



# BYLAWS

## TABLE OF CONTENTS

Article 1: Name and Provisions for Governing .....	2
Article 2: Mission, Shared Vision and Duties .....	2
Article 3: Membership .....	3
Article 4: Attendance .....	4
Article 5: Voting.....	5
Article 6: Meetings .....	5
Article 7: Record Keeping.....	7
Article 8: Officers.....	7
Article 9: Committees.....	10
Article 10: Code of Conduct .....	10
Article 11: Conflict of Interest.....	12
Article 12: Grievances & Complaints .....	13
Article 13: Policies and Procedures .....	13
Article 14: Ratification.....	13
Article 15: Amendments .....	14
Article 16: NORAPC Collaboration with Part B I.....	14
Signature Page.....	15
Definitions .....	16

## **Article 1: Name and Provisions for Governing**

- 1.1. The name of this organization shall be the New Orleans Regional AIDS Planning Council (hereafter NORAPC).
- 1.2. NORAPC was established in response to the New Orleans area being designated a Ryan White Part A Eligible Metropolitan Area (EMA). The EMA includes the following parishes: Orleans, Jefferson, Plaquemines, St. Bernard, St. Charles, St. James, St. John the Baptist and St. Tammany.
- 1.3. NORAPC shall be governed by the following (listed in order of succession):
  - A. Ryan White HIV/AIDS Treatment Modernization Act of 2009
  - B. Health Resources and Services Administration (HRSA) Policies and Procedures
  - C. Louisiana Open Meeting Act (Sunshine Law)
  - D. Code of Ethics for the City of New Orleans
  - E. NORAPC Bylaws and Standard Operating Procedure
  - F. Robert's Rules of Order

## **Article 2: Mission, Shared Vision and Duties**

- 2.1. MISSION: The New Orleans Regional AIDS Planning Council will develop and maintain a comprehensive system of care for People Living with HIV / AIDS (PLWHA) in the Eligible Metropolitan Area (EMA) that is accessible, responsive, culturally sensitive and of the highest quality to ensure that all PLWHA live with dignity.
  - A. SHARED VISION: The New Orleans EMA will provide 0% disparity and 100% access to quality care for PLWH/A through:
    - A.1. Effective planning and collaboration at all levels of care
    - A.2. Diverse points of entry that increase access for historically under-served populations
    - A.3. Increased awareness of the availability of HIV treatment and services
    - A.4. Increased cultural competency at all levels of care
    - A.5. Respect and communication
    - A.6. Empowerment of the affected community
    - A.7. Partnership between People Living with HIV (PLWH), the NORAPC, Administrative Agency, service providers and the community-at-large
- 2.2. DUTIES: The purpose of NORAPC is to plan for the effective and efficient organization of HIV / AIDS services in the New Orleans EMA. NORAPC is to assess the HIV-related needs within the EMA, determine priority service needs, and allocate funds to the priority services. NORAPC is to provide guidance to the Administrative Agency regarding the type of service delivery system that will best meet each service priority. However, NORAPC may not be involved in the selection of service providers in any way. NORAPC may not be involved in the administration of the Part A grant.

- A. NORAPC shall strive to conduct all its activities in a fair and equitable manner, which does not discriminate on the basis of race, color, creed, national origin, sex or gender, sexual orientation, religion, or disability status.

### **Article 3: Membership**

- 3.1. The Mayor of the City of New Orleans, as the designated Chief Elected Official (CEO) for the New Orleans EMA shall appoint the members of NORAPC utilizing an open nomination process, as outlined in the Standard Operating Procedure / Attachment VII: Open Nominations Process. Upon recommendation from the Nominating / Bylaws Committee, vacancies shall be filled by the CEO.
- 3.2. Continued NORAPC and Committee membership will be contingent upon the provisions set forth in these Bylaws.
- 3.3. NORAPC shall consist of a minimum of fifteen (15) members and a maximum of fifty (50) members who will meet HRSA mandates regarding reflectiveness and PLWH participation. These mandates require at least :
  - A. Thirty three percent (33%) of the NORAPC be composed of PLWH who have no conflict of interest and are receiving services from a Ryan White Part A funded agency.
  - B. NORAPC will strive for membership that is reflective of the demographics of HIV disease in the New Orleans EMA.
  - C. NORAPC shall consist of individuals who bring skills and experience in the following federally mandated categories:
    - C.1. Health Care Providers, including federally qualified health centers
    - C.2. Community-Based Organizations serving affected populations and AIDS service organizations
    - C.3. Social Service Providers, including providers of housing and homeless service
    - C.4. Mental Health Providers
    - C.5. Substance Abuse Providers
    - C.6. Local Public Health Agencies
    - C.7. Hospital Planning Agencies or Health Care Planning Agencies
    - C.8. Affected Communities, including PLWH, members of a Federally recognized Native American tribe, individuals co-infected with hepatitis B or C and historically under-served groups and sub-populations
    - C.9. Non-elected Community Leaders
    - C.10. State Government (including the State Medicaid Agency and the agency administering the program under Part B)
    - C.11. Ryan White Part C Grantees
    - C.12. Ryan White Part D Grantees or, if none are operating in the area, representatives of organizations with a history of serving children, youth, women and families living with HIV and operating in the area

