Minutes – Executive Committee – 4/26/2022

Greater Phoenix Ryan White HIV Services Planning Council
Planning Council Minutes
4041 N. Central Avenue, Phoenix, AZ 85012
Planning Council Support Office: (480) 431-1207

MINUTES
Tuesday, April 26, 2022
ZOOM Teleconference

Call to order
Randall Furrow, called the meeting to order at 2:44 PM

Determination of Quorum
11 of 17 members present at 2:44 pm QUORUM ESTABLISHED (Need 10+)

Welcome and Introductions
The Chair welcomed Planning Council members and guests. The Chair asked everyone to announce their name and for Planning Council members to declare any conflicts of interest for the record.
## I. Review of the Minutes and Action Items

A motion to approve the February 22, 2022 minutes as amended was made by C. Albrecht and 2nd by E. Eason; The minutes were approved by unanimous vote.

### Motion / Action

**Motion to approve minutes.**
- **Moved:** C. Albrecht
- **Seconded:** E. Eason
- **Passes unanimously.**

## II. Chair Update

Randall Furrow to give updates regarding two items:
- **Third-Tier Care Coordination Update**
  - Progress is moving along and will be receiving additional technical assistance as confirmed by Carmen.
- **Discuss interest in Chair for CHPS**
  - Randall has been filling the position of interim and has appointed Megan Kramer as Chair and Eric Eason as Vice-Chair for this committee.

### Motion / Action

**Motion to approve M. Kramer for Chair and E. Eason as Vice-Chair.**
- **Moved:** E. Moore
- **Seconded:** E. Steele
- **Passes unanimously.**

## III. RWHAP Part A Recipient’s Office Update

- **Review Part A Expenditure Reports by Service Category**
  - Review of last grant year showing a total of $173-$174k underspent for the year. We are in total allowed amount. No allocation requests at this time
- **Discuss HRSA Planning Council Guidance and Term Limits**
  - The PSRA process must prioritize all RWHAP HIV core medical and support services annually.
  - No less than 33% of PC membership must comprise of unaffiliated clients receiving RWHAP Part A services in the jurisdiction.
  - **Term Limits:** HRSA HAB expects the PC/PB to establish term limits and membership rotations.
- **Eligibility Update**
  - Will be moving to annual renewals vs. six months; renewals following HRSA Policy Clarification (PCN 21.02).
  - Also fewer requirements for eligibility.

Eric Eason shared an update on Escalate. Escalate meets monthly with a subject matter expert (SME) from NMAC, formerly known as the National Minority AIDS Council. They are working on three (3) goals:

- **Goal 1:** Create an evaluation plan to measure the impact of media campaigns, such as Positively You.
- **Goal 2:** Include cultural humility components in existing organizational assessment providers.
- **Goal 3:** Provide a toolkit of strategies for providers to use to address cultural humility.

### Motion / Action

**No vote. Discussion only.**
Debby Elliot gave a report on the Planning Council’s HIV Housing Coalition which was in effect for the past year. This is the full year-long report. Over the past year identifying the American Rescue Plan funds. Worked over the past year.

Key accomplishments include:
- RWPA additional housing specialists to help navigate housing resources.
- Council joined the AZ Housing Coalition to stay updated on new resources.
- Care Directions approved as a coordinated entry site
- Spent 1.5 million on housing services in the past year.

Rose shared that there is not much difference in the number of people who are unstably housed in the Ryan White population. 2019 reflected 373, and in 2021 351. However, they did identify that many are new individuals and not the same individuals. They also identified those that are unstably housed went from 60% in 2019 to 2021 of individuals unstably housed.

Debbie walked through the 7 recommendations with the Council.

Randall Furrow walked through the recommendations for questions. Chuck Albrecht asked what CASS stands for, and Debby clarified it to be the Central Arizona Shelter Services. No one else had any questions. Randall asked for a consensus from the Planning Council to endorse the 7 recommendations.

