

Standard Operating Procedures New Orleans Regional AIDS Planning Council

Election of NORAPC Officers

Introduction

The officers of NORAPC will consist of the following, each of whom will be a member of NORAPC and elected by a majority of NORAPC to serve one-year terms:

- A. Chair
- B. Vice-Chair
- C. Secretary

Policy

- Election of Officers will be held at the last NORAPC meeting of the membership year, unless a special election is required. Officers will assume their position on October 1 of the subsequent membership year.
- Election of Officers must abide by the Open Meeting Act and be conducted according to a voice vote.

Procedures

- The Nominating/Bylaws Committee will actively seek nominations for officers in advance of the meeting during which elections will occur. Nominations may also be taken from the floor prior to the election. Nominations must be made by current NORAPC members. Self nominations are welcomed.
- The Nominating/Bylaws Committee Chair may preside over the elections unless that individual is a candidate then the Vice Chair or another member of this committee will preside.
- Elections are conducted according to the hierarchy of officers (Chair first, then Vice chair, then Secretary).
- A nominee must accept the nomination in person during the meeting and/or provide a clear acceptance of their nomination, if that individual has an excused absence for the meeting during which the election is held.
- Nominees are encouraged to make a brief statement explaining their merits as a candidate.
- Nominees may be asked to leave the room after recording their vote, at the discretion of the presiding officer.
- Once the slate of candidates is closed to further nominations, a majority of members present must vote by roll call for the selected candidate.

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Standard Operating Procedure: Conflict Resolution

Introduction

NORAPC members are agents of public purpose and serve for the benefit of the public, acting under the highest ethical standards and faithfully discharge the duties of their appointment, regardless of personal opinion.

Policy – Conflict Resolution

NORAPC recognizes the success of consensus building is based on mutual respect. NORAPC has established policies and procedures to ensure all Planning Council processes are completed in the fairest and most equitable manner regarding encouragement of all stakeholders' participation in the collaborative effort to achieve the goals of NORAPC. Louisiana Open Meeting Law (La. R.S. 42:6) shall be enforced and Roberts Rules of Order shall be followed to facilitate expression.

In the event of a conflict of opinion or expression the following shall be the standard operating procedure.

Procedures

- 1) It shall be the "norm" for expression of opinion to be made in a way that celebrates diversity, maintains acceptable decorum, and results in successful collaboration.
- 2) When a conflict of expression or opinion between stakeholders rises to a point that fails to achieve the goal of step 1, the interested parties are encouraged to respect each other's views and overcome their disunion in a spirit of good will.
- 3) Should it become necessary, the parties are encouraged to choose a peer mediator to help them communicate and resolve issues amicably. Parties should also notify the Program Director and Grantee of any concerns, attempts to resolve differences of opinion, and requests for mediation.
- 4) In the event the facilitator whom both parties have chosen is unable to help the parties come to respectful consensus, the chair of the committee in which the conflict arose shall appoint someone other than himself/herself to meet with the parties. This mediator may or may not be a member of the committee. The Program Director or Grantee may also appoint a mediator.
- 5) Upon the report of the designated mediator, the chair may appoint a sub-committee to review the condition and offer recommendations for procedure:
 - A. resolution of the conflict,
 - B. censure of either or all parties involved in the conflict,
 - C. separation of either or all parties from the committee,
 - D. recommendation of either or all parties to be separated from NORAPC.

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Attachment 1: *Buddy System*

Application

The Buddy System may apply to NORAPC new members and volunteer veteran members.

Purpose

The Buddy System is an optional volunteer mechanism to provide new NORAPC members assistance and direction by veteran members to help ensure a comprehensive understanding of NORAPC policy and procedures. New members are allowed to opt out. This mechanism is to support new members who want support from a veteran member.

Responsibilities of NORAPC Buddy

As a Buddy, NORAPC members will assist assigned new members during Planning Council meetings, provide support and guidance including discreetly answering questions and assisting with meeting reminders. The Buddy will also be encouraged to promote attendance and be encouraged to sit next to the assigned new member during Planning Council meetings.

Conduct

Each member will maintain their individual vote; either party shall not attempt to sway the other.

Procedure

The option shall be offered during letter of acceptance and new membership training. Buddies shall be linked by the first formal Planning Council Meeting. Volunteers will be solicited in September for upcoming term. Volunteer veteran member must have good attendance and will be approved by Nominating/Bylaws Committee.

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Attachment 2: Code of Conduct

Application

The Code of Conduct shall apply to all NORAPC members and guests.

Purpose

The Code of Conduct is established to remind NORAPC members and guests that individually and collectively, they must adhere to high ethical standards and civil discourse.

Responsibility of NORAPC Members

NORAPC members are agents of public purpose and serve on NORAPC or a Standing Committee for the benefit of the public. In their official acts, they are bound to observe the highest ethical standards and to discharge faithfully the duties of their appointment, regardless of personal consideration. They should take actions and make decisions based on their merits, objectively, without partisanship and in accordance with the conflict of interest matrix. In taking action and making decisions, NORAPC members will not discriminate on the basis of race, color, creed, national origin, sex or gender, sexual orientation, religion or disability status.

Conduct

NORAPC members and guests shall (as appropriate):

1. Conduct themselves in a professional and courteous manner at all times during NORAPC/Standing Committee meetings or while conducting NORAPC business. This includes acting in accord with all applicable rules and laws. Physical violence, threat of physical violence or verbal abuse will not be tolerated.
2. Disclose all conflicts of interest. Any method used to personally grandstand or blatantly disregard a conflict of interest will not be tolerated and will be considered a direct violation of this code.
3. Respect the right of others to express opinions and ideas. Shall stay open minded and flexible to allow for and honor individuals' differences and diversity. Also, remember that there is a limited amount of time to be shared by participants – please share freely, but be aware that others have a right to speak as well.
4. Adhere to NORAPC Bylaws, Standard Operating Procedures and applicable Committee Level Procedures.
5. Maintain and be respectful of each other's right to confidentiality.