- C.13. Grantees under **Part F**, other Federal HIV programs, including but not limited to providers of HIV prevention services:
  - a. Special Projects of National Significance (SPNS)
  - b. AIDS Education and Training Centers (AETC)
  - c. Dental Reimbursement Program
  - d. Housing Opportunities for People with AIDS (HOPWA)
  - e. HIV Prevention Providers
- C.14. Representatives of individuals who formerly were Federal, State, or local prisoners, were released from the custody of the penal system during the preceding 3 years, and had HIV disease as of the date on which the individuals were so released
- D. All members shall serve without compensation. PLWH NORAPC members may be reimbursed for transportation expenses related to serving on NORAPC, as outlined in the Standard Operating Procedure / Attachment VI: Participation Reimbursement for PLWHA.
- E. Two PLWHA NORAPC members must publicly disclose that they are **People Living with HIV**.**
- 3.4. All NORAPC members shall serve on and actively participate in at least one Standing Committee.
- 3.5. Members will be appointed for two-year terms and may be re-appointed by the CEO. All terms will begin October 1 and end September 30 of the second year.
- 3.6. If a NORAPC member does not wish to continue membership on NORAPC, he/she must submit their resignation in writing to the NORAPC Chair, with a copy to the NORAPC Support Staff.
- 3.7. No NORAPC member shall serve for more than two consecutive two-year terms.
  - A. Those Council members representing State Medicaid agencies of Louisiana, State Ryan White Part B, Part C, Part D , AETC, SPNS, HOPWA, Prevention Providers and Dental Reimbursement are exempt from these term limit restrictions since their respective agencies nominates individuals who can adequately represent them, and may have a limited pool of potential candidates, provided there is no other representative in the above listed membership categories when the Council member's term expires.
- 3.8. A former member may reapply for membership after not being a NORAPC member for a period of one (1) year.

#### **Article 4: Attendance**

- 4.1. General Attendance Requirements: NORAPC members are required to attend meetings of NORAPC and Standing Committees of which they are a member, as outlined in Article III: Membership. All NORAPC members must adhere to the attendance requirements as outlined in the Standard Operating Procedure for Tracking Member Attendance.

## Article 5: Voting

- 5.1. Each NORAPC member shall be entitled to one vote, at NORAPC meetings and at each Committee meeting, in which they are a member.
- 5.2. A NORAPC member with a conflict of interest, as defined in Article 11: Conflict of Interest, Section 11.3 and 11.4, shall abstain from voting on matters that come before the Council or a Committee regarding **Service Standards**, the establishment of priorities or the allocation of funds to service categories, from which the conflict of interest derives. Where voting is on an entire slate of **Service Standards**, priorities or allocations, such members may vote.
- 5.3. All members must be physically present at a meeting to cast his / her vote. Voting by proxy is prohibited by the Louisiana Open Meeting Act.
- 5.4. Every act or decision done or made by a majority of NORAPC members present at a meeting duly held at which a quorum (as defined in Article VI: Meetings, Section 6.4) is present, is an official act of NORAPC, unless these Bylaws or provisions of law require a greater percentage or different voting rules for approval of a matter by NORAPC.
- 5.5. NORAPC Bylaws revisions require a two-thirds (2/3) majority vote of the members present at a NORAPC meeting.

## Article 6: Meetings

- 6.1. Meetings of the full NORAPC shall be held no less frequently than once during each calendar quarter.
- 6.2. The meetings of the NORAPC shall be open to the public and shall be held only after adequate notice, seven (7) days, as defined in the Standard Operating Procedure / Attachment V: Time Management, to the public.
- 6.3. Date and hour of regular NORAPC meetings shall be established at the beginning of each new membership year. Written confirmation of the established date and time of the meeting shall be mailed to all members. Any changes to the date and time of meetings shall be communicated to all members at least seven (7) days prior to the re-scheduled meeting.
- 6.4. Emergency meetings, of NORAPC and / or Standing Committees, as defined in the Louisiana Open Meeting Act, Sections RS 42:6.1 and RS 42:7 may be held on call of the CEO and / or the NORAPC Chair.
- 6.5. NORAPC and its Standing Committees may hold executive sessions as outlined in the Open Meeting Act, Sections RS 42:6 and RS 42:6.1.
- 6.6. A quorum, for the purpose of conducting business at a NORAPC and / or Standing Committee meeting, is defined as a simple majority of the total members of NORAPC or the total number of respective Committee members.
  - A. Emergency Protocol Natural or man-made events may occur that constitute an emergency for the residents of the New Orleans Eligible Metropolitan Area (EMA.) Such events may impact the ability of the New Orleans Regional AIDS Planning Council (NORAPC, Planning Council, or Council) to meet and/or reach quorum and thus prevent the Council from conducting essential business. When such emergencies occur, the Council may invoke the following Emergency Protocol (Protocol) to assure its partnership with the Grantee, and clients, is intact and maintains essential services for