**#1. Continued collaborations with statewide housing authorities and AZ Housing Coalition.**

**#2. Collaboration with RWPA, RWPB, City of Phoenix, and ADOH to provide training to Case Managers on housing resources for all case managers.**

**#3. Additions to Case Management standards of care. All agreed. Would be routed through the STaR. Also adding the recommendations to look at CAREware reporting through Part A’s Office.**

**#4. Possible prioritization of RWPA housing funds to address unstable housing for targeted populations.**

**#5. Development and distribution of Ryan White’s “Road Map for Housing” for clients and case managers.**

**#6. Support ADHS RWPB in efforts to complete data sharing agreements with housing authorities, including ADOH (Arizona Department of Housing) and Continuums of Care.**

**#7. Establish an RWPA Planning Council workgroup to identify areas of focus related to housing for 2022 and 2023.**
V. TEAM Committee Update

• Votes on new member applications and membership renewals as needed.
  • Two (2) new applications for consideration to the Board of Supervisors
    ○ Terros Health: Cedric “CJ” McIntosh
    ○ Native Health: Shane Sangster
  • Renewal’s update: The Board of Supervisors renewed reappointments for Duvia Lozano and Daniel Iniguez
  • Pending Board of Supervisors for three (3) members:
    ○ Casey Simon, Fred Schaefer, Jason Vail Cruz

Reviewing feedback received on the new membership application and the revised application, and now being reviewed then will be available online.

Working on training for the New Member Comprehensive Orientation; Draft is completed, and Chuck is finishing up some revisions and talking points. The goal is to provide training on Tuesday, May 10th, 2022 (5.10.2022) in the afternoon and evening.
  • Future training to be rolled out with the Planning Council starting with members of Part A followed by providers.

Working on increasing participation from Part A consumers, specifically targeting priority populations.

Upcoming Rainbow Festival this Saturday and Sunday. Volunteers are still needed, and a few slots are available.

Motion to forward the two applications to the Board of Supervisors.

Moved: M. Kramer
Seconded: R. Cook
Passes unanimously.

VI. CHPS Committee Update

• Review and Update the Guiding Principles
  Duvia Lozano provided an update on the recommended changes for the Guiding Principles for Allocations Decisions from CHPS. She gave a brief highlight of the changes made:
    • Changed the language to remove the word “Living” from People Living with HIV/AIDS (PLWHA) to now be Person with HIV/AIDS (PWHA).
    • We also changed the document to update the name of the planning council to read as The Greater Phoenix Ryan White HIV Services Planning Council (Council).
    • We did a cleanup of the hyphenations and punctuation throughout the document.
    • Updated the bylaws to be changed from the language of the 2006 Ryan White HIV/AIDS Treatment Modernization Act to the 2009 language.
    • Biggest changes made were the service categories.
    • Changed PLWHA to PWHA
    • Funding for higher rate categories should be preserved before lower rank priorities.
    • Removed the last bullet and replaced it with revisions for clarification on how to preserve higher ranked categories.
    • Added referral for Health Care/Supportive Services, particularly Central Eligibility activities.
    • We added Current and Emerging Needs under Decision Making.

Motion to approve the Guiding Principles with the revisions.

Moved: C. Albrecht
Seconded: E. Moore
Passes unanimously.
VII. STaR Committee Update

Eric Moore shared that the Planning Council will review the Bylaws for approval on 4/26/22. He thanked everyone for all the work to get these updated.

The highlights of the changes made are:

- Changed the language and took out an administrative agent and replaced with recipients’ office.
- Changed all the pronouns like she/he, her/him, hers/his to reflect as them/they.
- Added the minimum number of Planning Council Members to be set to min 21 and a max of 30. With 1/3 at min should be min Part A Clients. We strive for more than 1/3.
- Added Language to allow all the committees to create policies and procedures to be submitted for review.
- Added to set the Term-Limits limited to two (2) consecutive three (3) year terms and must take one (1) year off before serving again to follow HRSA expectations.

These will go into effect after they get submitted and approved by the board of supervisors. Could take anywhere between four (4) months and 3 years.

Eric shared that at the May meeting STaRs will return to the Standards of Care. Debbie Elliott has agreed to attend the meeting and help.

The May meeting will begin to discuss the Standards of Care for substance abuse for outpatient, Psychosocial, and Housing. There was a question about adding Standards of Care for Health Care. Eric said yes, we will have to add these, and we don’t currently have this category for this.

Eric Moore explained that HRSA is encouraging the RapidART is to help when someone is newly diagnosed or not receiving HIV treatment care, whether it’s identified in emergency care, case management, or wherever it is identified, that the individual would be treated with antiviral treatment within 72 hours. Depending on the May meeting, STaR is looking to get the RapidART addressed at the July Meeting, and ADHS will be invited to provide their input on this.

VIII. Review Bylaws for approval

This was discussed in the STaR Committee Update.