Disciplinary Actions

If any NORAPC member or guest violates any of the aforementioned rules of conduct, is unruly, disruptive, or makes any negative disparaging, or discrediting comments regarding other members, agencies, or their services, any of the following actions can occur:

1. According to La. R.S. 42:6.1, within the confines of the Open Meeting Act, person(s) who willfully disrupt a public meeting to the extent that orderly conduct of the meeting is seriously compromised, can be immediately removed.
2. Person(s) can also be ejected from any NORAPC/Standing Committee meetings upon a majority vote of NORAPC members present, for violating the Code of Conduct, in accordance with Article X: *Code of Conduct*, of the NORAPC Bylaws
3. Upon the third violation of the Code of Conduct, within any membership year, said person(s) can be removed from NORAPC and/or any Standing Committee(s) by a 2/3 vote of NORAPC members present

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at the meeting. There is zero-tolerance for physical violence, threat of physical violence or verbal abuse. Any person committing such an offense can be removed from NORAPC by a 2/3 vote of NORAPC members present at the next monthly meeting.

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Attachment 3: *Conflict of Interest*

Introduction

Conflict of interest has been defined in Article XI of the NORAPC By-laws. A two-part conflict of interest matrix has been developed from the information provided on the conflict of interest questionnaire.

Policy – Conflict of Interest

NORAPC has established policies and procedures to ensure that all Planning Council processes are completed in the fairest and most equitable manner in regards to the Conflict of Interest.

Procedures

- 1) The Nominating/By-Laws Committee shall review the Standard Operating Procedure/ Attachment I: *Policy and Procedure – Conflict of Interest* and the NORAPC By-Laws, Article XI: *Conflict of Interest* annually to ensure the documents adequately address Conflict of Interest. The Committee will report its findings to the Executive Committee.
- 6) NORAPC members do not have a conflict of interest if his or her sole relationship to the Part A funded organization is that of a client receiving services.
- 7) NORAPC members shall not participate directly, or in an advisory capacity, in the Administrative Agency's process of selecting entities to receive Part A funding.
- 8) NORAPC members shall complete and submit, to the NORAPC Staff, a Conflict of Interest Disclosure Form annually and as needed, when changes in circumstances result in changes of conflicts of interest. Council staff shall compile this information in the form of a Conflict of Interest Matrix, which shall be provided to all NORAPC members.
- 9) The Chair of NORAPC shall recommend to the Mayor the termination of a member from NORAPC if the member refuses to complete a Conflict of Interest Disclosure Form, refuses to declare a conflict of interest or refuses to cooperate with a conflict of interest inquiry.

Policy – Failure to Disclose

An inquiry as to whether or not an individual has a conflict of interest that has not been disclosed is handled as the privileged motion: raise a question of privilege.

Questions of privilege relate to the conduct of officers, members, employees and guest. In this specific case, the conduct being addressed would be not having disclosed a conflict of interest. A question of privilege (conflict of interest inquiry) will usually take place during or after a discussion or vote. If necessary, raising a question of privilege may interrupt a member's speech.

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Investigating the Failure to Disclose:

Any NORAPC member may request a review of conflicts of interest of any other NORAPC member by submitting such request in writing to the Chair of NORAPC, with a copy to the member whose conflict is in question, or make a motion during any NORAPC meeting as outlined below:

- 1) A member rises, addresses the Chair and then without waiting, says, "I rise to a question of privilege"
- 2) The Chair directs him/her/them to state his/her/their question.
- 3) The member will briefly express his/her/their complaint and propose, as a motion, a solution. The motion is the actual privilege or a request to inquire about a conflict of interest.
- 4) The Chair will attempt to process the motion to inquire as to whether a member has a conflict by general consent. (General consent requires no objections). If general consent is obtained, the motion will be discussed.
 - A. If general consent fails, the Chair will ascertain if there is a second to the motion and then process it as a main motion (even if the main motion was interrupted).
 - B. As soon as the interrupting question of privilege is disposed of, the assembly resumes consideration of the question that was interrupted.
- 5) Motions will be revisited at the committee or council meeting where the determination of Conflict of Interest could result in a change in the final outcome of said motion
- 6) During the time that a conflict of interest inquiry is under review by the NORAPC member under inquiry retains his/her/their voting privileges.

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Attachment 4: *Disclosure / Confidentiality*

Introduction

Due to the nature of NORAPC's open meetings requirement, it is important for all applicants and members to understand confidentiality.

Policy

- 1) Individuals completing an application for Planning Council membership are asked to disclose: 1) Their HIV Status, 2) If they are willing to publicly disclose their status and 3) If they are receiving Ryan White Part A services. For those who do not choose to publicly disclose their status, HIV status is known only to the NORAPC Support (only authorized members of the staff, hereinafter referred to as the Support Staff), members of the Nominating/Bylaws Committee and the NORAPC Officers. An individual's HIV status is needed for reporting anonymous statistical information to the Health Resources Services Administration (HRSA).
- 2) Article III: *NORAPC Membership*, Section 3.3.2 states: "Two HIV+ Council members must publicly disclose their HIV+ status."
- 3) Article VII: *Record Keeping*, Section 7.1.2 states: Detailed meeting minutes will not include information that applies to "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."
- 4) Standard Operating Procedure/Attachment II: *Grievance Procedures*, Section titled "Confidentiality" states: "Individuals or entities filing grievances should be aware that information obtained during a grievance procedure is not anonymous."