PLWH in the EMA. For these purposes, an “Emergency” is one that is legally declared by the City of New Orleans, the State of Louisiana, or the Federal Government of the United States for the area covered by the New Orleans Part A EMA.

- B. Under such an Emergency, the Chair of NORAPC may invoke this Emergency Protocol. In absence of the Chair, the Vice Chair may invoke this Emergency Protocol. In absence of the Chair and Vice Chair, the Secretary may invoke this Emergency Protocol. In the absence of the Chair, the Vice Chair, and the Secretary, a majority of this Executive Committee may invoke this Emergency Protocol. In the event that there is no officially appointed, according to NORAPC Bylaws or Standard Operating Procedures, a Chair, Vice Chair, Secretary, or Executive Committee Chairs, the Protocol will be invoked by a majority vote of the members present at such a meeting after the Emergency has been established.
- C. Once the Emergency Protocol has been duly evoked according to this Protocol, the NORAPC staff will support the Officers/Chairs in convening a meeting of the full Planning Council as soon as possible. The meeting will be announced according to the Louisiana Open Meeting Act.
- D. The Emergency Protocol shall be time-limited for a period not to exceed six (6) months, commencing on the date of the first full NORAPC meeting after the Emergency Protocol had been evoked. At the end of the six (6) month period, the Protocol may be reinstated with a majority vote of Qualified Members (as defined below). In any event, the period that the Emergency Protocol is in place shall not exceed twelve (12) months. At any time, however, the Emergency Protocol may be revoked with a majority vote of Qualified Members and regular NORAPC operations – Bylaws, Standard Operating Procedures, and any other authority used before the emergency - shall resume.
- E. A Qualified Member is Planning Council member who attends meetings in person. Displaced Planning Council Member(s) is defined below and shall be granted a Leave of Absence, also defined below:
- F. Displaced Planning Council Member(s) is defined as “members who have expressly stated that they have temporarily relocated and cannot attend meetings in person, or members who cannot be reached or fail to respond to attempts to reach them after ten (10) business days from the first attempt.”
- G. Displaced Planning Council Member(s) will automatically be granted a Leave of Absence. Leave of Absence is defined as “the removal the names of Displaced Planning Council Member(s) from roll call to facilitate the establishment of quorum under emergency circumstances, and such absences shall not count toward absence limits, as defined in the Bylaws.
- H. When the Displaced Planning Council Member attends a NORAPC meeting, he/she immediately becomes a Qualified Member of NORAPC.
- I. Any Displaced Planning Council Member(s) granted a Leave of Absence will be sent all NORAPC correspondence and materials, such as minutes and agendas, to his/her email and home address on record, and staff will diligently continue to make every effort to establish contact with such Members.
- J. If the emergency occurs at a time that delays the appointment of new or continuing members or the election of Officers/Chairs, the Council may, by majority vote, recommend to the CEO the extension of terms for persons who were members at the

time of the emergency, but would have ceased to be members of the Planning Council according to NORAPC Bylaws at the end of the NORAPC membership year. Any individual whose term is recommended to the CEO for extension will be considered a Qualified Member, as defined, pending the CEO's approval. This provision is both to establish continuity of operations and to compensate for the delay in appointing new members. Such members will be considered Qualified Members according to the above definition, and may serve as Officers/Chairs according to established NORAPC voting procedures.

- K. In any event, and under any circumstance the Council may experience in emergency times, the Planning Council, to ensure the deliberative nature of the body, shall have a minimum of seven (7) voting members to conduct business.

### **Article 7: Record Keeping**

- 7.1. Minutes of each NORAPC / Committee shall be documented by the Support Staff and certified by the respective Chair. The minutes shall be public record and shall be available within two (2) weeks after the meeting.
  - A. The above subparagraph does not apply to any disclosure of information of a personal nature that would constitute a clearly unwarranted invasion of personal privacy, including any disclosure of medical information or personal matters.
- 7.2. The records, reports, transcripts, minutes, agenda and other supporting documents made available for or prepared by NORAPC shall be available for public inspection and copying at the NORAPC Support Staff Office.
  - A. The records, reports, transcripts, minutes, agenda and other supporting documents shall be kept on file in hard copy form for five (5) years following the grant year.
- 7.3. NORAPC and Standing Committee meetings are tape recorded as allowed by the LA Open Meeting Act, Section RS 42:8, A.
  - A. 7.3.1 All tape recordings shall be kept on file for a period of one (1) year.
- 7.4. NORAPC shall ensure that all record keeping is in accordance with local, state and federal regulations.

