



Committee Meeting Agenda: Ad Hoc By-Laws Committee

Date/Time: Thursday, September 19, 2013: 11:00 a.m. **Location:** BRHPC

Chair: Will Spencer

1. **CALL TO ORDER:** *Welcome, Review meeting ground rules, Statement of Sunshine, Introductions, Moment of Silence, Public Comment*
2. **APPROVALS:** 9/19/13 Agenda and 5/9/13 Meeting Minutes
3. **STANDARD COMMITTEE ITEMS**
None
4. **UNFINISHED BUSINESS**
 - a) Review Planning Council Grievance Procedure (HANDOUT A)
ACTION ITEM: Review the section in By-Laws that creates the Grievance Procedure, and review the present Grievance Policy and Grievance Form from the Local Procedures Manual. The Committee will continue to revise the documents and follow up on request for feedback from County Attorney and County Commission staff.
 - b) Draft Policy on Reporting Violations (HANDOUT B)
ACTION ITEM: Review the draft policy and language that would be inserted into the By-Laws to codify the policy. Amend and/or approve.
 - c) Final Review: Parking Lot List and Track-Changes Version of By-Laws (HANDOUT C-1, C-2)
ACTION ITEM: Discuss any further By-Laws issues that arise to be considered, as part of the Parking Lot List. Recommend action.
5. **MEETING ACTIVITIES/NEW BUSINESS**
6. **GRANTEE REPORT**
7. **PUBLIC COMMENT**
8. **AGENDA ITEMS/TASKS FOR NEXT MEETING:** TBD; **VENUE:** BRHPC

<i>Agenda Items/Tasks for next Meeting (Work Plan Item/Goal#)</i>	<i>Responsible Party</i>	<i>Information requested (i.e. data, research, etc.)action to be taken, presentation, discussion, brainstorm etc.</i>

9. **ANNOUNCEMENTS**
10. **ADJOURNMENT**

VISION: To ensure the delivery of high quality comprehensive HIV/AIDS services to low income and uninsured Broward County residents living with HIV, by providing a targeted, coordinated, cost-effective, sustainable, and client-centered system of care

MISSION: We direct and coordinate an effective response to the HIV epidemic in Broward County to ensure high quality, comprehensive care that positively impacts the health of individuals at all stages of illness. In so doing, we: Foster the substantive involvement of the HIV affected communities in assuring consumer satisfaction, identifying priority needs, and planning a responsive system of care
Support local control of planning and service delivery, and build partnerships among service providers, community organizations, and federal, state, and municipal governments
Monitor and report progress within the HIV continuum of care to ensure fiscal responsibility and increase community support and commitment



MEETING MINUTES

COMMITTEE: Ad Hoc By-Laws Committee

Date/Time: Thursday, May 9, 2013, 12:30 p.m.

Location: BRHPC

Will Spencer **Part A Co-Chair**

Attendance					
#	Members	Present	Absent	Guests	
1	Spencer, W. Chair	X			
2	Creary, K.		E	Grantee Staff	
3	Grant, C.	X		Strong, K.	
4	Katz, H. B.	X		HIVPC Support Staff	
5	Moragne, T.	X		Rosiere, M.	
6	Reed, Y.		X	Crawford, T.	Solomon, R.
	Quorum = 4	4	2	LaMendola, B. (*Phone)	

1. CALL TO ORDER:

The Chair called the meeting to order at 12:51 p.m.

The Chair welcomed all present. Attendees were notified of information regarding the Government in the Sunshine Law and meeting reporting requirements, which includes the recording of minutes. Attendees were advised that the meeting ground rules are present, for reference. In addition, attendees were advised that the acknowledgement of HIV status is not required but is subject to public record if it is disclosed.

Chairs, committee members, guests, grantee staff and support staff self-introductions were made. A moment of silence was observed.

2. APPROVALS:

Motion #1	To approve today's meeting agenda
Proposed by:	Katz, H.B.
Seconded by:	Moragne, T.
Action:	Passed Unanimously

Motion #2	To approve meeting minutes of 4/18/13
Proposed by:	Katz, H.B.
Seconded by:	Grant, C.
Action:	Passed Unanimously

3. STANDARD COMMITTEE ITEMS

None

4. UNFINISHED BUSINESS

a) Review Planning Council Grievance Procedure (HANDOUT A)

The grievance procedure can be used to challenge certain decisions of the Planning Council, not a particular person. The Committee reviewed guidance on council grievance procedures from the Health Resources and Services Administration. It was noted that the federal guidance requires that planning councils offer an option for unresolved disputes to be submitted to a third-party resolution system. The third-party option had been removed from the proposed draft. The Committee discussed when a third party would be needed.

According to HRSA, planning councils should allow grievances involving the priority setting process, allocation of funds, needs assessment and subsequent processes to change priorities. The Committee suggested



also allowing grievances involving Council actions that deviate from By-Laws, policies & procedures or Robert's Rules of Order. The complaining party will say what action they want to see to solve the grievance. The Committee discussed modifying the language of the HIVPC grievance policy and procedure to include HRSA guidance, and suggested simplifying language. Members agreed to add back into the proposal the option of seeking third-party resolution of a grievance.

Members reviewed the Rules for Binding Arbitration form (*copy on file*). They proposed combining portions of the HIVPC Internal Grievance Form and the Request for Binding Arbitration Form to create a clearer Grievance Form. They discussed changing Committee Policies and Procedures without changing By-Laws.

At the Chair's suggestion, the Committee agreed to seek input from Broward County before finalizing the proposed Grievance Policy changes. Two steps will be taken: first, the Committee and the Part A Grantee will request input from the County Attorney's office on the proposed procedures; second, the Committee will ask the County Commission staff for information about grievance procedures used by the county and other boards.

b) Draft Policy on Reporting Violations (HANDOUT B)

The Committee briefly reviewed a draft Policy on Reporting Violations of By-Laws and Policies and Procedures. The Committee revised language on the timing of reconvening the By-Laws Committee to hear complaints about certain violations to state that it would occur in a timely manner as opposed to one month, as listed previously. The Committee agreed to include the proposed policy as part of the county's review on the grievance policy and procedures (above). Members will continue to review and approve at the next meeting.

c) Final Review: Parking Lot List and Track-Changes Version of By-Laws (HANDOUT C-1, C-2)

The Committee discussed a request to allow excused absences for consumers who attend conferences/trainings that improve HIV knowledge or leadership abilities. Members agreed that no action is needed because Chairs already have discretion for granting excused absences. The Committee Chair will explain the excused absence policy when the By-Laws changes come up for a vote at the HIVPC meeting.