Procedures

- 1) Information, regarding an applicant's HIV status, whether they publicly disclose and whether they are receiving Ryan White Part A services, is kept confidential and is known only to the Support Staff and disclosed to the members of the Nominating/Bylaws Committee during the interview process. This information is required to determine whether an applicant fills a legislative mandate of HRSA regarding PLWH participation on the Council. The Support Staff NORAPC Officers and members of the Nominating/Bylaws Committee will complete a Confidentiality Agreement, which will be kept on file at the Support Staff Office.
- 2) To meet HRSA requirements, two (2) Council members are required to publicly disclose their HIV+ status.
- 3) Article I: *Name and Provisions for Governing*, Section 1.2 states: NORAPC shall be governed by Robert's Rules of Order. The State of Louisiana's Open Meeting Act, which governs public bodies, which by definition NORAPC is a public body, Section RS 42:6.1 states: "Exceptions to open

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meetings: A public body may hold an executive session to discuss matters of a personal and/or medical nature.”

Both Robert’s Rules of Order and the Open Meeting Act include provisions that allow NORAPC Committees and the Planning Council to go into Executive Session to discuss information of a personal or medical nature to ensure the individual’s privacy. However, any other information that an HIV+ individual willingly discloses during a Committee or Planning Council meeting becomes public knowledge.

All persons involved in the grievance process, who are not otherwise governed by confidentiality standards, will be required to sign a confidentiality agreement.

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Attachment 5: *Grievance Procedure*

Who May File a Grievance?

Individuals or entities directly affected by NORAPC funding decisions.

Types of Grievances

Grievances may be filed when an individual or entity feels that:

1. The Council has deviated from written processes or procedures in establishing priorities
2. The Council has deviated from written processes or procedures for recommending allocations according to priorities.
3. The Council has deviated from written processes or procedures for changing priorities or allocations.

Grievance Procedure

Grievances must be filed within 30 days of a disputed decision and they include a five-tier response structure.

Fees for Services

A grievant who is an individual (non-provider) living with HIV (PLWH) and eligible to receive Part A services will not be required to pay any costs of mediation or arbitration.

A grievant that is a provider, coalition, caucus or consumer group of persons living with HIV (PLWH) will share equally with the Planning Council the costs of mediation and arbitration.

Grievances resolved by the NORAPC Grievance Committee will be of no charge to either party. For all other grievances, there is a non-refundable deposit of one-hundred dollars (\$100.00), which will be allocated to the Grievance line item in the Planning Council Support Budget, subject to re-allocation, required upon filing the formal request for mediation or arbitration.

Intake. The filing takes place by telephone or in person. Please call (504) 821-7334 and the person on duty will take the information, including an authorization to sign the Intake Form. Intake forms can be picked up at the NORAPC Support Staff Offices at 2601 Tulane Avenue, Suite 400, New Orleans, Louisiana 70119. The Intake Form is given to all parties, by the NORAPC Staff, to the dispute.

Grievance Committee. The Intake Form is then forwarded to the Executive Committee which shall serve as the Grievance Committee. Within 30 days of an action, in which a grievance is being filed, the completed Intake Form will be forwarded to the Committee for review. A majority of members of the Grievance Committee

must concur on any action taken by the Committee. If the grievant is dissatisfied with the Committee's response, they may request mediation.

Mediation. NORAPC then forwards a completed Request for Mediation Form to a qualified mediator with a date scheduled for the mediation session. The mediation session takes place

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within fifteen (15) days of receipt of the Committee's response. Mediation is voluntary; any party may withdraw from the process at this point. Before mediation begins, the mediator will review the limits of confidentiality. Once the mediation is held, there will be four possible outcomes: (1) a party may withdraw with no resolution; (2) there may be an agreement; (3) there may be no agreement and no willingness to proceed with the next step; or (4) there may be a request for binding arbitration. The mediator concludes the session by completing either a No-Agreement Statement Form or a Settlement Statement Form. All forms completed in mediation will be given to all parties, by the NORAPC Staff, at the conclusion of the mediation.

Binding Arbitration. If arbitration is requested, NORAPC forwards a completed Request for Arbitration Form with a date scheduled for the arbitration to a qualified arbitrator. The arbitration takes place within fifteen (15) days of receipt of the request of arbitration. Per Health Resources and Services Administration (HRSA) guidelines, the arbitration will be binding. The arbitrator is in charge of the process and will submit a written report of findings and rulings of the arbitration, copies of which will be given to all parties by the NORAPC Staff.

Funding of Projects after a Grievance is Filed

Action taken in resolution of grievances will be applied prospectively, with regard to funding of a project, and thus will not include reversals of previously established priorities and allocations.

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Attachment 6: *Open Nominations Process*

Requests for Applications

- 1) NORAPC's Open Nominations Process is active at least once per year at a minimum to fill vacant membership categories and ensure reflectiveness of the demographics of HIV in the New Orleans EMA, as required by HRSA.
- 2) The Council advertises throughout the year in local HIV Publications, local newspapers, on local radio and television, press releases and sends direct notices to colleges/universities, associations, provider agencies, PLWH support groups announcing open Planning Council seats and specifies the Planning Council composition being sought including the legislatively required positions, membership which reflects the epidemic in the EMA and membership which reflects the geography of the EMA.
- 3) Applications will be provided via hard copy or email upon request and are also available via the NORAPC website.
- 4) Interested individuals return applications to the NORAPC staff office.

Processing Applications

- 1) The Planning Council Coordinator logs the applications and sends notification of the review process to the applicants along with a brochure describing the work of the Council, meeting schedules and a copy of the Open Nominations Process.
2. The Planning Council Coordinator reviews applications and schedules interviews for applicants of Parts A, B, C, D, Medicaid, Grantees of other Federal HIV Programs, including Part F (SPNS, AETC and Dental Reimbursement Program) and HOPWA and for those applicants that meet current NORAPC demographic requirements (as defined and outlined by NORAPC Staff and the Nominating/Bylaws Committee).

Committee will discuss the following items with the Applicant during the Interview:

- a. Time Commitments
- b. Conflict of Interest Standards
- c. HIV Disclosure Requirement
- d. Knowledge of HIV Services
- e. Skills and/or experience that would enhance NORAPC's ability to fulfill its mission
- f. Experience working with historically under-served populations and those with severe needs

Applicants Not Recommended for Interview:

- 1) Planning Council Coordinator sends a letter to individuals who are not chosen for an interview.