### **Article 8: Officers**

- 8.1. The officers of NORAPC will consist of the following, each of whom will be a member of NORAPC and elected by the majority of NORAPC to serve one-year terms:
  - A. Chair
  - B. Vice-Chair
  - C. Secretary
- 8.2. Election of Officers will be held at the last NORAPC meeting of the membership year. Officers will assume their position on October 1 of the subsequent membership year.
- 8.3. NORAPC Chair shall be responsible for:

- A. Developing Planning Council and Executive Committee meeting agendas
    - A.1. Reviewing Committee information and presentation as agenda items
  - B. Presiding at all meetings of NORAPC
    - B.1. Calling the meeting to order on a timely basis; time management and focus within meetings
    - B.2. Facilitating meetings, maintaining order and acting as sergeant-at-arms
    - B.3. Voting only to break a tie
  - C. Coordinating the activities of all the Standing Committees and ad hoc Committees
  - D. Reviewing and certifying that the Executive Committee and Planning Council minutes are true and accurate
- 8.4. NORAPC Vice-Chair shall preside at NORAPC and Executive Committee meetings, in the absence of or at the direction of, the NORAPC Chair and shall otherwise fulfill all other duties of the Chair at the direction of the NORAPC Chair.
- 8.5. NORAPC Secretary shall be responsible for:
- A. Assisting the Chair and Vice-Chair as directed
  - B. Acting as time-keeper for all Executive Committee and NORAPC meetings
  - C. Advising the Chair on quorum status before the start of each Executive Committee and NORAPC meeting
    - C.1. Documenting all voice acknowledgment of Council member's presence at each meeting
    - C.2. Ensuring that all NORAPC and Executive Committee meetings are electronically recorded
  - D. Ensuring that the minutes of the Executive Committee and NORAPC are presented and distributed at each meeting.
  - E. Documenting votes for all matters requiring NORAPC approval
    - E.1. Advising the NORAPC Chair on Conflict of Interest prior to any roll call vote
    - E.2. Advising NORAPC on passage / defeat of each motion
  - F. Reviewing NORAPC minutes and summarizing the actions items and directives of NORAPC and communicating those actions items and directives to the Administrative Agency.
- 8.6. In the absence of the Chair, the Vice-Chair or Secretary shall preside respectively. In the absence of officers the PLWH At Large Representative, the Allocations Chair, the Community Coalition Chair, the Nominating/Bylaws Committee Chair and the **Comprehensive Planning Committee Chair** shall preside respectively. The presiding officer shall vote only to break a tie.
- A. In the event of the vacancy of an officer, NORAPC will hold a special election at the next council meeting following procedures set forward in the Standard Operating Procedures. If the vacancy occurs within the last two months of the term, the presiding officer may elect not to hold a special election.



- 8.7. Removal of Officers. Any Officer who fails to perform his / her duties as outlined in Sections 8.3 – 8.5 shall be subject to removal. A special meeting must be called to remove a NORAPC Officer. A motion to call a special meeting to remove a NORAPC Officer can be made at any regularly scheduled NORAPC meeting. Such a motion requires a second and a majority of members present voting in favor of the motion for it to pass. Notification for this meeting will follow established NORAPC procedures for meeting notification. Conduct at this meeting will be governed by the established rules of NORAPC. Removal of an officer shall require a two-thirds vote of entire NORAPC members.

## Article 9: Committees

### 9.1 Standing Committees of NORAPC shall consist of the following:

- A. Executive Committee
- B. Allocations Committee
- C. Community Coalition
- D. Nominating/Bylaws Committee
- E. Comprehensive Planning Committee

### 9.2 Standing Committee responsibilities:

#### A. Executive Committee:

9.2.A.1 Membership requirements: Members include: Elected NORAPC Officers, Chairs of the Standing Committees, as defined in the Standard Operating Procedure / Attachment IX: Role of Standing Committee Chair and the PLWH At-Large Representative. At least two (2) members must be PLWH.

#### 9.2.A.2 Responsibilities:

- a. Review the work of Committees prior to NORAPC meetings
- b. Promote effective communication between NORAPC and Administrative Agency
- c. Oversee the development of the Comprehensive CARE Plan
- d. Ensure that the goals and objectives of NORAPC are being fulfilled
- e. Review Part A Request for Proposals (RFPs) developed by the Administrative Agency to ensure that they are consistent with NORAPC Standards of Care and service delivery recommendations from NORAPC and forward to Administrative Agency

#### B. Allocations Committee:

9.2.B.1 Membership requirements: At least two (2) members must be PLWH.