5. MEETING ACTIVITIES / NEW BUSINESS

<i>Goal/Work Plan Objective #:</i>	<i>Accomplishments</i>
None	

6. GRANTEE REPORTS

None

7. PUBLIC COMMENT

None

8. REQUEST FOR INFORMATION/DATA

The Ad Hoc Committee requested that 1) staff ask the County if there are any current policies in place that are related to grievance procedures for advisory boards so that members can tailor the policy and procedure to reflect the Planning Council Process; 2) the grantee ask the county attorney for feedback on our current grievance process and form in order to seek a legal opinion as it relates to the grievance policy. The Chair also requested that the HRSA guidance on grievance procedures be sent to the Ad Hoc By-Laws Committee members.

9. AGENDA ITEMS / TASKS FOR NEXT MEETING: Date: TBD Venue: BRHPC

<i>Agenda Items/Tasks for next Meeting (Work Plan Item/Goal#)</i>	<i>Responsible Party</i>	<i>Information requested (i.e. data, research, etc.) action to be taken, presentation, discussion, brainstorm etc.</i>
Revise Grievance Policy & Procedures	By-Laws, staff	Follow up on request for feedback from County Attorney, County Commission staff
Review Draft Policy on Reporting Violations	By-Laws, staff	Follow up on request for feedback from County Attorney, County Commission staff



10. ANNOUNCEMENTS

None

11. ADJOURNMENT

Without objection the meeting was adjourned at 2:27 p.m.

**Ad Hoc By-Laws Committee
Attendance CY 2013**

Member	Mar	April	May
Spencer, W (<i>Chair</i>)	P	P	P
Creary, K	P	A	E
Grant, C.	P	P	P
Katz, H. B.	P	P	P
Moragne, T.	P	P	P
Reed, Y.	A	P	A
Quorum = 4	5	5	4

By-Laws – Minutes – 5/9/13

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VISION: To ensure the delivery of high quality comprehensive HIV/AIDS services to low income and uninsured Broward County residents living with HIV, by providing a targeted, coordinated, cost-effective, sustainable, and client-centered system of care

MISSION: We direct and coordinate an effective response to the HIV epidemic in Broward County to ensure high quality, comprehensive care that positively impacts the health of individuals at all stages of illness. In so doing, we: Foster the substantive involvement of the HIV affected communities in assuring consumer satisfaction, identifying priority needs, and planning a responsive system of care

Support local control of planning and service delivery, and build partnerships among service providers, community organizations, and federal, state, and municipal governments
Monitor and report progress within the HIV continuum of care to ensure fiscal responsibility and increase community support and commitment

Grievance Policy and Procedure for Planning Council Actions

Internal HIVPC GRIEVANCE POLICY AND PROCEDURE

The ~~Part A Executive Joint Client/Community Relations~~ Committee (~~Committee~~) will provide a clearinghouse and facilitate resolution of grievances in an open, inclusive, non-discriminatory and impartial manner. Pre-dispute activities (such as publicly announcing all Broward County HIV Health Services Planning Council (Council), ~~South Florida AIDS Network (SFAN)~~ and Committee meetings, encouraging participation and feedback from members of the community at all Council, ~~SFAN~~ and Committee meetings, establishment of policies for attendance-related expense reimbursement for the infected community, development and distribution of outreach materials, including Grievance and Membership flyers, offering technical assistance, and informing the public of decision making procedures) have been enacted which assist in preventing potential grievances. The Committee is responsible for ensuring that consumer groups, affected individuals with direct interest, service providers, ~~and~~ Council ~~and SFAN~~ members are aware of and have access to operating procedures available to address grievances. The Committee operates in accordance with applicable State and County conflict of interest statutes and ordinances.

The Committee will address grievances by individuals, community groups, ~~council members and~~ ~~and Part A~~ providers eligible to receive Ryan White Part A ~~and/or Part B~~ funding which have been adversely affected by any actions of the Council ~~or SFAN~~ involving the following: the needs assessment process, the comprehensive planning process, the priority setting process (including language regarding how best to meet such priorities), the clinical outcome/cost effectiveness determination process and allocation (as well as any possible reallocation) of funds to service categories process. For a grievance to be eligible for consideration, deviation from established, written processes or policies must be stated within the claim. All appeals from an initial action must be filed within two weeks of any decision, deviation or incident, and all resolutions or remedies are meant to apply prospectively. To avoid conflict of interest, grievances relative to the process used to select Part A service providers shall be in accordance with the Broward County Administrative Code. ~~To avoid conflict of interest, grievances relative to the process used to select Part B service providers shall be in accordance with the department of Health Contract Management System Manual for Contractual Services.~~

Policies

1. A grievance will ~~become an official document and will be~~ addressed ~~only after the appropriate form has been completed and submitted by the Committee only after all other internal avenues to resolve the grievance have been exhausted.~~
2. ~~All members of the Committee will sign and abide by a strict policy of confidentiality as to individuals' HIV status.~~
3. ~~The standard grievance form (or written statement) may be completed by the client or a person acting on the client's behalf.~~
4. ~~2.~~ The form contains a statement of understanding which includes permission to gather information and a release of information waiver.
5. ~~Once the form (or written statement) has been completed, it can be delivered to the Council and/or SFAN staff support office by the grievant client where it will be forwarded to the Chairperson(s) of the Committee. The Chairperson(s) will determine grievant eligibility, whether grievance is within the scope of the Committee, and whether internal grievance procedures have been accessed. Ineligible grievances or grievants will be referred to the appropriate procedure for satisfaction.~~
6. ~~3.~~ For grievances regarding Council ~~and/or SFAN processes~~, third party mediators will be chosen from the following list by the Executive Director of the agency providing council support services for Part A ~~and/or the Department of Health, HIV/AIDS Program Director for Part B~~, who will also register all grievances and relay all mediation decisions to the grievant.
 - ~~Nova Southeastern University Conflict Resolution Committee/Dispute Resolution Committee; 3301 College Avenue, Ft. Lauderdale; (954) 475-7018~~
 - American Arbitration Association; 799 Brickell Plaza, Suite 600, Miami; (305) 358-7777
 - ~~Better Business Bureau; 10291 NW 57th Ave, Miami; (305) 625-0307~~
 - Florida Arbitration and Mediation Service; P.O. Box 1799, Ft. Lauderdale; (954) 523-8404
7. ~~4.~~ All fact finding will begin promptly and will be considered at the regular monthly meeting of the Committee with all complaints being addressed within thirty days.
8. ~~Grievances will be evaluated and triaged by the Committee to the appropriate body. The members of~~

Comment [HP1]: Use of arbitration is a HRSA requirement

Comment [HP2]: Arbitration services only rendered for academic purposes

Comment [HP3]: Services only rendered for accredited businesses

the Committee (~~which includes non-Council/SFAN members of the community~~) will serve as an outside resource to facilitate the resolution of grievances. This is an informal process to facilitate discussion emphasizing negotiation and compromise using a mutually agreeable mediator. Any grievance which cannot be satisfactorily resolved by the mediation process ~~will~~ may be forwarded to ~~the Board of County Commissioners~~ formal binding arbitration by a neutral third party as outlined in the Procedures Section of this document.