Applicants Recommended for Interview:

- 1) A quorum of the Committee members must be present to interview the applicant. The scores of who conducted the interview will be averaged. Applicants must be

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recommended by a majority of the Committee members conducting the interview.

- 2) If, after an interview, the Committee does not recommend Council membership, the Planning Council Coordinator sends a letter to the individual stating that they were not recommended for membership and encourages participation at the Committee level. Applicants for Parts A, B, C, D, Medicaid, Grantees under other Federal HIV Programs, including Part F (SPNS, AETC and Dental Reimbursement Program) and HOPWA who are not recommended for Council membership will be encouraged to participate at the Committee level. The Administrator/Grantee of the Parts or Program will be requested to submit another applicant for review.

Recommendation to CEO for Membership:

- 1) The Committee sends a recommendation for membership to the CEO for appointment. The recommendation includes a matrix documenting composition of the Council pending this applicant's approval, and a summary of the strengths and skills the individual will bring to the Council.
- 2) The CEO notifies by letter the Office of Health Policy and the Chair of the Nominating / Bylaws Committee of recommended applicants appointed and not appointed.
- 3) The Planning Council Coordinator notifies applicants not appointed and encourages them to participate as a community guest.
- 4) The Planning Council Coordinator notifies the applicants appointed as soon as possible upon receipt of the letter from the CEO.
- 5) The CEO appoints individuals to the Planning Council. The applicant's appointment becomes official upon notification. The new member is notified of appointments and term in writing. Attendance will be tracked from the date notified.

Orientation/Training

- 1) The Planning Council Coordinator schedules the appointee for a new member's orientation and notifies the appointee of the orientation.
- 2) Support Staff holds periodic orientations for new members, distributes a resource manual to each new member and is available at all times to answer questions and provide guidance.

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Attachment 7: *Participation Assistance for Persons Living with HIV*

Introduction

The Health Resources and Services Administration, the administrator of the Ryan White HIV/AIDS Treatment Extension Act, is committed to supporting the participation of PLWH members of planning councils in the implementation of Part A activities.

Policy

It is the policy of NORAPC to support consumer involvement. NORAPC may arrange transportation related to participation in NORAPC meetings, Standing Committee meetings and other NORAPC approved activities in accordance with the procedures below.

Procedures for Participation Assistance-Transportation:

- A)** HIV+ Council members may have arranged taxi service through the Support Staff. Approved expenses will be paid to the transportation provider, not to exceed \$64.00 round trip.
- B)** The eligible Planning Council member will call staff for transportation. Staff will complete a transportation form for member to sign and return. Staff will arrange transportation to and from designated location with no stop in between (unless otherwise stated by staff).
- C)** To be eligible, the member must have no other source for transportation assistance.

Considerations for resolution of other potential barriers to participation:

NORAPC recognizes that consumer council members may face other potential barriers to participation. Members should communicate relevant concerns to the Council Coordinator. The Council Coordinator will work with member to identify potential resolutions. Examples may include: child care needs, health concerns, undue travel burden, etc. Members should work with staff to address these concerns.

Limitations on Assistance:

NORAPC assistance is based on availability of funds. Any direct assistance provided must be in compliance with HRSA regulations and other related policies. Members are expected to explore all other options, as NORAPC assistance may only be accessed as a last resort. Assistance will only be provided for meetings, trainings, and other essential NORAPC activities. Assistance is limited to no more than one trip per day.

Review and Approval Process of the SOP

The Community Coalition of NORAPC will establish and update the reimbursement policies as needed, with review by the Nominating/Bylaws and Executive Committees and approval by NORAPC.

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Attachment 8:

Priority Setting Process

Introduction

The first step outlined in Health Resources and Services Administration (HRSA) technical assistance manual for Priorities and Allocations states that: “the planning body as a whole should agree on the specific scope of the task and the expected outcomes”.

Purpose

The task is the process of setting priorities to meet the changing needs of PLWH in the EMA. Priorities will be care-related services that are allowable for funding under Part A of the Ryan White HIV/AIDS Extension Act of 2009 listed in order of importance. The priorities shall include Planning Council Support, Program Support, Administrative Agency and Quality Management Program.

Process

- Establish a Priority Setting ad hoc Committee:
 - A. Planning Council members will be selected for membership in order to be reflective of the HIV epidemic in the New Orleans EMA including expertise in HIV related disciplines
 - B. Co-Chairs of the ad hoc Committee shall consist of the NORAPC Chair and the Chair of Community Coalition or their appointee
 - C. Community Partners are also welcomed to participate, but only Planning Council members will be allowed to cast the final vote
- Establish dates and times for the following:
 - A. Completion of Needs Assessment
 - B. Input from community (Submission for Suggestions Process) and NORAPC Committees
 - C. Community Forums and / or Focus Groups
 - D. Orientation/Training
 - E. Data Review
 - F. Priority Setting Meeting
- Establish Meeting Ground Rules and Attendance Policy
- Evaluation of the Process
 - A. To be included as a component of the “Internal Assessment of Planning Council Functioning”

Principles to Guide Decision Making

1. Decisions will be based on documented need
2. Services must be responsive to the epidemiology of HIV in the EMA
3. Consumer perspectives and preferences will be a primary consideration in setting service priorities
4. Decisions are expected to address overall needs within the service area, not narrow advocacy concerns

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5. Services must be culturally appropriate
6. Services should focus on the needs of low-income, underserved and severe need populations
7. Equitable access to services should be provided across geographic areas and sub-populations
8. Services should be of demonstrated quality and effectiveness
9. The Ryan White program funds will be considered funds of last resort
10. The Ryan White program funds will not be able to meet all identified needs
11. Strategies should be crafted to address the Early Identification of Individuals Unaware of their HIV status