#### 9.2.B.2 Responsibilities:

- a. Monitor Part A and Minority AIDS Initiative (MAI) expenditures and allocations
- b. Conduct the annual allocation process and forward recommendations to NORAPC for approval
- c. Review the Administrative Agency's recommendations for re-allocations and make recommendations to the NORAPC for approval in accordance with the Standard Operating Procedure / Attachment XI: Re-allocation of Ryan White Part A Funding.
- d. Review monthly financial reports and service utilization data from the Administrative Agency

#### C. Community Coalition:

9.2.C.1 Membership requirements: At least two members must be PLWH.

#### 9.2.C.2 Responsibilities:

- a. Conduct the annual priority setting process and forward recommendations to NORAPC for approval

- b. Oversee the development and implementation of annual needs assessments with consultation from Health Planner, as needed
- c. Seek out community perspective through public hearings, community meetings and PLWH recruitment efforts
- d. Actively recruit PLWH for NORAPC membership and promote PLWH involvement in all NORAPC activities.

D. Nominating/Bylaws Committee

9.2.D.1 Membership requirements: All members of the Nominating / Bylaws Committee must be NORAPC members. At least two (2) members must be PLWH.

9.2.D.2 Responsibilities:

- a. Oversee the Open Nominations Process as outlined in the Standard Operating Procedure / Attachment VII: Open Nominations Process and make recommendations for NORAPC membership
- b. Maintain a pool of prospective PLWH members
- c. Monitor attendance of NORAPC members
- d. Make recommendations for revisions to NORAPC Bylaws and SOPs as needed
- e. Actively recruit applicants for NORAPC membership
- f. Ensure Planning Council members receive appropriate training as required by HRSA

E. Comprehensive Planning Committee

This committee ensures the Planning Council's due diligence in strengthening the system of care, improving access to care and reducing disparities in a manner that is appropriate and coordinated with other systems that interact with PLWH of services.

9.2.E.1 Membership requirements: At least two (2) members must be PLWH.

9.2.E.1.1 Membership preferences: Two (2) members of Executive Committee and representatives from other Ryan White Parts, HOPWA, HIV Prevention

9.2.E.2 Responsibilities:

- a. Oversee comprehensive planning for the continuum of care, including the development of the collaborative NO EMA **multi-year Comprehensive/Integrated Plan** and participation in the development of a Statewide Coordinated Statement of Need (SCSN).
- b. Oversee components of the Comprehensive Plan that involve the Planning Council.
- c. Monitor progress in the implementation of the Plan.
- d. Consider disparities in access to care across affected groups.
- e. Review service utilization data and epidemiological data to identify gaps in the service delivery system.
- f. Recommend strategies to increase access to care and reduce disparities.

- g. Periodically update **Service Standards** as needed. To ensure strategic planning processes these revisions can be used in Quality Management as needed and as outlined in the Standard Operating Procedure / Attachment XIII: Standards of Care – Review and Approval Process.

9.3 The NORAPC Chair and the Support Staff will assign initial Committee(s) membership to meet composition requirements as outlined in the Standard Operating Procedure / Attachment X: Standing Committee Assignments. If a NORAPC member wishes to join additional Committee(s), once initial Committee assignments are completed, they must attend three consecutive meetings, of that Committee, and submit a Committee Intent Form. Voting privileges begin at the third consecutive meeting.

9.4 Standing Committee Chairs, as defined in the Standard Operating Procedure / Attachment IX: Role of Standing Committee Chair and the PLWH At-Large Representative shall be appointed by the NORAPC Chair with ratification by NORAPC. Standing Committee Chairs shall serve until reappointed or a new Standing Committee Chair is appointed by the NORAPC Chair and ratified by the full NORAPC. The PLWH At-Large Representative shall have no conflict of interest.

- A. The Standing Committee Chairs shall appoint a Vice-Chair to assure continuity of the Standing Committee's responsibilities. The Standing Committee Vice-Chair shall be authorized to attend the Executive Committee meetings, in the absence of the Standing Committee's Chair. The Vice-Chair shall be authorized to vote the Committee's position.

9.5 NORAPC Chair may appoint ad hoc Committees as needed.

- A. The ad hoc Committee chair shall be appointed by NORAPC Chair with the ratification by the full NORAPC.
- B. The ad hoc Committee chair may recruit Committee members from inside NORAPC.
- C. Two members of the ad hoc Committee must be PLWH.
- D. Ad hoc committee roles and responsibilities will be documented and maintained by Planning Council support staff. The program director and Planning Council Chair will monitor ad hoc committee activities as necessary.