~~9.5. The Committee will report its findings and recommendations to the Executive Committees of the Council and/or SFAN.~~ Should the voluntary mediation process fail to resolve a grievance, the grievant or aggrieved party may, in accordance with the rules of binding arbitration as issued by the Council ~~and/or SFAN~~ complete the "~~Request for Binding Arbitration Form~~ Notice of Grievance for Planning Council Actions Form" (see attachment 5).

Procedures

1. The Committee Chair(s) will assign a fact finder, within ten working days, mutually agreeable to both parties to gather facts from the concerned parties in an attempt to resolve the problem.
2. The fact finder will notify both parties of the rules of arbitration and mediation and inform both parties of the ramifications of the Sunshine Law as it pertains to confidentiality in the resolution of the grievance.
3. A fact finder will automatically withdraw him/herself from investigations involving a provider with which he/she has an affiliation or direct financial interest, to avoid any possible conflict of interest issue.
4. A summary of information gathered from all concerned parties will be returned to the Committee, during its regularly scheduled monthly meeting, in the conference room of the council support offices, presently Broward Regional Health Planning Council, 200 Oakwood Lane, Suite 100, Hollywood, 945 Middle River Drive, Ft. Lauderdale.
5. The Committee Chair(s) will schedule a committee meeting, within 30 days, to present summary information and facilitate negotiation and compromise between all concerned parties.
- ~~6. The Executive Committee of the Council and/or SFAN will be notified of all interventions.~~
- ~~7.6. Resolved and unresolved grievances will be reported to the executive committee.~~ Grievance documentation will be maintained in a locked file by council support staff, and be available on a need-to-know basis.
- ~~8.7.~~ Failure of all attempts to resolve a grievance through voluntary mediation, within 6 weeks, may result in the aggrieved parties filing a formal "Request for Binding Arbitration Form" in accordance with the rules for binding arbitration.
- ~~9.8.~~ While the mediation process is voluntary and depends on volunteer time in an effort to minimize costs, the costs of binding arbitration can be considerable. All efforts will be made to secure pro bono arbitrator services, to reduce these costs. However, to preserve client service funds, costs of binding arbitration will be borne by the involved parties. Costs incurred in resolving grievances against the Council ~~and/or SFAN~~ or its processes, will be included in Council support ~~and/or SFAN~~ budget.
- ~~10.9.~~ Grievances against the grantee or its selected providers are the responsibility of the grantee, and handled in accordance with Broward County ~~and/or Broward County Health Department~~ procedures.

W:\HIVPC\Local Procedures Manual\Policies And Procedures\Grievance\Grievance Process 3.7.11.Doc
Revised 2/2005

Internal HIVPC Notice of Grievance Report Form for Planning Council Actions Form

Name: _____ Date: _____

Address: _____

City: _____ ZIP Code: _____

Phone: _____

Indicate which process(es) directly affects grievant:

Allocation of Funds to Services: Amount of Ryan White <u>Parts A, Title I and BII</u> dollars set aside for each identified HIV/AIDS service need.	
Comprehensive Planning: Groundwork to thoroughly determine and satisfy PLWHA service needs.	
Needs Assessment: Information collected annually to identify needs of PLWHA in County.	
Priority Setting Process: Put the HIV/AIDS service needs in ranked order of importance as determined by PLWHA, service providers and the community.	
Policies and Procedures: The grievant must clearly set forth how the Broward County HIV Planning Council (Council) has either a) deviated from an established written priority setting or resource allocation process or b) deviated from an established, written process for any subsequent changes to priorities or allocations.	

What is the problem? Please describe in detail the grievance, use additional pages if needed. For each page used, please include name, date and page numbers.

What would you like to happen?

ACKNOWLEDGMENT

I hereby acknowledge the receipt of the rules governing binding arbitration as provided to me with this form by the Council. I acknowledge that I have read the rules governing binding arbitration, including the time limits imposed, and that by signing below I am agreeing to be bound by the decision of the arbitrator.

Name of Grievant _____ Name of Responding Party _____

If grievant is an organization, name of _____ If responding party is an organization,
Authorized individual. _____ Name of responsible individual. _____

Address _____ Address _____

City _____ State _____ Zip Code _____ City _____ State _____ Zip Code _____

Telephone _____ Fax _____ Telephone _____ Fax _____

Signature _____ Signature _____

Please file _____ copies of this form with the Broward Regional Health Planning Council, Inc., 200 Oakwood Lane, Suite 100
Hollywood, FL 33020 , Attn: President/CEO

KNOWLEDGEMENT OF GRIEVANT

I understand that the Council, SFAN and its Executive Joint Client/Community Relations Committee have no
al authority over the subject of this grievance, but that they can act as an advocate for and make
ommendations to service providers in my behalf. I understand a representative from the Executive Joint
nt/Community Relations Committee will contact me for assistance. I agree to cooperate with and assist t
representative in the resolution of my grievance. I understand that my grievance will be registered by the
ignated HIVPC Support Staff, who will notify me of any decisions or determinations made, within six (6)
ks. I understand that there is no cost to me for voluntary mediation.

nature: _____ :e: _____

Office Use Only

f Who Received Form: _____ ition: _____
e Received: _____ vance Number: _____
e Submitted to Executive Joint Client/Community Relations Committee

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Policy on Reporting Violations of By-Laws and Policies & Procedures (Draft Version, 10/19/12)

Policy

The EMA offers a process for reporting potential violations of HIV Planning Council policies, so they can be corrected if necessary.

- A. What is covered** – The process can be used to report potential violations of the Planning Council By-Laws and the Policies & Procedures of the Planning Council and its Committees.
- B. Who may report** – Potential violations may be reported by consumers of Ryan White services, members of the Planning Council members, members of the Council's Committee, Ryan White Grantees, Council staff and Ryan White providers.
- C. Reporting Procedure** – One of the following methods must be used to report violations:
 - 1. Verbally at a meeting of the Planning Council or one of its Committees. Written documentation of the violation subsequently may be required.
 - 2. In writing via letter or email to Planning Council staff.
- D. Planning Council response** – Regardless of which method is used to report a potential violation, the receiving party (Council Chair, Committee Chair or Council staff) shall refer the report to be reviewed at the next Executive Committee meeting. The Executive Committee may make a finding on the report or delay action to obtain more information. If the report involves a violation of the By-Laws, the Executive Committee will refer it to the ad Hoc Committee on By-Laws for a finding. If By-Laws is not active at the time, the committee will be convened in a timely manner to review the report. ~~within a month to review the report.~~
- E. Appeals** – The person reporting the violation may appeal a finding to the Planning Council by filing a grievance, if the subject matter of the violation meets the criteria for filing a grievance.

Alternative language

If the above policy is too large to go in the By-Laws, the following language could be added to the By-Laws and the full policy could be added to Policies & Procedures:

Article X

Section 5: The EMA offers a process for reporting potential violations of HIVPC policies, so they can be corrected if necessary. The process is found in the Council Policies & Procedures.