Motion to approve the bylaws with the suggested revisions and submit them to the Legal Council for review and then forwarded to the Board of Supervisors for approval.

Moved: D. Lozano
Seconded: C. Quinn
Passes unanimously without questions and without objections or abstentions.
| IX. Review and approve final allocations based actual award amount | Carmen shared that we are expecting the award from HRSA/HAB NOA in late May. We will share allocation recommendations at the next meeting. We have a 3-year grant application, will it have any affect on our PSRA. Carmen said we still plan to do the PSRA process, and even if they do not need it this year, we still plan to have the meetings as they are important to the Planning Council. | Discussion Only. No Action. |
| X. Review of New Planning Council Members | This was discussed during the TEAM update. | |
| XI. Review and Resolve Parking Lot Items | Reviewed the interim Memorandum of Understanding. It was signed and we will review it again in 6 months. | Discussion Only. No Action. |
| XII. Determination of Action/Agenda Items for Next Meeting | Reviewed Agenda Items for the next PC Meeting.  
- NOA should be Received, so we should have recommendations for allocations  
- Update with partnering with the city of Phoenix 90-90-90 has granted about $50k to expand the PositivelyYou! campaign. We are actively recruiting young ambassadors that are young adults. Jeremy may have more on this at the next meeting.  
- Chuck Albrecht requested a quick Fiscal year Part A training at the next Planning Council meeting. | Discussion Only. No Action. |
| XIII. Current Event Summaries | Jason Landers shared the new mobile phone number for contacting Planning Council Support: (480) 431-1207.  
Jeremy Hyvarinen shared that they are recruiting young adults 18-34 that have used or are currently utilizing Ryan White services and asked for anyone that is interested to reach out to Jason or directly to Jeremy. Also, they are still looking for volunteers for the Rainbows Festival. | Discussion Only. No Action. |
| XIV. Call to the Public | Nothing was shared during this time. | |

**SCHEDULE OF NEXT MEETINGS**

<table>
<thead>
<tr>
<th>Day</th>
<th>Date</th>
<th>Time</th>
<th>Committee</th>
</tr>
</thead>
<tbody>
<tr>
<td>Tuesday</td>
<td>May 24, 2022</td>
<td>10:00 a.m.</td>
<td>TEAM Committee</td>
</tr>
<tr>
<td>Tuesday</td>
<td>May 24, 2022</td>
<td>12:00 p.m.</td>
<td>CHPS Committee</td>
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<tr>
<td>Tuesday</td>
<td>May 24, 2022</td>
<td>2:30 p.m.</td>
<td>STaR Committee</td>
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<tr>
<td>Monday</td>
<td>June 27, 2022</td>
<td>12:30 p.m.</td>
<td>Executive Committee</td>
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<td>Tuesday</td>
<td>June 28, 2022</td>
<td>2:30 p.m.</td>
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**Adjournment**