9.6 Notwithstanding of the foregoing, the failure of any Standing or ad hoc Committee to attain / or maintain its respective membership requirements, shall not render invalid or otherwise invalidate any action taken by the Standing / ad hoc Committee(s).

### **Article 10: Code of Conduct**

10.1. All NORAP members and guests shall adhere to a Code of Conduct as adopted and distributed by NORAPC (see Attachment XII: Code of Conduct).

### **Article 11: Conflict of Interest**

11.1. The rules contained in this section apply to all NORAPC members.

11.2. Conflict of Interest is defined as the following: Having a financial interest in, serving as a board member, being employed by, or having a contract or a financial agreement with, an organization, partnership, or any other entity, whether public or private, that receives or has a pending application on file to receive Ryan White Part A funds.

11.3. The potential for conflict of interest is present in all Ryan White Part A processes, including, but not limited to: needs assessment, priority setting, comprehensive planning, and

establishment of service standards and allocation of funds, evaluation and quality management.

- 11.4. The provisions of Section 11.2 extend to direct ascendants and descendants, siblings, spouses and domestic partners of NORAPC members.
- 11.5. NORAPC members are encouraged to participate in discussions on all topics, but shall state conflict of interest at the beginning of their statement.
- 11.6. A NORAPC member may inquire as to whether or not a NORAPC member has a conflict of interest that has not been disclosed, as defined in the Standard Operating Procedure/Attachment I: "Conflict of Interest/Investigating the Failure to Disclose".

### **Article 12: Grievances & Complaints**

- 12.1. NORAPC shall address grievances and complaints according to the policies and procedures, as outlined in the Standard Operating Procedure / Attachment II: Grievance Procedures.
  - A. Individuals or entities directly affected by the outcomes of decisions made by NORAPC are eligible to file a formal grievance.
  - B. Complaints that are presented in writing that do not fall within the definition of a grievance; will be referred to the appropriate NORAPC Standing Committee or entity for consideration.
  - C. As defined in the Louisiana Open Meeting Act, Section RS 42:10, C, any person who has reason to believe that the open meetings process has been violated, may institute enforcement proceeding as defined in Section RS 42:12.

### **Article 13: Policies and Procedures**

- 13.1. NORAPC shall establish Standard Operating Procedures (SOPs) and Committee Level Procedures (CLPs) relevant to its authority and purpose.
  - A. NORAPC Standing Committees shall develop policies and procedures as necessary. Policies and procedures that are related to Committee business shall be referred to as CLPs. Policies and procedures that affect the business of the full NORAPC shall be referred to as SOPs.
  - B. CLPs shall be reviewed and approved by the Executive Committee. Upon approval by the Executive Committee, CLPs will be provided to NORAPC members, for informational purposes, at the next scheduled meeting.
  - C. SOPs shall be reviewed by the Executive Committee and approved by the NORAPC. Upon approval by the NORAPC, SOPs will be sent to NORAPC members for inclusion in the current Resource Manual.

### **Article 14: Ratification**

- 14.1. NORAPC recognizes that all contingencies may not have been foreseen in developing these Bylaws. There may be times when a situation presents itself when operating outside these

Bylaws is necessary to conduct appropriate business. NORAPC, therefore, reserves the right to ratify such actions after the actual occurrence.

## **Article 15: Amendments**

- 15.1. The NORAPC Bylaws may be amended at any meeting of NORAPC according to the provisions of Section 5.5. Notice of the proposed revisions shall be provided in writing to each member at least seven (7) days prior to the date of the meeting.

## **Article 16: Collaboration between NORAPC and HIV Planning Group**

- 16.1. NORAPC is expected to coordinate and collaborate with the Ryan White Part B Louisiana Group Region I. The goal of this coordination is to strengthen the linkages between NORAPC and Part B and to improve the health outcomes along the HIV Care Continuum for People Living with HIV/AIDS.
- 16.2. The Ryan White Treatment Modernization Act of 2009 stipulates HIV Planning Group plan, develop, and deliver comprehensive outpatient health and support services to meet identified needs of PLWH and their impacted families within the geographic area to be served.
- 16.3. NORAPC and The HIV Planning Group/Part B will collaborate to:
  - A. Develop a Statewide Coordinated Statement of Need (SCSN), with the Part B Administrative Agency responsible for the coordination of this process.
    - A.1. Participate in the SCSN process by both NORAPC and Part B along with other required representatives.
  - B. Ensure that the NORAPC includes among its members a representative of the Part B Administrative Agency.
  - C. Ensure HIV Planning Group includes among its members a minimum of two (2) NORAPC representatives.
- 16.4. Role of NORAPC in coordination with Part B:
  - A. Ensure public planning processes include Persons Living with HIV who receive services, representatives of funding agencies and community-based organizations (who serve those sub-populations within their area requiring care).
  - B. Demonstrate NORAPC's Priority Setting and Resource Allocation Processes include assessment of service needs in the New Orleans EMA and NORAPC establishes a plan to ensure the delivery of services to meet the identified needs. The NORAPC Chair, NORAPC Program Director, the Part A Administrative Agency and two (2) PLWHA coordinate with Part B. Integrated Plan meetings.