BY-LAWS PROPOSALS CONSIDERED BY ad HOC COMMITTEE ON BY-LAWS

APPROVED BY-LAWS CHANGES (#1-15)

No.	Proposal	By-Laws Location	Stated Reason	By-Laws Recommendation
1	Rename PWA to PLWHA	Art. III, Sec. 15. Art. IV, Sec. 8	Outdated term	Change outdated term
2	Update reference to 2009 Ryan White Care Act	Art. III, Sec. 18	Outdated reference	Change outdated reference
3	Consider giving HIVPC chair more discretion in granting excused absences / Consider restating attendance policy	Art. IV, Sec. 7	Flexibility	Reword section to clarify that Chair decides excused absences. Clarify definition of PC-related business. Cannot make further changes to attendance policy, because it is set by County ordinance
4	Correct incorrect reference to section paragraph	Art. IV, Sec. 11A	Correct error	Correct incorrect reference
5	Correct incorrect reference to section numbers	Art. IV, Sec. 11B	Correct error	Correct incorrect reference
6	Consider eliminating rule that HIVPC hold 2-3 meetings per year in community, or reword to say “encouraged” to hold 1-2 per year	Art. VI, Sec. 1	Flexibility	Remove requirement of holding 2-3 HIVPC meetings in the community per year. Add new language saying all HIVPC meetings are open to the public
7	Simplify language on quorum for Committees	Art. VI, Sec. 2	Need clarity	Reword to simplify language on 50% plus one rule for quorum; does not change the rule
8	Consider changing outdated references to "planner/coordinator"	Art. VI, Sec. 5A	Outdated term	Change outdated term

9	Consider changing strict order of HIVPC agenda items	Art. VI, Sec. 5B	Flexibility	Move agenda items for Moment of Silence and for Public Comment. Renumber list. No other changes needed. HIVPC Chair and Executive set agenda
10	Correct typo	Art. VI, Sec. 8A	Typo	Correct typo
11	Reword section on Line of Succession	Art. VI, Sec. 8B	Need clarity	Simplify wording for clarity
12	Change name of Joint Priorities Committee to Priority Setting and Resource Allocation (PSRA) Committee	Art. VI, Sec. 8B. Art. VIII, Sec. 2 and 7	More reflective	Change the name of the Committee
13	Consider rewording section on HIVPC Chair's ability to appoint Committee Chairs	Art. VIII, Sec. 1B	Not clear, flexibility	Reword to say HIVPC Chair appoints Committee chairs at will
14	Who fills in for absent Committee Chair if no vice chair or co-chair?	Art. VIII, Sec. 1C	Need clarity	Reword to say HIVPC Chair or Vice Chair fills in
15	In Committee with Part A Co-Chairs, are both members of Executive?	Art. VIII, Sec. 4A	Need clarity	Reword to clarify that both Co-Chairs would be Exec members

COMMITTEE RECOMMENDS NO BY-LAWS CHANGES ON THESE PROPOSALS (#16-32)

No.	Proposal	By-Laws Location	Stated Reason	By-Laws Recommendation
16	If member of Executive is removed for attendance, also removed as chair of standing Committee?		Need clarity	No By-Laws change needed. Executive absence does not remove person as chair of standing committee. HIVPC Chair decides on committee chairs
17	Consider setting maximum number of excused absences per year		Reduce absences	No By-Laws change needed. Disagree with suggestion. Don't penalize member for excused absences; rather, as an alternative solution, Committee Chair may request the member take a leave of absence

18	Should a member be ruled absent if not present for 75% of scheduled meeting time?		Need clarity	No By-Laws change needed. By-Laws are already clear that member is ruled absent in that case
19	Do we need definition of unaffiliated consumer in each Committee section of By-Laws?		Clarity	No By-Laws change needed. Definition already in By-Laws once
20	What happens if HIVPC Chair or Vice Chair must resign because no longer qualified for mandated seat?		Clarity	No By-Laws change needed. By-Laws already clear. In this situation, any member must give up seat; can reapply for another. If Chair leaves with < a year left, Vice Chair is acting Chair. If > a year left, Vice Chair is interim and special election is held
21	Consider electing HIVPC Co-chairs instead of Chair and Vice Chair. Co-Chair terms would last 4 years, staggered every 2 years		Other EMAs do this, more continuity	No By-Laws change needed. This proposal could cause problems
22	Consider limiting Membership Committee to HIVPC members only		Avoid non-members overseeing members	No By-Laws change needed. By-Laws are clear that non-HIVPC members should be included on MCDC
23	Consider rewording deadline for sending final HIVPC agenda to members		Sometimes cannot comply	No By-Laws change needed. HIVPC Chair and Executive can alter agenda, timing if problem arises
24	Add flexibility to rule requiring 9 HIVPC meetings per year		Flexibility	No By-Laws change needed. Requirement is sound
25	Loosen rules for subcommittees to allow taking action without quorum		Flexibility	No By-Laws change needed. Quorum is necessary for voting
26	Create procedure to avoid meetings being canceled when quorum not met because members do not respond		Reduce avoidable cancellations	No By-Laws change needed. Refer to Grantee and staff to resolve

27	Consider adding to By-Laws an MCDC draft of Position Descriptions for HIVPC seats		Clearer applicant requirements	No By-Laws change needed. Draft should be approved by HIVPC, then sent back to MCDC to add to Committee policies & procedures
28	Address conflict in MCDC P&P. One line says all applicants must attend 3 meetings. Another line says those in seats due to their jobs are immediately recommended to County for appointment		Need clarity	No By-Laws change needed. Recommend that MCDC change policies & procedures to clarify that 3-meeting-rule does not apply to those appointed "by virtue of a mandated seat" due to their employment
29	Consider changing section that includes Part D and Part F as Joint Planning members		Need clarity	No By-Laws change needed. Good to include Parts D and F. Invite them if they are not members
30	Consider changing section saying JCCR Part A co-chair must be unaffiliated consumer		Need clarity	No By-Laws change needed. Requirement is sound. Part B co-chair appointment not governed by Part A rules but By-Laws hopes Part B complies
31	Consider adding time limits for each agenda item		More control	No By-Laws change needed. HIVPC Chair and Executive control the agenda as needed
32	Reclassify ad Hoc Local Pharmacy Advisory Committee to standing Committee		Regular review of formulary	No By-Laws change needed. LPAC is best remaining as an ad Hoc Committee

COMMITTEE STILL STUDYING (Defer #1 & 2)

No.	Proposal	By-Laws Location	Stated Reason	By-Laws Recommendation
Defer 1	What is procedure for reporting potential violation of By-Laws or P&P?	Art. X??	Need clarity	Reviewing draft procedure
Defer 2	Review procedure in which HIVPC grievances to go JCCR, then Executive	Art. VIII, Sec. 4B & 5C. JCCR P&P	Consider policy update	Reviewing policy in By-Laws as well as Grievance Policy and Form found in Local Procedures Manual