3:54 PM
## Part A Expenditure Reports by Service Category DRAFT

**Report for Planning Council in April 2022**

**Maricopa County - Ryan White Part A Program**

**Administrative Agent Aggregate Snapshot**

**Report - DRAFT**

**RWPA**  **Grant Year Ending:**  **2/28/2022**

**Services Provided Through:**  **2/28/2022**

### Services Provided Through: 2/28/2022

<table>
<thead>
<tr>
<th>Priority</th>
<th>Service Category</th>
<th>Part A</th>
<th>MAI</th>
<th>CarryOver</th>
<th>Utilized $</th>
<th>%</th>
<th>Year End Forecast Utilized</th>
<th>%</th>
<th>Year End Forecast Unobligated</th>
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<td></td>
<td><strong>Core Medical Services</strong></td>
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<td>1</td>
<td>Outpatient Ambulatory Health S</td>
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<td>$1,572,969</td>
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<td>$1,763,003</td>
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<tr>
<td>4</td>
<td>Early Intervention Services</td>
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<td>0</td>
<td>0</td>
<td>$516,005</td>
<td>91%</td>
<td>$469,407</td>
<td>($46,598)</td>
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<tr>
<td>5</td>
<td>Mental Health Services</td>
<td>$138,047</td>
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<td>$138,047</td>
<td>94%</td>
<td>$129,602</td>
<td>($8,445)</td>
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<td>6</td>
<td>Health Insurance Premium &amp; Co</td>
<td>$2,371,635</td>
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<td>$2,371,635</td>
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<td>Medical Nutrition Services</td>
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<td>$407,287</td>
<td>$0</td>
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<td>13</td>
<td>Substance Abuse Services</td>
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<td>0</td>
<td>$17,500</td>
<td>82%</td>
<td>$14,283</td>
<td>($3,217)</td>
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<td><strong>Core Medical Services Total</strong></td>
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<td>$407,673</td>
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<td>$6,786,446</td>
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<td>$6,193,796</td>
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<td><strong>Supportive Services</strong></td>
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<td>8</td>
<td>Non-Medical Case Management</td>
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<td>$161,957</td>
<td>$0</td>
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<tr>
<td>10</td>
<td>Food Bank Meals</td>
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<td>100%</td>
<td>$598,290</td>
<td>$0</td>
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<tr>
<td>15</td>
<td>Housing Services</td>
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<td>0</td>
<td>0</td>
<td>$0</td>
<td>Num!</td>
<td>0</td>
<td>$0</td>
<td>0%</td>
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<tr>
<td>17</td>
<td>Psychosocial Support Services</td>
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<td>$51,360</td>
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<td>$64,200</td>
<td>107%</td>
<td>$68,700</td>
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<td>29</td>
<td>FAP - General Emergency</td>
<td>$40,000</td>
<td>0</td>
<td>0</td>
<td>$40,000</td>
<td>83%</td>
<td>$33,310</td>
<td>($6,690)</td>
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<td><strong>Supportive Services Total</strong></td>
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<td>$1,990,529</td>
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<td>$1,983,261</td>
<td>($7,267)</td>
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<td><strong>Total</strong></td>
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<td>$707,869</td>
<td>0</td>
<td>$8,776,975</td>
<td>82%</td>
<td>$8,603,058</td>
<td>($173,917)</td>
<td>0%</td>
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### Notes:

The Part A Office is not providing the typical Allocations and Expenditures Report for this month. Due to timing of closing out of last grant year (March 1, 2021 to February 28, 2022) and the open of this grant year’, there will be a delay in that version of the report. These reports generally have a two month delay to allow time for billing and data aggregation.

This DRAFT report shows ~$174,000 unobligated and eligible for carryover. Estimate additional charges up to $140,000 before the close out. The Part A program is making the final rapid reallocations that were approved by PC in the December Council meeting.

There are no reallocation requests at this time.
Dear Ryan White HIV/AIDS Program Part A Recipients:

This letter provides clarification on the Health Resources and Services Administration, HIV/AIDS Bureau’s (HRSA HAB) expectations of a required community input process for Ryan White HIV/AIDS Program (RWHAP) Part A awards. The Chief Elected Official, as the recipient of RWHAP Part A funds, is ultimately responsible for establishing the planning body to spearhead the development of a comprehensive HIV service system for the Eligible Metropolitan Area or Transitional Grant Area (EMA/TGA) through a planning council (PC) or planning body (PB).

Section 2602(b) of Title XXVI of the Public Health Service Act outlines the roles and responsibilities of the PC. Section 2609(d)(1) outlines the requirement for TGAs to have a formal community input process to formulate the overall plan for priority setting and resource allocations in TGAs.

This program letter clarifies HRSA HAB requirements and expectations for the PC/PB. Unless otherwise noted, the requirements and expectations apply to both PCs and PBs.

**Roles and Responsibilities- Priority Setting and Resource Allocation**

Priority Setting and Resource Allocations (PSRA) is the single most important legislative responsibility of a PC/PB, and greatly influences the system of HIV care in the EMA/TGA. The PSRA process must prioritize all RWHAP HIV core medical and support services annually. [2602(b)(4)(C)] and 2602(d)(1)]

**PC Membership**

The PC must include a representative from each of the 13 legislatively required membership categories. The PC must also include at least one member to separately represent each of the designated membership categories (unless no entity from that category exists in the EMA/TGA). Separate representation means each PC member can fill only one legislatively required membership category at any given time, even if qualified to fill more than one. There are only three situations that allow one person to represent two membership categories. PC members must reflect the demographics of the population of individuals with HIV in the jurisdiction. Additionally, no less than 33 percent of PC membership must be comprised of unaffiliated clients receiving RWHAP Part A services in the jurisdiction. [2602(b)(2)]
**PB Membership**

At a minimum, the PB must include representatives of the various stakeholders in the TGA, and must reflect the demographics of the population of individuals with HIV in the jurisdiction. Additionally, no less than 33 percent of PB membership must be comprised of unaffiliated clients receiving RWHAP Part A services in the jurisdiction.