Criteria for Priority Setting

1. Documented need, based on the epidemiology of the local epidemic, service needs, specified in the needs assessment and other structured sources of information
 2. Quality, cost and outcome effectiveness of services, as measured through client surveys and other evaluation methods
 3. Consumer preferences or demand, including preferences for particular service interventions for particular populations, especially those with severe need
 4. Consistency with the continuum of care and its underlying priorities, such as ensuring access to basic health care, minimizing the need for hospitalization and eliminating duplication of services
- Balance between ongoing service needs and emerging needs, reflecting the changing local epidemiology of HIV
 - Alignment with the National HIV/AIDS Strategy and the Patient Protection and Affordable Care Act

Desired Outcomes

1. A prioritized list of service categories approved by the full Planning Council
2. A written report to the Administrative Agency summarizing the prioritized service categories including descriptions of the service delivery model as intended by NORAPC for each service category
3. A fully documented description of the steps in the decision-making process
4. Published list of the approved priorities for the New Orleans EMA

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Attachment 9: *Procedures for Tracking Member Attendance*

Introduction

All members of the Council are required to attend regularly scheduled NORAPC meetings and meetings of the Committee(s) to which they are assigned. Members' presence is required to ensure that business can be conducted with quorum present.

Policy

It is the policy of NORAPC to track member's attendance and keep members informed of their attendance as outlined in the following procedures.

Standing Committee

No member is allowed more than 5 total (excused or unexcused) absences from Standing Committee meetings during a 12-month period beginning October 1 and ending September 30. No member is allowed more than 3 unexcused absences. Members will not be penalized for absences resulting from rescheduled or additional meetings. When a NORAPC member has three unexcused absences from Standing Committee meetings, the NORAPC Staff, upon approval from Nominating/Bylaws Committee, will send a letter to the member expressing concern regarding participation.

1. If after the letter of concern is sent, to the Council member's address of record on file with NORAPC, the Council member has two more unexcused absence from a meeting of that Standing Committee, the NORAPC Staff, upon approval from Nominating/Bylaws Committee, will send a letter (certified / return receipt) to the member stating that the member has been removed from that Standing Committee.
2. If a member serves on only one (1) Standing Committee and is removed from that Standing Committee, the member must choose another Standing Committee in which to serve and actively participate, within thirty (30) days. If the member chooses not to, the NORAPC Chair will send a letter (certified / return receipt) to the member, with a copy to the CEO, stating that the member has been recommended to be removed from NORAPC due to non-compliance with Article IV: Attendance.

Full Planning Council

No member is allowed more than 5 total (excused or unexcused) absences from full Planning Council meetings during a 12-month period beginning October 1 and ending September 30. No member is allowed more than 3 unexcused absences. Members will not be penalized for absences resulting from rescheduled or additional meetings. When a NORAPC member has three unexcused absences from full Council meetings, the NORAPC Staff, upon approval from the Nominating/Bylaws Committee, will send a letter to the member expressing concern about attendance.

1. If after the letter of concern is sent, to the Council member's address of record on file with NORAPC, and the Council member has two more unexcused absence from a full Council meeting, the Chair of the Nominating / Bylaws Committee will send a letter to the NORAPC Chair recommending removal from NORAPC.
2. The NORAPC Chair will send a letter of removal (certified / return receipt), to the Council member's address of record on file with NORAPC, with a copy to the CEO

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stating that the member has been recommended to be removed from NORAPC due to non-compliance with Article IV: Attendance.

Excused absences

Excused absences are defined by the Nominating Bylaws Committee and include but are not limited to: medical issues, conventions or conferences, school exams, weather, religious holidays, funerals and professional commitments. Members are strongly advised to give advance notice of absences to NORAPC staff.

General work-related excuses of an unavoidable nature may be permitted at the discretion of the Committee. However, it is expected that members will make the necessary arrangements to ensure their routine participation in council activities.

Excused absences are always at the discretion of the Nominating Bylaws Committee who reserves the right to deny an excused absence at any time. A member can appeal this decision in writing, which will be decided by a majority vote of the Executive Committee.

Members will not be penalized for absences resulting from rescheduled or additional meetings.

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Attachment 10: Reallocation of Ryan White Part A Funding

Reference: Ryan White Treatment Extension Act of 2009

Action Taken by the HIV Health Services Planning Council (2/25/02)

Action Taken by the Allocations Committee (2/7/02)

Policy: Over the past years, the New Orleans Regional AIDS Planning Council has taken great care to develop a coordinated system of care accessible to all PLWH within the EMA. In order to continue this tradition, the Allocations Committee (AC) has developed the following general policy directives for the reallocation of Ryan White Part A funding.

This policy defines the process to be utilized by the New Orleans EMA when conducting reallocations of Treatment Act funding to existing service areas experiencing over-utilization or new areas of need identified by the AC, Administrative Agent (AA) and/or the Planning Council (NORAPC).

General Description

Reallocation is defined as an adjustment of the Planning Council's current HIV service allocation plan. A thorough evaluation of service utilization against year to date contractor expenditures is completed to determine areas in which service utilization is expected to exceed or fall below funding allocations as specified in the service priority and allocation plan. Major funding adjustments are recommended by the AC to the full Planning Council and referred to the AA for full implementation. The core responsibilities of the principals involved in this process are as follows:

AA: *Assesses the spending patterns of contractors; analyzes trends in service utilization by agency and service category; prepares fiscal reports pertaining to service utilization as requested by the AC or the full Council; makes minor allocation adjustments which do not materially alter the current service priority and allocation plan; offers recommendations for significant allocation adjustments to the AC.*

Contractors: *Prepare and submit utilization and/or expenditure data as requested by the AA, AC, and/or full Council in a timely manner as specified in this procedure.*

AC: *Works collaboratively with the AA to analyze and interpret utilization and expenditure data; reviews existing service priorities and allocations for trends suggesting over-utilization of services; recommends adjustments (as needed) to the current service priority and allocation plan to the Executive Committee and the full Council.*

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Executive Committee: Offers guidance to the AC in the reallocation process; approves, modifies, or rejects reallocation recommendations offered by the AC which significantly alter the current service priority and allocation plan; directs AA to implement approved or modified recommended revisions to the service priority and allocation plan.