NEW				
No.	Proposal	By-Laws Location	Stated Reason	By-Laws Recommendation
1	Review the excused absence policy so that council members who are consumers will receive an excused absence if they go to a conference/training that will improve HIV knowledge or leadership abilities	Art. IV, Sec. 7	Flexibility (from MCDC)	Reviewing policy
2	Review the excused absence policy so that council members who are consumers will have a limit on the amount of excused absences they receive	Art. IV, Sec. 7	Consider policy update (from MCDC)	
3	Add the word alternate to show that alternates must also comply with terms	Art. IV, Sec. 11A	Correct error (from Staff)	
4	Remove "#11 Program Support Repor"t as an agenda item	Art. VI, Sec 5B	Change outdated term	
5	Remove language on how best to meet the need as a task for PSRA; item moved to Joint Planning Committee	Art. VIII. Sec 7B	Outdated	



HIV PLANNING COUNCIL

BY-LAWS

**By-Laws of the
Broward County HIV Health Services Planning Council**

Adopted, January 1992

as Amended April 1995, April 1996, November 1996, June 1998, March 1999, May 1999, February 2000, January 2002, September 2004, April 2006, January 2010, January 2012, May 2013

ARTICLE I.

NAME, AREA OF SERVICE

- SECTION 1:** The name of the Planning Council shall be "The Broward County HIV Health Services Planning Council" (Council) or such successor name as may be designated by the Broward County Board of County Commissioners.
- SECTION 2:** The area served by the Council shall be Broward County, Florida. The governing body of Broward County is the Broward County Board of County Commissioners.
- SECTION 3:** The Council is established by resolution of the Board of County Commissioners codified at Part X of Chapter 12 of the Broward County Administrative Code as amended by the Board of County Commissioners.

ARTICLE II.

PURPOSE, DUTIES

- SECTION 1:** The purpose of the Council is to provide planning, to promote development of HIV/AIDS health services, personnel, and facilities which meet identified health needs in a cost-effective manner, to reduce inefficiencies, and to develop HIV-related health plans.
- SECTION 2:** The duties of the Council shall be those specified by the Ryan White Act.

ARTICLE III.

DEFINITIONS

1. *Ad-Hoc committee* means a committee established for a limited time or limited and definite purpose.
2. *Alternate* means a person appointed by the Board that may called upon to participate as a voting member of the Council upon the occurrence of certain conditions.
3. *Board* means the Broward County Board of County Commissioners.
4. *Cause* means an action determined by the Council as a basis for discipline or removal from the Council or a Committee.

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5. *Committee* means a committee established by the Council in furtherance of Council business.
6. *Consortium* means South Florida AIDS Network (SFAN) of Broward County or Part B.
7. *Consumer* means a person who is an eligible recipient of services under the Ryan White Act.
8. *Council* means the Broward HIV Health Service Planning Council created in Chapter 21, Part X, Broward County Administrative Code, and mandated by the Ryan White Act, Part A
9. *EMA* means Eligible Metropolitan Area
10. *Ex officio* means a committee member who does not have a vote on that committee and does not count as quorum.
11. *Joint Committee* means a committee comprising members from both the Council and the Consortium.
12. *Manual* means the Council's Local Policies and Procedures Manual.
13. *Member* means a person appointed to the Council by the Board.
14. *Non-Elected Community Leader* means someone active in the community not elected in formal governmental elections.
15. *PLWHA* means person living with HIV Disease or AIDS. (Also PWA)
16. *Part A* means the Ryan White Act, Part A, administered by the County with advice from the Council.
17. *Part B* means the Ryan White Act, Part B, administered by the Broward County Health Department.
18. *Ryan White Act* means the Ryan White HIV/AIDS Treatment Extension Act of 2009.
19. *Unaffiliated Consumer* means individuals who are receiving HIV-related services from Ryan White-funded service providers and not compensated by, representative of, or employed by a provider funded under the Ryan White Act.

ARTICLE IV

MEMBERSHIP

- SECTION 1:** All Members and Alternates of the Council shall be appointed by the Broward County Board of County Commissioners. The process for forwarding recommendations to the Board is outlined in the Membership/Council Development Committee Section of the Manual.
- SECTION 2:** An individual may serve on the Council only if the individual agrees that if the individual has a financial interest in an entity, if the individual is an employee of a public or private entity, or if the individual is a member of a public or private organization, and such entity or organization is seeking amounts from a grant under the Ryan White Act, the individual will not, with respect to the purpose for which the entity seeks such amounts, participate (directly or in an advisory capacity) in the process of selecting entities to receive such amounts for such purposes.
- SECTION 3.** The membership of the Council shall be as delineated in the Ryan White Act, as amended.
- SECTION 4:** Affirmative recruitment efforts shall be made to attract eligible candidates for membership on the Council and the committees with particular attention to gender balance and adequate representation from racial and ethnic minorities that is reflective of the EMA.
- SECTION 5:** As part of the Council's efforts to increase the percentage of persons living with HIV on the Council, it is recommended that the Council strive, whenever possible, to nominate persons living with HIV disease to vacancies in all other categories as appropriate.
- SECTION 6:** The term of office for members and alternates shall be at the pleasure of the Broward County Board of County Commissioners.
- SECTION 7:** Attendance. Attendance of Council meetings shall be in accordance with the Broward County Code of Ordinances section 1-233. The Council may recommend the reappointment of members who were removed pursuant to Broward County Code of Ordinances section 1-233. The committee attendance policy mirrors the Council attendance policy. The Chair of the Council shall, at his or her discretion, determine whether the member's absence meets any of the criteria for an excused absence as set forth in the ordinance. Excused absences for HIVPC-related business mean for business outside the regular time and place of HIVPC business.
- SECTION 8.** Designation of Alternates. There shall be a minimum of at least three persons living with HIV that reflect the demographics of the epidemic in the County who shall serve as Alternates, appointed and approved by the Broward County Board of County Commissioners. An Alternate may only serve as a voting member of the Council when a member with HIV is

unable to serve due to HIV-related illness. In such case, the Chair shall appoint an alternate who, to the greatest extent possible, matches the gender, race and/or ethnic background of the individual with HIV that is absent. Thereafter, Alternates, as directed by the Chair, shall alternate their substitution for PLWHA members unable to serve due to HIV. Alternates shall comply with attendance requirements at Council meetings. Alternates may be appointed by the chair as a voting member only after Quorum has been established.

SECTION 9: Each Council member shall be a member of at least one standing Committee. Failure to adhere to attendance requirements shall be grounds for removal from the Council.

SECTION 10: All persons in attendance of a meeting of the Council and/or Committee shall comply with the meeting ground rules adopted by the Council.

SECTION 11: Removal of Members and Alternates.