**Term Limits**

To ensure the PC/PB are reflective of the demographics of the population of individuals with HIV in the jurisdiction, HRSA HAB expects the PC/PB to establish term limits and membership rotations.

**Separation of PC/PB and Recipient Roles**

A separation of PC/PB and recipient roles is necessary to avoid conflicts of interest. The legislation prohibits PC public deliberations to be “chaired solely by an employee of the grantee.” [2602 (7)(A)]. A recipient representative, whose position is funded with RWHAP Part A funds, provides in-kind services, or has significant involvement in the RWHAP Part A grant, shall not occupy a seat in the PC/PB, nor have a vote in the deliberations of the PC/PB.

If you have any questions regarding the information outlined in this letter, please consult your project officer.

Sincerely,

/s/ Chrissy Abrahms Woodland, MBA

Chrissy Abrahms Woodland, MBA
Director
Division of Metropolitan HIV/AIDS Programs
RWPA
Planning
Council HIV
Housing
Coalition

Final Recommendations
to the Greater Phoenix
EMA Planning Council

April 26, 2022
What Has Been Accomplished-Feb. 2022

1. RWPA Funded additional Housing Specialist to assist consumers in navigating housing resources

2. RWPA joined the AZ Housing Coalition to stay updated on new resources and contribute to community efforts to decrease homelessness

3. Care Directions was approved to be Coordinated Entry Site to provide expedited housing screening in collaboration with CASS

4. RWPA increased Housing funding in 2021 from RWPA and Ending the HIV Epidemic carryover funds to provide $1.5 million in assistance to unstably housed RPWA consumers
Data as of Jan. 2022

Unstably Housed Continuum by Year

- Diagnosed:
  - 2019: N = 373
  - 2020: N = 348
  - 2021: N = 351
  - Percentage: 60%

- Suppressed:
  - 2019: N = 373
  - 2020: N = 348
  - 2021: N = 351
  - Percentage: 61%
HIV Housing Coalition Recommendations

7 Recommendations are being forwarded from CHPS for consideration
By the RWPA Planning Council
1. Continued Collaborations with Statewide Housing Authorities and AZ Housing Coalition

- RWPA has joined the AZ Housing Coalition and should continue to engage with statewide housing authorities to stay updated on changes in policy and funding related to housing that could impact PWH.
- Consider assigning a staff member from RWPA and a RWPA Planning Council Member to the AZ Housing Coalition. PC member would have flexibility to advocate for housing policies that impact PLH.
2. Collaboration with RWPA, RWPB, City of Phoenix and ADOH to Provide Training to Case Managers on Housing Resources for All Case Managers

- ADOH and City of Phoenix will collaborate with RWPA and RWPB to develop and offer training to all case managers, including Medical, Non-Medical, HOPWA and other Housing Case Managers across the state to ensure that this information is available to all staff who interact with clients needing housing assistance.
- Training will be held in April 2022. All training materials will be shared with case management agencies for continued training, and annual update trainings will be scheduled.
3. Additions to Case Management Standards of Care

- Request that Planning Council recommend changes to RWPA Standards of Care for Medical and Non-Medical Case Management to include screening for housing at a consistent time frame throughout the year to ensure that housing status and data is accurate in CAREWare.
- This would provide a consistent screening for all clients and allow Case Managers to provide appropriate referrals for assistance.
- Identify communication mechanisms that move information from Medical and Non-Medical Case Managers to Housing Information Specialist and Retention Specialists.
• RWPA Administrative Agent and Planning Council could consider prioritization of available funding for Housing to include specific vulnerable populations. Prioritizing funds would provide guidance to the RWPA Administrative Agent to identify methods to allocate the available funds across the entire grant year. (It is estimated that Funding will be less than 40% of 2021 funds).
• There are multiple under specific income limits. options for prioritizing vulnerable populations, including limiting housing assistance to individuals
5. Development and Distribution of Ryan White “Road Map for Housing” for Clients and Case Managers

- RWPA Planning Council should consider requesting this “Road Map” to be developed and distributed to all Case Management Agencies and to all clients that need housing assistance.
6. Support ADHS RWPB in Efforts to Complete Data Sharing Agreements with Housing Authorities, including ADOH and CoCs

• Finalizing Data Sharing Agreements will allow ADOH to identify PWH that are HIV positive, unstably housed, and not currently in medical care. This will provide opportunities for outreach to reconnect individuals to medical and support service. This will support the goals of the Statewide HIV Integrated Plan and the Ending the HIV Epidemic Plan.
7. Establish a RWPA Planning Council Workgroup to Identify Areas of Focus related to Housing for 2022 and 2023

• Planning Council could consider establishing an ongoing workgroup that would continue the work of the HIV Housing Coalition.