Planning Council: Offers guidance to the AC in the reallocation process; approves, modifies, or rejects reallocation recommendations offered by the AC which materially alter the current service priority and allocation plan; directs AA to implement approved or modified recommended revisions to the service priority and allocation plan.

Procedure

In the New Orleans EMA, there are three separate and distinct levels of adjustment to the current service priority and allocation plan. Material change(s) to the service priority and allocation plan, as discussed in this procedure, are defined as:

1. Funding adjustments over \$100,000 or any adjustment that materially alters the Priority Allocations.
2. Establishing funding for a previously unfunded service priority, or
3. A reallocation that results in an increase in funding of a service category by 25% or more.

Each level of adjustment and the level of involvement of the key participants in the reallocation process are defined in the following matrix:

<u>Level I – Minor Changes</u>	
Funding adjustment of up to 10% or \$25,000 (whichever is less) between two service categories that does not materially affect the Priority Allocations.	
Administrative Agency	Authorized to make adjustment without prior approval. Must update AC, Executive and Council in a timely manner, when changes are made.
Allocations Committee	N/A
Executive Committee	N/A
Planning Council	N/A
<u>Level II – Significant Changes</u>	
Funding adjustments greater than 10% or \$25,000, but less than \$100,000 either within a service category or between two service categories which do not materially alter the Priority Allocations. Also includes adjustments to service categories allocated no more than \$15,000 without regard to % or dollar amount.	
Administrative Agency	Submits recommended adjustment(s) to AC.
Allocations Committee	Reviews recommendations from AA. Approves, modifies or rejects recommended adjustment(s). Submits recommendation to the Executive Committee.

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Executive Committee	Reviews recommendations offered by AC. Directs AA to implement approved or modified recommended revisions to the allocation plan.
Planning Council	N/A
<u>Level III –Material Change in Service Priorities/Allocations</u>	
Funding adjustments over \$100,000 or any adjustment that materially alters the Priority Allocations.	
Administrative Agency	Submits recommended adjustment(s) to AC and to the Council.
Allocations Committee	<i>Given appropriate timing</i> , the AC reviews recommendations from AA. Approves, modifies or rejects recommended adjustment(s). Submits recommendation for reallocation to the Executive Committee.
Executive Committee	<i>Given appropriate timing</i> , approves, modifies, or rejects reallocation recommendations offered by AC. If committee concurs, forwards proposed change(s) to full Council for approval.
Planning Council	Approves, modifies, or rejects reallocation recommendations offered by AC or Executive Committee by formal vote. Directs AA to implement approved or modified recommended revisions to the service priority and allocation plan.

Level I adjustments are at the discretion of the AA and can be made at any time during the contract year. Level II and III adjustments must be made in accordance with the process and timelines specified in the following matrix and/or on an as needed basis:

Activity	Party Responsible	Action Needed By
Assess contractor spending patterns; analyze trends by agency; prepare recommendation for current service priority and allocation plan adjustment(s) for AC	AA	June and November and as needed
Inform contractors regarding availability of unexpended funds and opportunity to request reallocated funds.	AA	June and November and as needed
Deadline for response to AA request regarding availability of unexpended funds and requests for reallocated funds	Contractor	June and November and as needed
Submits recommended adjustment(s) to AC	AA	June and November and as needed
Reviews recommendations from AA, approves, modifies or rejects recommended adjustment(s). Submits recommendation for reallocation to the Executive Committee.	AC	AC meeting, July and November and as needed
Reviews recommendations offered by AC (Level II requests). Approves, modifies, or rejects reallocation recommendations offered by AC (Level III requests).	Executive Committee	Executive meeting, July and November and as needed

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Directs AA to implement approved or modified recommended revisions to the service priority and allocation plan (Level II requests) If committee concurs, forwards proposed change(s) to full Council for approval (Level III requests).		
Approves, modifies, or rejects reallocation recommendations offered by AC (Level III requests). Directs AA to implement approved or modified recommended revisions to the service priority and allocation plan (Level III requests).	Planning Council	July and November and as needed
Initiates process of reallocating funds through contract amendments	AA	August and December and as needed
Reallocated funds are fully distributed. Planning Council, AC and Executive are fully informed that the process has been completed.	AA	September and December and as needed

Considerations for Final Year End Reallocations

In an effort to rapidly reallocate funds to ensure full program expenditures, the AC, EC, and full Planning Council may vote to extend reallocation flexibility to the grantee beyond the scope of this SOP. The allowance of the grantee's discretion may be permissible by a vote of majority members and dictated by a specific timeframe and any contingent parameters. Reallocations made during this time will be made with input from the Planning Council Chair and Program Director. This flexibility is allowable per this SOP with a majority approval of the aforementioned committees and full council.

Criteria for Consideration of Requests for Reallocated Funding

The AA will utilize the following criteria when considering agency requests for Level II and III reallocated funding, and in preparation of recommendations for revision of the current service priority and allocation plan for the AC and the Planning Council:

1. There is clear documentation of unmet need.
2. The reallocated funds requested will significantly improve provision of direct services.
3. There is substantive documentation to support a projection of increased client utilization of services.
4. The agency guarantees, to the satisfaction of the AA, that all reallocated funds will be expended by the end of the contract year.
5. The request for reallocated funds falls within the current service priority and allocation plan as adopted by AC and the Planning Council or is an unmet need identified in the most recent community needs assessment and/or update.