- A. Procedure for removal: If a member [or alternate](#) fails to comply with Paragraphs B or C, or for reasons documented in Paragraph C, the Council shall recommend to the Broward County Board of County Commissioners the removal of that Member or Alternate, upon vote of a majority of the Council members in attendance at a meeting at which Staff has provided written notification to the member or alternate recommended for removal that such item will be on the meeting's agenda.
- B. The Council shall recommend that a member be removed from service on the Council for refusing to cooperate in a conflict of interest review, or when it is determined that member knowingly took action(s) intended to influence the conduct of the Council in a manner as defined in **ARTICLE IV, SECTION 2** of these By-laws. The Council shall terminate from service any committee member who is not also a Council member for refusing to cooperate in a conflict of interest review, or when it is determined that member knowingly took action(s) intended to influence the conduct of the Council in a manner as defined in **ARTICLE IV, SECTION 2** of these By-laws.
- C. The Council shall recommend that a member be removed from the Council for, but not limited to, failure to comply with County regulations or the Council Local Procedures Manual, failure to comply with meeting ground rules or failure to maintain committee membership.
- D. A Council Member, Council Chair or Committee Chair may recommend removal for cause by forwarding to the Membership Committee said recommendation, documenting the reasons for requesting removal. The Membership Committee will review the evidence and make recommendations to the Executive Committee. The Executive Committee will review the recommendation and forward the recommendation to the Council.

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ARTICLE V.**OFFICERS**

- SECTION 1:** The officers of the Council shall be members of the Council and shall be a Chair and a Vice-Chair.
- SECTION 2:** Election of Officers shall utilize a majority vote double election system (primary election and a secondary run-off election). Officers shall be elected by the majority vote of those members or alternates serving as members of the Council present and voting at the meeting during which election is held. The ad Hoc Nominating Committee shall present a slate of candidates for consideration as described in the ad Hoc Nominating Procedure. The Officers shall take office on March 1 or at the first meeting of the calendar year later than March 1. All Officers shall serve a two-year term and shall remain in office until a successor selected. No officers shall serve more than two consecutive terms in one office.
- SECTION 3:** The duties of the Officers are those which usually apply to such officers and in addition thereto, such other duties as may be designated from time to time by the Council.
- SECTION 4:** The Chair of the Council will serve as the official liaison of the Council with the Broward County Board of County Commissioners and its designated administrative entity. No other Member of the Council or its committees may speak for the Council.
- SECTION 5:** With the exception of the Executive Committee, the current Council officers may not serve as chair of any Council committee while holding office. Upon proper notice to the committee, the Council Chair or Vice-Chair may sit as acting chair of the committee when the committee chair or Vice-Chair are unable to attend a properly scheduled meeting of the committee. In the event the Council Chair or Council Vice Chair are serving as acting committee chairs, they count towards quorum and have a vote.
- SECTION 6:** In the event of the resignation or other reason for vacating the Chair or Vice-Chair positions, a special election will be held following the procedures outlined in Section 2 above at the next Council meeting.

ARTICLE VI.**MEETINGS**

- SECTION 1:** The Council shall meet at least 9 times per fiscal year (Mar. 1 – Feb. 28). Special meetings may be called by the Chair or upon petition of one third of the membership of the Council. Written notice shall be given at least one week prior to each meeting. All HIV Planning Council meetings are

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open to the public. Attendance at mandatory Training Activities is also part of Council attendance requirements.

SECTION 2: Fifty percent (50%) of the members plus one shall constitute a quorum for the HIV Planning Council, and all standing and ad Hoc Committees, but with no less than 3 members voting. A majority of those Members present and voting at any meeting at which a quorum is present shall be sufficient to take action on behalf of the Council. The number of Members needed to determine quorum shall be the total number of Members of the Council, but not including the Member representing the Broward County Board of County Commissioners.

SECTION 3: Only duly appointed Members of the Council and/or committee (or the appointed Alternate in their absence) may vote, and each Member (or Alternate) shall have one vote. Voting privileges are otherwise non-transferable. In the event of a tie vote, there shall be a roll call vote and the Chair shall vote last.

SECTION 4: Public notice of Council meetings shall be given in accordance with Florida Statutes and Broward County Ordinances. Meetings shall be open to the public. Records and data shall be made available to the public under the applicable laws. Minutes of each meeting of the Council or Committee shall be kept. The accuracy of all minutes shall be certified by the Chair of the Council and/or committees.

SECTION 5: COUNCIL AGENDAS

- A. The Executive Committee shall meet at least five (5) working days prior to the regularly-scheduled full Council meeting. The Executive Committee (or in the absence of Executive Meeting action, the Council's Designated Staff Member) shall prepare an agenda for full Council meetings based upon the following: Each committee chair, the Grantee, and/or the Council Support Staff will inform the Executive Committee (or Council Designated Staff Member) of committee recommendations and other actions to be presented for the full Council's approval. Motions passed by Committees may be sponsored by the Chair of the Committee on behalf of the committee and annotated on the Council Agenda as sponsored by the Committee. Individual Members of the Council may also request that action items be placed upon the agenda, by providing them in writing to the Council Designated Staff Member prior to the Executive Committee meeting. Members of the public who wish to bring matters before the full Council for consideration must obtain sponsorship of the item by a Member of the Council. Requesters of all full Council actions will also provide appropriate back-up documentation to explain the action being requested. The Executive Committee may refer proposed actions to the appropriate committee to examine and make a recommendation prior to presenting the matter to the full Council for action. Proposed motions requiring the full

Council's vote shall be listed on the agenda which is sent out to members prior to the full Council meeting. At the Executive Committee's discretion, back-up documentation will be labeled and distributed with the Council's agenda. At the discretion of the Council Chair, action items requested at the Council meeting not on the published agenda may be added to the old/new business portion of the agenda, deferred until the next Council meeting, or referred to the appropriate committee.

- B. The ordinary order of the Council's agenda shall be: 1. Call to Order 2. Welcome and Self-introductions (includes explanation of Ground Rules, Sunshine Law and HIV self-disclosure) 3. Moment of Silence 4. Excused Absences and Appointment of Alternates 5. Adoption of Agenda 6. Approval of Minutes 7. Action Items, Consent (no discussion required) 8. Action Items, Regular (discussion required) 9. Discussion Items 10. Committee Reports ~~11. Program Support Report~~ 12. Grantee Reports (Part A and Part B) 13. Other Reports (including Legislative Update, Part C, Part D, HOPWA, etc.) 14. Old/New Business 15. Public Comment 16. Announcements 17. Next Meeting Date 18. Agenda Items for the Next Meeting 19. Adjournment. The Executive Committee may re-order these items for particular meetings if necessary for the efficient and effective administration of the Council's business.

Comment [HP1]: Outdated

- C. The Executive Committee (or Council Chair in the absence of Executive Committee action) will determine the order of decision action items.

SECTION 6: All persons in attendance of a meeting of the Council and/or Committee shall comply with the meeting ground rules adopted by the Council.