## Signature Page

Thus done and adopted on, this \_\_\_\_ day of \_\_\_\_\_ 2016, in New Orleans,

Louisiana. by: \_\_\_\_\_

David Armstead, Chair

New Orleans Regional AIDS Planning Council

Attested to by: \_\_\_\_\_

Latanya Killingworth, Secretary

New Orleans Regional AIDS Planning Council

## Definitions

**Ad hoc Committee:** A Committee appointed by the NORAPC Chair on an as needed basis. Ad hoc Committee members can be NORAPC members and non-NORAPC community members.

**Administrative Agency (Grantee):** An organizational unit within the city or parish government (e.g. health department) to which the Chief Elected Official (CEO), delegates his or her authority to administer Ryan White Part A funds. In the New Orleans EMA, this is the Mayor's Office of Health Policy (OHP). Often, this entity is also referred to as the grantee. Use of the terms CEO and grantee helps to distinguish between the person ultimately responsible for the CARE Act grant (the CEO) and the entity which actually carries out the day-to-day operations associated with it (the grantee).

**AIDS Educations and Training Centers (AETC):** Regional centers providing educational and training for primary health care professionals; authorized under Part F of the Ryan White CARE Act.

**Allocation of funds:** The legislatively mandated responsibility of NORAPC to assign Ryan White Part A funding or percentages of funding across prioritized service categories. The allocation of funds must be based on various types of data including needs assessments, epidemiology of HIV/AIDS, provider spending patterns and service utilization.

**Chief Elected Official (CEO):** The official recipient of Ryan White Part A funds, usually the Mayor or Chair of the county/parish board of supervisors. The CEO is ultimately responsible for administering all aspects of the **Ryan White Part A (CARE Act Title I)** the EMA and ensuring that all legal requirements are met. In EMAs with more than one political jurisdiction, the recipient of the Ryan White Part A funds is the CEO of the city or urban country/parish that provides outpatient and ambulatory services to the greatest number of people with HIV/AIDS in the EMA.

**Code of Conduct:** A document that outlines acceptable behavior of all NORAPC members and non-NORAPC members while attending NORAPC meetings and activities

**Code of Ethics for the City of New Orleans:** A document which outlines acceptable behavior for City employees and board and commission members, including NORAPC members.

**Committee Intent Form:** A form that indicates the Committee preferences of a person who intends to join a NORAPC Committee.

**Committee Level Procedures (CLPs):** Policies and procedures developed by Committees to conduct Committee level business. All CLPs are approved by the Executive Committee and forwarded to NORAPC members for informational purposes.

**Complaints:** A form of grievance which does not fall within the definition of a grievance (as outlined in Standard Operating Procedure/Grievance Procedures). All complaints will be assigned to the appropriate Standing Committee for review.

**Comprehensive Planning:** A planning process that goes beyond annual priority setting and resource allocation, and results in a road map for the incremental development of a system of care over time. The Comprehensive Plan is developed every three years.

**Conflict of Interest:** Within the past **three** months, having a financial interest in, serving as a board member, being employed by, or having a contract or agreement with a, corporation, partnership or any other entity, whether public or private, that receives Ryan White Part A funds.

**Consortia:** A regional planning entity established by State grantees under Ryan White Part B to plan and, in some cases, administer Part B services; an association of health care and support service providers that develops and delivers services for PLWHA under Part B of the CARE Act



**Consortia Leaders Meeting:** A statewide meeting of the Part B Consortia from nine regions of Louisiana.

**Non-aligned PLWH:** A Person Living with HIV who does not have a conflict of interest as defined above and who receives Ryan White Part A services.

**Cultural Competency:** A set of practice skills, attitudes, policies and structures, which come together in a system, agency, or among professionals and enable that system or those professionals to work effectively in the context of cultural differences.

**Dental Reimbursement Program:** A Ryan White CARE Act program authorized under **Part A,** Part F that supports access to oral health (dental care) for PLWHA by reimbursing dental education programs for non-reimbursed costs incurred in providing such care.

**Disparity:** A notable distinction in quality or character. This term is used to describe variance in health outcomes, quality of care, and access to care for various sub-populations of PLWH.

**Domestic Partner:** A person with whom a NORPAC member has registered as a domestic partner with the “Domestic Partner Registry” maintained by the City of New Orleans or any other governmental entity.