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Attachment 11: Resource Allocations Process

Introduction

The first step outlined in HRSA's technical assistance manual for Priorities and Allocations states that: "the planning body as a whole should agree on the specific scope of the task and the expected outcomes".

Purpose

The task is allocating funds to the approved list of priorities. Available funds will be allocated to the identified priorities by either absolute dollar amounts or percentages of total funds.

Process

1. Establish an Allocations ad hoc Committee.
 - D. Individuals will be selected for membership in order to be reflective of the HIV epidemic in the New Orleans EMA.
 - E. Co-Chairs of the ad hoc Committee shall consist of the NORAPC Chair and the Chair of the Allocations Committee or their appointee.

2. Establish dates and times for the following meetings:
 - G. Orientation/Training
 - H. Data Review
 - I. Resource Allocations Meeting
 - J. Other meetings as needed

3. Establish Meeting Ground Rules and Attendance Policy
 - A. Members of the ad hoc Committee shall be required to attend all established meetings

4. Evaluation of the Process
 - A. To be included as a component of the "Internal Assessment of Planning Council Functioning"

Principles to Guide Decision Making

1. Decisions will be based on documented need.

2. Services must be responsive to the epidemiology of HIV in the EMA.

3. Consumer perspectives and preferences will be a primary consideration in allocating resources.

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4. Decisions are expected to address overall needs within the service area, not narrow advocacy concerns.
5. Services must be culturally appropriate.
6. Services should focus on the needs of low-income, underserved and severe need populations.
7. Equitable access to services should be provided across geographic areas and sub-populations.
8. Services should be of demonstrated quality and effectiveness.
9. The Ryan White program will be considered funds of last resort.
10. The Ryan White Part A program will not be able to meet all identified needs

Criteria for Resource Allocation Setting

1. Documented need, based on the epidemiology of the local epidemic, service needs, specified in the needs assessment and other structured sources of information.
2. Quality, cost and outcome effectiveness of services, as measured through client surveys and other evaluation methods such as previous year's expenditures and service utilization data.
3. Consumer preferences or demand, including preferences for particular service interventions for particular populations, especially those with severe need.
4. Consistency with the continuum of care and its underlying priorities, such as ensuring access to basic health care, minimizing the need for hospitalization and eliminating duplication of services.
5. Balance between ongoing service needs and emerging needs, reflecting the changing local epidemiology of HIV.
6. Lack of other funds: resources from other sources are not available to meet this service need.
7. Cost-benefit: the service provides a high level of benefit to PLWH relative to its cost.

Desired Outcomes

1. A prioritized list of service categories, including the resource allocations, approved by the full Planning Council
2. Develop contingency plan(s) based on receiving a decreased/increased Grant Award from HRSA.

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3. A written report to the Administrative Agency summarizing the prioritized service categories including descriptions of the service delivery model as intended by NORAPC for each service category, including the resource allocations.
4. A fully documented description of the steps in the decision-making process.
5. Publicly publish the list of the approved priorities, including the resource allocations, and the contingency plan(s) for the New Orleans EMA.

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Attachment 12: ***Role of Standing Committee Chair***

Introduction

Article IX: *Committees*, Section 9.4 of the NORAPC Bylaws outlines provision for appointment and ratification of Standing Committee Chairs.

Purpose

Committee Chairs support the vision of NORAPC and will demonstrate energy, vitality and positive attitudes towards Planning Council goals. Committee Chairs are essential to the functioning of the Planning Council.

Committee Chairs must be committed to and interested in the Committee's charge. Experience, skills and expertise with the Committee's work product will be achieved collectively through committee members

Responsibilities

- Shall serve as Executive Committee members.
- Shall appoint a Vice-Chair to assure continuity of the Committee's responsibilities. The Standing Committee Vice-Chair shall be authorized to attend the Executive Committee Meetings and in the absence of the Standing Committee's Chair, vote the Committee's position.
- Must understand Conflict of Interest as outlined and defined in the NORAPC Bylaws, Article X: *Conflict of Interest* and work towards minimizing the effect of conflict on Committee members and NORAPC.
- Must work with NORAPC support staff to schedule Committee meetings and develop agendas.
- Must motivate and encourage hands-on work by other Committee members. While Committee Chairs must be able to conceptualize the work agenda, they must also delegate tasks to others and through active follow-up, support other members in completing tasks.
- Must show active interest in Committee development, working to involve new members from the EMA and obtain expertise beyond Committee members to participate in Committee tasks and assist them in preparing for possible Planning Council membership.
- Must communicate with the NORAPC Chair and Executive Committee to ensure effective communication and promote cooperation between NORAPC and its Committees.

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- Shall commit 8-10 hours monthly to NORAPC: approximately two (2) hours monthly in Planning Council meetings, two (2) to three (3) hours monthly in Executive Committee meetings and approximately two (2) hours monthly in at least one committee meeting. Committee Chairs will support other Planning Council activities through active attendance.

- Shall explain and discuss all motions, from their Committee, presented to the Planning Council.

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Attachment 13: Service Standards - Review and Approval Process

Introduction

The NORAPC Standards of Care were developed to assure that there are guidelines for consistent delivery of quality levels of service for PLWH in the New Orleans EMA.