SECTION 7: TIME LIMITS

The Executive Committee will establish time limits for each agenda item for each meeting. The Chair may use discretion to impose time limits on each speaker, to be consistently applied. Upon expiration of the time for discussion of a particular action item, the Chair shall close the debate and call for a vote. A person who has spoken once on a pending matter may not speak again on that matter until all others requesting the floor have been recognized.

SECTION 8: LINE OF SUCCESSION

- A. In the event the Chair or Vice Chair does not attend the Council Meeting and neither the Chair nor Vice-Chair has notified the Council that they are not attending the Council Meeting, the immediate past chair, if present and a member of the Council, shall chair the meeting.

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- B. In the absence of the immediate past chair the Council meeting may be chaired by, in the following order:
1. Acting Vice Chair
 2. Part A Chair of Priority Setting and Resource Allocation
 3. Chair of Membership/Council Development
 4. Part A Chair of Joint Planning
 5. Part A Chair of Joint Client/Community Relations
 6. Chair of Quality Management

ARTICLE VII.

CONFLICT OF INTEREST

- SECTION 1:** Members and Alternates of the Council and all committees established by the Council shall abide by the Florida Statutes, Broward County Ordinances and Administrative Code, as may be amended from time to time, regarding conflicts of interest for public officials and the Government in the Sunshine Law. Copies of these documents shall be furnished to all Council Members and Alternates.
- SECTION 2:** The Executive Committee of the Council shall be authorized to formulate Council policy, review all concerns, and make recommendations to the full Council regarding conflict of interest issues.
- SECTION 3:** All Council members and alternates must identify conflicts of interest, and are encouraged to request a review of a potential conflict of interest for themselves or of another Member or Alternate.
- SECTION 4:** All concerns regarding conflict of interest shall be recorded in the Council's meeting minutes and referred to the Executive Committee for review. The full Council shall take, based on the recommendations of the Executive Committee, whatever actions it deems appropriate and are in compliance with standing Council policies.
- SECTION 5:** In the event of a conflict of interest and/or during the period of review of said conflict of interest, Member(s) or Alternate(s) under review may participate in the discussion of the matter in conflict/question but shall abstain from voting on the matter.
- SECTION 6:** A Member or Alternate shall be recommended for termination from service on the Council and any of its committees for refusing to cooperate in a conflict of interest review, or when it is determined that she/he knowingly took action(s) intended to influence the conduct of the Council in a manner prohibited by the By-Laws or federal, state or local laws.

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ARTICLE VIII.

COMMITTEES

SECTION 1:

- A. The Council shall establish standing and ad hoc committees necessary to fulfill the requirements of the Ryan White Act.
- B. Committee Chairs. All Council committees shall be chaired by a member of the Council. All Joint Committees shall be Co-Chaired by a Council member and Consortium member. The Council Chair shall appoint the Part A Committee Chairs of each Committee beginning with the date of the Council Chair's term of office. The current Committee Chairs shall continue to serve until the new Committee Chairs are appointed. Part A Committee Chairs/Co-Chairs are appointed at the sole discretion of the Planning Council Chair and may be removed or replaced at will.
- C. Vice-Chairs. A Committee may select a Vice-Chair to conduct meetings in the absence of the committee chair. The Vice-Chair must be selected in a meeting prior to any meeting at which the Vice-Chair conducts the meeting. The Vice-Chair must be a member of the Council. If a Committee has no Vice Chair, the Council Chair or Vice Chair will fill in during the absence of the Committee Chair.
- D. Appointment of Committee membership. Council Committee Chairs or Co-Chairs shall appoint, with the approval of the Council, the members of each committee. Except as otherwise provided by the By-Laws, a standing or ad-Hoc Committee may include members of the Council, SFAN Consortium and the community at large. Committee membership should all be based on the demographics of the epidemic and consideration shall be given to race, ethnicity, self-acknowledged HIV-positivity and gender.
- E. Removal of Committee membership. The removal of Committee members shall be that of Council members as provided for in Article 4, Section 11, where applicable.
- F. Committee Policies and Procedures. The Council will approve written policies and procedures for all Committees which will be published in the "Local Procedures Manual." The policies and procedures of each committee must be periodically reviewed by that committee and subsequently approved by the Council.
- G. Compliance with Council Meeting Ground Rules. When in joint session, all joint committee members shall comply with the meeting ground rules adopted by the

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Council.

SECTION 2: A standing committee of the Council is a committee which has a purpose that requires a standing membership and a regular meeting schedule. The standing committees of the Council are:

- A. Executive
- B. Joint Client/Community Relations
- C. Membership/Council Development
- D. Joint Planning
- E. Priority Setting and Resource Allocation
- F. Quality Management

SECTION 3: An ad-Hoc committee of the Council is a committee that has a purpose which does not require a standing membership and which may meet on a periodic but not regular schedule. The continuing ad-Hoc committees are the ad-Hoc Nominating Committee, the ad-Hoc By-Laws Committee and the ad-Hoc Local Pharmacy Advisory Committee. The Council may establish other ad-Hoc committees as necessary.

A. Ad-Hoc Nominating Committee.

1. Membership. The Nominating Committee shall be composed of not less than five (5) Council members who shall be appointed by the Chair. At least one member shall be a person living with HIV/AIDS.
2. Purpose. The Nominating Committee shall provide a slate of nominations for Members for Chair and Vice-Chair of the Council from among current Council Members. The process utilized by the Nominating Committee to prepare and present the slate of officers for consideration for office is identified in that committee's written policies and procedures.

B. Ad-Hoc By-laws Committee.

1. Membership. The members of the committee shall only include Council members and alternates.
2. Purpose. The ad-Hoc By-Laws Committee shall have the responsibility of periodically reviewing, updating and maintaining the Council By-Laws.

C. Ad-Hoc Local Pharmacy Advisory Committee (LPAC).

1. Membership. The members of the committee shall include but is not

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limited to members with pharmacological and medical expertise as well as consumer members.

- a. Purpose. The Broward County HIV Health Services Planning Council's Local Pharmacy Advisory Committee (LPAC) shall be representative of all stakeholders in HIV/AIDS care in the community. These stakeholders include consumers, providers, and regulators in the affected community. LPAC shall be dedicated to the ongoing review of the RW Part A Pharmacy Service Category.
- b. LPAC's Mission shall be:
 1. To make recommendations to the appropriate committees of the HIVPC to improve the quality, cost-effectiveness and allocation of resources to pharmacy services;
 2. To develop and implement a standardized mechanism for pharmacy services (i.e., policies and procedures, drug access, formulary changes and cost/impact analysis);
 3. To efficiently collect and evaluate current pharmacy data (i.e., utilization, cost, eligibility) for the impact on the Part A system of care;
 4. To coordinate pharmacy services in collaboration with other funding streams (i.e., ADAP, Part B, Medicaid, private payers, including private insurance providers); and
 5. To review current pharmacologic therapeutic regimes and federal guidelines.

SECTION 4: There shall be an Executive Committee.

