., 2%, 5%, 10% etc. The PSRA Committee has approved the methodology of the reductions as proportionate cuts, which would cut all categories in different amounts, determined by the relationship of the service category score, as derived by the Priority Setting Tool, to the maximum score for the service category. No service category would be held harmless from reductions. Currently, because there is no fiscal appropriation for the Ryan White Program, programs are operating under a Continuing Resolution (based on the assumption of FY08 funding). Consequently, the EMA's award on March 1 will represent 40% of last year's award, or ~ \$40.9M. However, the EMA will not have an entire award until the appropriations package is approved.

On 2/5/09, the PSRA Committee asked NYCDOHMH and Public Health Solutions for a recommendation on the amount for a targeted cut to the ADAP program, which would avoid cuts to other programs. In the past two years, the EMA has exceeded planned allocations/commitments to ADAP by 20% and 25%. Ms. Miller added that while a targeted cut to ADAP could be agreed upon, the percentage amount is currently uncertain. We will not have underspending or expenditure information on new contracts beginning on 8/1/09 until 12/09. Funds can be shifted back to ADAP in January and mid-February. Ms. Hilger and Mr. Park underscored the difficulty in estimating the amount of a targeted reduction to the ADAP program given the partial funding scenario imposed on us by HRSA. Ms. Miller added that irrespective of the amount of a recommended targeted cut, even with this being a minimized "risk,"

this spending scenario would not be implemented until the EMA was informed of the entire award. Mr. Lesieur added that appropriations may be completed before March. Mr. Ng reminded the Committee that any targeted cuts need to be repaid/restored in the following year, particularly in light of possible reduced underspending, as contracts will no longer be “new” but in the operational phase. Ms. Walters added that the Planning Council should be cognizant of such risks and its impact of the PSRAs planning work in the future. Mr. Hemraj introduced a motion to approve the proportionate cut methodology of the scenario planning process, with the amount of the targeted ADAP reduction to be determined after consultation with NYS AIDS Institute and to be presented to the Planning Council for approval

The motion passed with 13 in favor and 3 abstentions.

Committee Updates:

Policy Committee:

Mr. Lesieur and Mr. Ng presented a letter, generated by Johnson & Johnson, to the New York State Legislature regarding the change in pharmacy benefits through Medicaid. While the four provisions are needed for consumer protection, the NY State Medicaid program uses these provisions to negotiate favorable rebate rates from pharmaceutical manufacturers. By approving these provisions, the State could then impose these new requirements on the Medicaid pharmacy program. It was relayed that the NYS Director of Medicaid is of the opinion that there is no intention of imposing these provisions, but is solely being used as leverage, which could result in large cost savings of several hundred million dollars. The Committee is recommending that these proposed changes, which would give Medicaid the flexibility to impose Step Therapy and override physician prescribers for expensive medications, remove certain anti-depressant medications, be opposed. The motion was made to accept the letter outlining opposition to the proposals and to forward it to the full Planning Council for approval.

The motion was passed, with one abstention.

Needs Assessment Committee:

Ms. Irwin reported that the Committee is arranging presentations on special populations identified in the last cycle for the Strategic Plan. At last month’s meeting, Dr. Freddy Molano of the Community Healthcare Network presented on the Transgender population of the South Bronx. The next meeting will focus on youth with a presentation by SafeSpace, as well as presentation on Co-morbidity rates by Dr. Peter Messeri.

Integration of Care:

Upcoming HRSA service categories to be RFP’d were reviewed and discussion on service models was introduced. Food & Nutrition and Outreach service delivery models will be discussed at the next meeting on Tuesday, February 24.

Consumers Committee:

Mr. Benadava and Mr. Eddie reported that the last two meetings have focused on the Consumer Focus Groups which will be conducted in 2009, to be utilized in the PSRA and scenario planning process of the Council.

PLWHA Advisory Group:

Ms. Etienne reported that last month's meeting at Iris House focused on disclosure, Medicaid training issues and revision of the AG's Bylaws.

Priority Setting/Resource Allocation:

In addition to the discussion today, Mr. Shorter recognized the Council and Committee members for their participation in the Committee's work.

Finance Committee:

Mr. Hemraj reviewed the Commitment & Expenditure Report for Year 18, Third Quarter of Base Funding for the period from 9/1/08 -11/30/08, calling attention to uncommitted service categories, totaling ~ \$3.34 M, with an additional \$1M from contract takedowns. These funds will be re-allocated as follows: \$2M for contract enhancements to high performing contracts, 762K for HIV test kits, 145K for Early Intervention Services contract enhancements and \$1.3M for restoration to the ADAP pools. The Committee suggested that fluctuations in spending be applied to the PSRA tool. Mr. Hemraj reminded Members that service categories where there are over commitments also represent areas that have been enhanced with additional funds. In response to Mr. Ng's inquiry regarding the possibility of reducing the 2% unexpended funds to 0%, Ms. Miller clarified that the closeouts do not take place until early May and that a certain amount, albeit small, remains unspent. However, NYC has recently demonstrated record levels of underspending.

MAI spending is at a higher rate than last year (19% vs. 15%)

Rules & Membership Committee:

Ms. Walters and Mr. Mercado reported that a review of Council members attendance was conducted; non-compliant members were contacted and 3 have re-affirmed their commitment to participate. Nineteen (19) Committee members were contacted regarding their lack of compliance in Committee attendance; (4) will remain and (15) will be removed from Committees. Planning Council members were encouraged to designate alternates. Ms. Irwin asked about recruitment procedures for Committee members. Ms. Walters updated the Committee on the proposed Bylaws amendment on the protocol for urgent/less urgent matters. It was suggested that a second protocol be developed for urgent matters brought before the Executive Committee. Given the two week notification of Council members of Bylaws amendments, these changes must be posted for at least to weeks and will be voted on in March.

The motion was made to approve the change; the motion was approved.

Grantee Update:

There was no update provided by the grantee (NYCDOHMH). Ms. Lehane of WCDOH announced that performance-based contractors are receiving technical assistance in reference to unit costs. CFA's are being reviewed for Yr 19 execution. The NYS Quality Management Institute is working with the QM Medical Case Management Learning Network to develop indicators.

Planning Council February 19th Agenda Review:

The Committee reviewed the agenda for the next Planning Council meeting and there were no adjustments suggested.

There being no further business, the meeting was adjourned at 5:00PM.