Policy

The Standards of Care is a living document, which will evolve with the changing needs and realities of the affected community, along with the evolving capacity of the service delivery area. The Standards of Care contain the highest level of professional standards consistent with Medicaid guidelines and best practices for medical services including: United States Public Health Standards (USPHS) guidelines; language mandated by the reauthorization of the CARE Act in October 2009 and the currently identified needs of the PLWH in the EMA. The Comprehensive Planning Committee, a Standing Committee of NORAPC, along with the appropriate NORAPC Support Staff, will monitor the Standards of Care and propose revisions as needed. The procedures for review and approval are as follows:

Procedures for Review and Approval

1. The Comprehensive Planning Committee shall continually monitor the NORAPC Standards of Care to ensure that they evolve with the changing needs and realities of the affected community and the capacity of the service providers in the New Orleans EMA
 - A. All Standing Committees of NORAPC can propose recommendations for revisions for the next fiscal year
 - All proposed recommendations shall be presented to the Comprehensive Planning Committee for review collaboratively with a representative of the Committee that proposed the revisions
 - B. Collaboration with members of other NORAPC Standing Committees, applicable outside experts, OHP and service providers should be part of the process to ensure that the Standards of Care are developed with the highest level of quality and professional standards to meet the needs of the community
 - C. The Comprehensive Planning Committee, upon review and approval of the proposed revisions, shall present the revised Standard(s) of Care to NORAPC for approval at the next scheduled NORAPC meeting, as outlined in Step 3
2. The Comprehensive Planning Committee, as outlined in the NORAPC Bylaws, shall also be responsible for the development of all new service category Standards of Care. New service categories are defined as: Current NORAPC recommended HRSA approved service categories that had not been prioritized and / or funded in previous years

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- A. Collaboration with members of other NORAPC Standing Committees, applicable outside experts, OHP and service providers should be part of the process to ensure that the Standards of Care are developed with the highest level of quality and professional standards to meet the needs of the community
 - B. The Comprehensive Planning Committee shall present newly developed Standards of Care to NORAPC for approval at the next scheduled NORAPC meeting as outlined in Step 3
3. The approval and planning process for all Standards of Care shall conform to the guidelines below
- A. All Standards of Care shall be presented to NORAPC for approval as they are reviewed as revised by the Comprehensive Planning Committee and presented to OHP before the start of the RFP Process
 - Standards of Care may be approved by NORAPC and presented to OHP for implementation (prior to the next fiscal year) when specific needs for revisions are justified by NORAPC and / or OHP
 - B. During the subsequent Strategic Planning Session of NORAPC, the Comprehensive Planning Committee shall develop a plan and timeline to review and revise all NORAPC Standards of Care, as needed, for implementation during the next fiscal year
4. Notification to Administrative Agency
- A. NORAPC Staff shall format and present the approved Standards of Care to the Administrative Agency for copy and distribution during the RFP process
 - B. Administrative Agency shall ensure that the revised approved Standards of Care are copied and ready for distribution during the RFP process

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Attachment 14: ***Standing Committee Assignments***

Introduction

Assignment of NORAPC Members to Standing Committees is vital to the efficient and effective operation of each Committee. Policies and procedures have been established to ensure that Committees have adequate representation from HIV+ individuals, non-conflicted individuals and knowledgeable and experienced individuals who are familiar with the work of each Committee.

Policy

- Active NORAPC members shall serve and actively participate on at least one Standing Committee as defined in Article III: *Membership*, Section 3.4, and they shall complete a Committee Intent Form, as required, and submit to the NORAPC Support Staff (Staff).
- When applicants for NORAPC membership are notified by Staff of their nomination, they will complete and submit a Committee Intent Form before their term begins.

Procedures

Standing Committee Assignments:

- Staff will summarize NORAPC members' and nominees' intentions/preferences and present to NORAPC Chair. It is possible that NORAPC members and nominees may not be assigned their first Committee of choice.
- NORAPC Chair will work with the Staff to finalize NORAPC members' Committee assignments to comply with membership requirements as outlined in Article IX: *Committees*.
- Staff will notify all members of their Committee assignment.
- Any NORAPC member, who wishes to switch Committees or join additional Committees throughout the year, must complete another Committee Intent Form and submit to the Staff. The Staff will review the composition, of the Committee, which the NORAPC member selected. Staff will notify the NORAPC member if a vacancy exists. If there is a vacancy, and the NORAPC member is switching Committees, voting privileges begin at the next scheduled meeting of that Committee. If the NORAPC member is joining an additional Committee(s), the member must attend three consecutive meetings and voting privileges begin at the third meeting. If no vacancy exists, the NORAPC member will be added to the waiting list for that Committee.

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Attachment 15: *Time Management of NORAPC Meetings*

Introduction

Time Management is essential to the effective and efficient operation of all NORAPC Meetings. Policies and procedures have been established to ensure that all meetings are conducted with established time limits and that all business is completed.

Policy

1. All NORAPC Meetings shall be open to the public and shall be held only after adequate notice, seven (7) days, to the public.
2. All agenda items requiring the presence of a quorum shall be placed at the beginning of the agenda. All agenda items shall include a beginning and ending time.

All motions shall be presented to the Council with a written summary.

3. Committee Chairs or their designee shall submit verbal reports at each regularly scheduled Planning Council meeting.
4. Representatives of Other Federal HIV Programs or their designee shall submit reports each regularly scheduled Planning Council meeting
5. All NORAPC meetings shall have established and published meeting times (including beginning and ending times) and all business shall be conducted within the established time.
6. NORAPC Chair shall establish time limits for discussions/debates and announce the time limit before discussion/debate takes place.

Procedures

1. The Support Staff shall ensure that the monthly Planning Council meeting notice is placed in local publications.
 - Local publications and radio will be used for Public Service Announcements (PSAs) whenever possible.
2. The Program Director, in collaboration with the NORAPC Chair, shall ensure that all agenda items that require the presence of a quorum are appropriately scheduled on the NORAPC meeting agenda and shall establish how much time will be needed to explain and present each motion. Primary Staff shall ensure that each motion is explained in a brief summary to be presented with the motion.
3. Primary Staff will collaborate with Committee Chairs to facilitate the reports for each regularly scheduled Planning Council meeting
4. The Primary Staff shall ensure that all agendas list established meeting times and mailings occur one week prior to each meeting.

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- NORAPC members shall be required to review all documents before a scheduled meeting and contact the Support Staff Office prior to the meeting for clarification if necessary.
5. NORAPC Chair shall, as outlined in Robert's Rules of Order, enforce the time limits. Discussion/debate time can be extended by a motion from the floor.