- A. Membership. The Executive Committee shall consist of the Council Chair, the Council Vice-Chair and the Chair or Co-Chairs of each of the standing committees. The immediate past Council Chair (if the past Chair is currently a member of the Council) will serve as an ex-officio member of the Committee.
- B. The Executive Committee meets to conduct business of the Council (excluding priority-setting and allocation decisions). The Executive Committee shall:
 1. Set the agenda for Council meetings
 2. Address Conflict of Interest issues
 3. Review Membership/Council Development Committee Attendance report to identify Council members not in compliance with attendance requirements
 4. Oversee the planning activities established in the comprehensive plan
 5. Develop and oversee committee work plans which address comprehensive planning goals and objectives
 6. ~~Review Committee recommendations to determine whether the items should be referred to the appropriate Committee~~

Comment [HP2]: Deferred Proposal 2: Consider changing Grievance Procedure. No recommendation so far

Approved 8/24/09, 11/18/09 (Article VII, Section 1B), 1/28/10 (Article VII, Section 1D), 1/26/12 (Article V, Section 2), 5/23/13 (Article III, Section 15, 18; Article IV, Section 7, 8, 11A,B; Article VI, Section 1, 2, 5A, 8B; Article VIII, Section 1B, 1C, 4A)

7. Ratify recommendations for removal for cause from the Membership/Council Development Committee
8. Address Joint Client and Community Relations Committee unresolved grievance issues

- C. The Committee shall have responsibility for oversight of the planning activities established in the comprehensive plan and development and oversight of committee work plans to address comprehensive planning goals and objectives.
- D. Periodic meetings with Consortium Executive Committee. The Committee shall meet jointly with the Consortium Executive Committee on quarterly basis to discuss mutual planning issues and to plan how the two bodies can work together to meet the needs of the EMA. Any consensus recommendations from this Joint Executive Committee shall be brought to the respective planning bodies by their corresponding Chairs for discussion and/or action.

SECTION 5: There shall be a Joint Client/Community Relations Committee.

- A. Membership. The members of the committee shall include, but is not limited to, representatives of the Council and the Consortium. No less than 51% of the Council committee members shall be unaffiliated individuals living with HIV.
- B. Chair. The Council Committee Chair or Co-Chair shall be an unaffiliated individual with HIV.
- C. Purpose. The Committee shall inform and solicit the participation of individuals infected and affected with HIV/AIDS in the planning, priority-setting and resource-allocation processes. The Committee will function as a primary level of appeal for unresolved grievances relative to the Council's decisions regarding Ryan White Part A and Part B funding.

Comment [HP3]: Deferred Proposal 2: Consider changing Grievance Procedure. No recommendation so far

SECTION 6: There shall be a Joint Planning Committee.

- A. Membership. The members of the committee shall include, but is not limited to, representatives of the Council and the Consortium. Members of the Joint Planning Committee shall include but is not limited to representatives of Part A and Part B, Part C, Part D, Part F, and Consumers.
- B. Purpose. The Committee shall have responsibility for developing and updating annual needs assessment and other planning activities to ensure quality core medical services are integrated in the Broward County EMA System of Care. The Committee shall plan and address coordinated care across diverse groups by engaging community resources in order to eliminate disparities in access to services. The Committee shall identify strategies for engaging and retaining individuals in care. The Committee shall discuss and incorporate Clinical Quality

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Measures in the Planning Process.

SECTION 7: There shall be a Priority Setting and Resource Allocation Committee.

- A. Membership. The Members of the Committee shall include, but is not limited to, representatives of the Council and the Consortium.
- B. Purpose. The Committee shall recommend to the Council and Consortium priorities and allocation of Ryan White Part A. The Committee shall review, at least quarterly, any deviations in planned expenditures exceeding 10% in any given funding category for reallocation and/or possible reprioritization. The Committee will facilitate the Priority Setting and Resource Allocation Process to include the review of appropriate data (service utilization, epidemiological data). The Committee will develop, review, and monitor eligibility, and service definitions, ~~as well as language on 'how best to meet the need.'~~

Comment [HP4]: Moved to Joint Planning Committee

SECTION 8: There shall be a Membership/Council Development Committee.

- A. Membership. The Members of the Committee shall include, but is not limited to, representatives of the Council, the Consortium and the community at large.
- B. Purpose. The Committee shall solicit and screen applications based on objective criteria for appointment to the Council in order to ensure that the demographic requirements of the Council are maintained according to the Ryan White Treatment and Modernization Act and present its recommendations to the full Council. The Committee shall institute orientation and training programs for new and incumbent members. The Committee shall continue to educate the Council and committee members about their respective duties, and the Council's functions and roles in the organization and delivery of HIV/AIDS health and support services.

SECTION 9: There shall be a Quality Management Committee.

- A. Membership. The members of the Committee shall include, but is not limited to, representatives of the Council and the Consortium and the community at large.
 - 1. Purpose. The purpose of the Quality Management Program for Ryan White Part A in the Broward County EMA is to systematically monitor, evaluate, and continuously improve the quality and appropriateness of HIV care and services provided to all clients receiving Ryan White Part A and MAI funded services in Broward County.

ARTICLE IX.

BYLAWS: ADOPTION AND AMENDMENTS

Approved 8/24/09, 11/18/09 (Article VII, Section 1B), 1/28/10 (Article VII, Section 1D), 1/26/12 (Article V, Section 2), 5/23/13 (Article III, Section 15, 18; Article IV, Section 7, 8, 11A,B; Article VI, Section 1, 2, 5A, 8B; Article VIII, Section 1B, 1C, 4A)

SECTION 1: These By-Laws may be adopted, amended, or repealed by a majority vote of the Council.

SECTION 2: Notice of all proposed amendments, with amendments enclosed, shall be mailed or transmitted electronically to each Council member and Alternates at least ten (10) days prior to the meeting at which time such amendments are to be considered for adoption.

SECTION 3: DATE OF EFFECTIVENESS

Unless otherwise provided, these By-Laws and any amendments shall be effective immediately upon approval by the Council.

ARTICLE X.

GENERAL PROVISIONS

SECTION 1: The fiscal year for the Council shall begin on March first and end on the last day of February.

SECTION 2: When procedures are not covered by law or these By-Laws, the latest edition of "Robert's Rules of Order" shall prevail.

SECTION 3: Unless otherwise provided for in the Ryan White Act or other law or regulation, the relationship between the Council and the Grantee is described in the document entitled Guiding Principles. Relations between providers and clients are the responsibility of the Grantee.

SECTION 4: The priority-setting process and budget allocations shall be available for funds to enable Council members who are individuals with HIV and Alternates to be reimbursed for their reasonable expenses for attending Council or Committee meetings which shall include, but not be limited to, the following: transportation, parking, mileage, child care not otherwise being regularly provided to the child, lost wages not including overtime or fringe benefits and appropriate refreshments. The Council member shall execute an affidavit attesting to the validity of the reimbursement request.