• This Workgroup could convene a meeting of housing stakeholders twice a year to provide recommendations to the RWPA Planning Council on Housing Status, Gaps, and Needs that can help to inform the RWPA Planning Council’s annual Priority Resource Strategy and Planning Process.

• This Workgroup could schedule and coordinate annual training sessions for case managers related to housing issues.

• The HIV Housing Coalition strongly suggested maintaining the name of this workgroup as the HIV Housing Coalition in order to continue including community members who may not be associated with the Planning Council.
Thank You for Your Consideration of these Recommendations
<table>
<thead>
<tr>
<th>I need to find a shelter or I am homeless</th>
<th>I need helping paying rent, mortgage, utilities, deposits</th>
<th>I need affordable or subsidized housing</th>
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</thead>
<tbody>
<tr>
<td><strong>Screening for Shelters &amp; Services</strong></td>
<td></td>
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<tr>
<td>Single Adults</td>
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<tr>
<td>Brian Garcia Welcome Center</td>
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<tr>
<td>204 S. 12th Avenue, Phoenix</td>
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<tr>
<td>602-759-5356 (Walk-in) Mon-Fri 7a-3p</td>
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<td><strong>Women</strong></td>
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<td>Halle Women’s Center</td>
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<td><strong>Families</strong></td>
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<td>CAREWare Referral from Case Manager**</td>
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<td>Karen Stuart</td>
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<td>602-258-3434 ext. 2820</td>
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<tr>
<td><a href="mailto:kstuart@clsaz.org">kstuart@clsaz.org</a></td>
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### I need to find a shelter or I am homeless

**Screening for Shelters & Services**
- Single Adults
  - Brian Garcia Welcome Center
    - 204 S. 12th Avenue, Phoenix
    - 602-759-5356
    - (Walk-in) Mon-Fri 7a-3p

**Women**
- Halle Women’s Center
  - 602-362-5833

**Families**
- Family Housing Hub
  - 3307 E Van Buren, Phoenix
  - 602-595-8700
  - (Walk-in) Mon-Thurs 8a-4p

**Single Men**
- A New Leaf
  - 480-610-6722

**Behavioral Health**
- Community Bridges
  - 877-931-9142

**Veterans**
- Community Resource & Referral Center
  - 602-248-6040

**Justa Center**
- Older Adult
  - 1001 W Jefferson, Phoenix
  - Walk-in Mon-Fri 7a–11a
  - www.shelterlist.com

### I need helping paying rent, mortgage, utilities, deposits

**HOPWA Funds**
- Southwest Behavioral & Health Services
  - 602-318-1715

**RWPA Funds**
- (first month’s rent only)
  - Care Directions
  - 602-264-2273

**Maricopa County**
- Maricopa County Emergency Rental Assistance Program
  - 602-506-3011

**Phoenix**
- City of Phoenix Human Services
  - 602-534-2433
  - (Call at 8am on Monday to schedule)

**Mesa**
- City of Mesa (Mesa Cares)
  - 480-644-5440

**Chandler & Gilbert**
- AZCEND
  - 480-963-1423

**Glendale**
- City of Glendale
  - 623-930-3590

**RWPA Limited rental or utility assistance**
- CAREWare Referral from Case Manager

### I need affordable or subsidized housing

**I want to Apply**
- HOPWA Housing Information Specialist
  - Care Directions
  - Stephanie Shaw
  - 602-264-2273
  - stephanie.shaw@aaaphx.org

**In-Home program**
- Southwest Behavioral & Health Services
  - Must have AHCCCS

**RWPA Housing Search Specialist**
- Care Directions
  - 602-264-2273

**I have a voucher but need help finding a place to rent**
- In-Home program
- Southwest Behavioral & Health Services

**RWPA Housing Search Specialist**
- Care Directions
  - 602-264-2273

### I need legal help or advocacy with my landlord

**Community Legal Services**
- Karen Stuart
  - 602-258-3434 ext. 2820
  - kstuart@clsaz.org

**Domestic Violence Hotline**
- 480-890-3039

**I need legal help or advocacy with my landlord**
- Community Legal Services
  - Karen Stuart
  - 602-258-3434 ext. 2820
  - kstuart@clsaz.org
Planning Council Bylaws

GLOSSARY OF TERMS

Acquired Immune Deficiency Syndrome (AIDS)
A disease of the immune system caused by infection with HIV.