**EIHA:** Early Identification of Individuals with HIV/AIDS. Is identifying, counseling, testing, informing and referring of diagnosed and undiagnosed individuals to appropriate services, as well as linking newly diagnosed HIV positive individuals to care.

**EMA:** Eligible Metropolitan Area. The geographic area eligible to receive Part A CARE Funds. In order to be eligible for Part A funds, the area must have more than 2,000 cumulative AIDS cases reported during the past five years and have a population of at least 500,000.

**Emergency Meeting:** Can be held on call of the CEO or NORAPC Chair. The public notice guidelines in Section 42:7 of the Louisiana Open Meeting Act are not required when emergency meetings are called; however, the NORAPC shall make every effort to give such notice of the meeting as circumstances permit.

**Enforcement Proceeding:** A legal action to file a complaint against a public body, if an individual believes that he/she has been denied any rights granted under the Louisiana Open Meeting Act.

**Grievances:** Formal complaints filed, regarding any NORAPC process, in which a party (as defined in the Standard Operating Procedure/Grievance Procedure) believes that NORAPC circumvented an established procedure.

**PLWH At Large Representative:** A **PLWH** Executive Committee member who is appointed by the NORAPC Chair, and ratified by the Planning Council, to represent the **PLWH** Community.

**Housing Opportunity for Persons with AIDS (HOPWA):** A program administered by the United States Department of Housing and Urban Development which provides funding to support housing for PLWH/As and their families.

**Health Resources and Services Administration (HRSA):** The agency of the United States Department of Health and Human Services that is responsible for administering the Ryan White CARE Act.

**Letter of Concern:** A letter which is sent, from the respective Committee Chair, to NORAPC members or non-NORAPC Committee members to express concern regarding unexcused absences from meetings.

**Letter of Removal:** A letter which is sent (certified/return receipt), from the NORAPC Chair, to notify a member that they are removed from NORAPC for consistent violation of the attendance policies of NORAPC.

**Louisiana Open Meetings Act (Sunshine Law):** The Act which defines how a public body must conduct open meetings and establishes guidelines for: 1) executive sessions, 2) exceptions to open meetings, 3) public notification, 4) written minutes, 5) video and audio recordings and 6) enforcement of the Act.

**Needs Assessment:** Annual process designed to assess the HIV services in the New Orleans EMA

**New Orleans EMA:** The New Orleans EMA includes Orleans, Jefferson, Plaquemines, St. Bernard, St. Charles St. Tammy, St. John the Baptist and St. Tammany Parishes.

**NORAPC (Planning Council):** A planning body appointed or established by the CEO of the EMA whose basic function is to establish a plan for the delivery of HIV care services in the EMA and establish priorities for the use of Ryan White Part A funds.

**Part F:** The part of the CARE Act that authorizes AETC, SPNS, and the HIV/AIDS Dental Reimbursement Program

**PLWHA:** Persons Living with HIV and/or AIDS

**Priority Setting:** The process used by NORAPC to rank service categories, to ensure consistency with locally identified needs and to address how best to meet those needs.

**Region I:** One of nine (9) public health regions of the State of Louisiana. Region I consist of Orleans, Jefferson, St. Bernard and Plaquemines Parishes.

**Request for Proposals (RFP):** A document released by the Administrative Agency to begin an open and competitive process for selecting providers of services. The RFP describes the services as prioritized by the Planning Council and how much funding is available for each service.

**Resource Manual:** Information resources, compiled by the NORAPC Support Staff, to educate NORAPC members regarding the Ryan White CARE Act, Planning Council roles and responsibilities, and NORAPC operations.

**Robert's Rules of Order:** A manual of general parliamentary law which has been adopted by NORAPC to govern any processes not addressed in the NORAPC Bylaws.

**Ryan White CARE Act:** The Federal legislation created to address the health care and service needs of uninsured or under-insured PLWHA and their families in the United States; enacted in 1990 and reauthorized in 1996 and 2000.

**Statewide Coordinated Statement of Need (SCSN):** A written statement of HIV-related service needs for the entire State; the SCSN is developed through a process that includes representatives of all CARE Act Titles, providers, PLWHA and public health agencies.

**Special Projects of National Significance (SPNS):** A health services demonstration, research and evaluation program authorized under Part F of the CARE Act. SPNS projects are awarded competitively for periods of three to five years.

**Standard Operating Procedures (SOPs):** Policies and procedures, which affect the business of NORAPC, shall be referred to as SOPs. SOPs shall be reviewed by the Executive Committee and approved by NORAPC

**Support Staff:** Staff hired to support planning activities and ensure that the routine administrative activities of NORAPC are carried out and that it's legislatively mandated responsibilities are fulfilled.