Administrative Agent/Administrative Agency (AA)
The entity that functions to assist the Recipient, consortium, or other planning body to carry out administrative activities (e.g., disbursing program funds, developing reimbursement and accountingsystems, developing Requests For Proposal (RFPs), and monitoring contracts).

Administrative Mechanism
The process used by the Administrative Agent through which service providers are selected, paid, and monitored. The administrative mechanism also includes a process for the timely obligation of funds afterreceipt of the Notice of Grant Award.

Agenda
A written list of matters needing attention, discussion and/or action at a meeting. Matters not appearingon the agenda may not be discussed; nor may any action be taken concerning matters not appearing of the agenda.

AIDS Drug Assistance Program (ADAP)
Provides FDA-approved medications to low-income people living with HIV/AIDS who have limited or nocoverage from private insurance, AHCCCS, or Medicare. This program is authorized under Part B of theRyan White legislation and, in Arizona, is administered by the Arizona Department of Health Services.

AIDS Education and Training Center (AETC)
Regional centers providing education and training for primary care professionals and other AIDS-related personnel. The main AETC in Arizona is at the University of Arizona in Tucson.

Alternate
An individual chosen by a Council member, and approved by the Board of Supervisors, who may attend alimited number of Council meetings and vote on the member’s behalf.

Arizona Department of Health Services (ADHS)
The programmatic unit of the Arizona State government charged with the administration of public health services. Within ADHS, the Office of HIV Services administers the Ryan White Part B program andstate AIDS Drug Assistance Program (ADAP).

Arizona Health Care Cost Containment System (AHCCCS)
A Medicaid waiver program funded by the United States government and the state of Arizona, administered by the Arizona Department of Economic Security, that pays the medical expenses ofpeople with limited income or resources.
Planning Council Bylaws

**Board Designee**

An individual designated by the Chair of the Maricopa County Board of Supervisors (Board) to serve as a liaison to the Council. The Board Designee serves a one-year term and can be reappointed for an unlimited number of terms.

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Approved by Planning Council **PNDG**
Amended and Approved by Maricopa Board of Supervisors **PNDG** - C-95-19-014-M-00
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Bylaws
The written rules and regulations that govern the internal affairs of the Council. The Bylaws are drafted by the Rules Committee and must be approved by the full Council and the Maricopa County Board of Supervisors.

Centers for Disease Control and Prevention (CDC)
A Federal agency that administers disease prevention programs including HIV/AIDS prevention.

Chief Elected Officer (CEO)
The official Recipient of Legislation funds. The Chief Elected Officer for the Phoenix Eligible Metropolitan Area (EMA) is the Chair of the Maricopa County Board of Supervisors. The CEO is ultimately responsible for administering all aspects of their Legislation funding and ensuring that all legal requirements are met.

Community-Based Organization (CBO)
An organization that provides services to locally defined populations, which may or may not include populations infected with or affected by HIV.

Comprehensive Plan
A document developed by the Council every three years that defines the goals of the Council related to improving service delivery and reducing gaps in care and/or barriers in accessing care.

Conflict of Interest
Council members and Alternates will be considered to have a conflict of interest if they themselves, their relative, spouse, or domestic partner have an interest in issues to be discussed that might affect:

- A profit or non-profit organization in which he/she has a financial interest in or is serving as an officer, director, trustee, partner, paid employee, or consultant;
- A public agency in which he/she is serving as a paid employee or consultant; and
- Any person or organization with whom he/she is negotiating or has an existing arrangement concerning prospective employment.

Consumer
PLWH who receive services funded by Ryan White Part A. While this term is most often used to describe Part A clients, it is occasionally used to describe any person living with HIV that is receiving HIV-related care.

Care Continuum
A full range of emergency and long-term service resources to address the various needs of people living with HIV.

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Board Designee
An individual designated by the Chair of the Maricopa County Board of Supervisors (Board) to serve as a liaison to the Council. The Board Designee serves a one-year term and can be reappointed for an unlimited number of terms.

Division of Metropolitan HIV/AIDS Programs
The division within HRSA’s HIV/AIDS Bureau that administers the Ryan White Part A legislation.

Eligible Metropolitan Area (EMA)/Transitional Grant Area (TGA)
These terms describe geographic areas highly impacted by HIV/AIDS that are eligible to receive funds under Part A of the Ryan White legislation. EMAs typically have large, established HIV epidemics. TGAs are areas that are experiencing increased infection rates (transitioning to an EMA), or for a variety of reasons, have decreasing HIV populations (transitioning toward losing their eligibility to apply for Legislation funding).

Epidemiological Data
Information and statistics from the branch of medical science that studies the incidence, distribution, and control of diseases in a population.

Grantor
The agency of the Federal government that makes annual Legislation grant awards. The Legislation grantor is the Health Resources Services Administration (HRSA).

Health Resources Services Administration (HRSA)
A United States Health and Human Services agency that administers various primary care programs for the medically underserved, including the Legislation.

Housing Opportunities for People with AIDS (HOPWA)
A program administered by the United States Department of Housing and Urban Development that provides funding to support housing for PLWH and their families.

Human Immunodeficiency Virus (HIV)
A retrovirus that destroys the immune system’s CD4 helper cells, the loss of which causes AIDS.

Maricopa County Board of Supervisors (Board)
The Board of Supervisors is the elected governing body for Maricopa County. The Board has a designee from among its members who acts as the Designee for the Council. The Board appoints all Council members and their alternates.

Medicaid
Medicaid is a governmental health care program for eligible individuals and families with low incomes and resources. It is funded through Federal and state resources.

Medicare
Medicare is a governmental health care program for eligible individuals who are retired and/or disabled.

Minority AIDS Initiative (MAI)

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The Federal Minority AIDS Initiative provides additional financial resources to Ryan White Recipients so they may address the disproportionate impact of HIV/AIDS in communities of color. Goals of the initiative include reducing the spread of HIV/AIDS and improving health outcomes for people of color living with HIV.

Needs Assessment
A process of collecting information about the health care and supportive service needs of local people living with HIV.

Notice of Award (NOA)
The legal document issued to notify the Recipient that an award has been made and that funds may be requested from the HHS payment system.

Open Meeting Law
A state law (Arizona Revised Statutes, Section 38-431 et seq.) which governs how all meetings of any public body shall be conducted.

Person Living with HIV (PLWH)
Any Individual diagnosed as HIV positive or as having AIDS.

Planning Council
A community group, appointed by the Maricopa County Board of Supervisors, to plan the organization and delivery of HIV health care and social services funded by the Legislation.

Planning Council Support
Planning Council Support staff serve as experts on the Legislation and Council Bylaws and policies.

Planning Process
Activities taken to assess a local HIV service needs, establish priorities for the allocation of Legislation funds, and develop a comprehensive plan for the organization and delivery of local HIV services.

Priority Setting and Resource Allocation (PSRA)
The process used to 1) establish priorities among service categories to best meet locally Identified needs, and 2) determine the amount of funding that can be used to provide services within those categories.

Public Notice
Entities whose activities are governed by Arizona Open Meeting Law must post a notice of the intention to meet at least 24 hours in advance of the meeting. The posting must include the time and location of the meeting and the items to be discussed. The location of the posting must be accessible to the public during normal business hours.

Recipient
The entity who is the Recipient of Legislation funds for an EMA/TGA. The Recipient is responsible for administering the grant award according to HRSA rules and regulations. The Recipient for the PhoenixEMA is Maricopa County, Arizona.

Reflectiveness
The extent to which the demographics of the Council match the demographics of the HIV epidemic in the EMA.

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Request for Proposals (RFP)
An open and competitive process for the procurement of goods and services. An RFP is an appeal for entities to apply to be Part A contractors. Part A notifies the provider community that funding is available to provide Ryan White services. Organizations then respond with a proposal that usually includes a service delivery plan, budget, and other background information. An independent committee reviews the proposals and determines which organizations to award Ryan White contracts to.

Residency
Living in a place permanently or for an extended period of time.

Ryan White Legislation
Federal legislation that addresses the unmet health needs of people living with HIV by funding primary medical care and support services.

- Part A: A section of the Ryan White legislation that provides emergency assistance to geographic areas disproportionately affected by the HIV/AIDS epidemic.
- Part B: A section of the Ryan White legislation that provides funds to States and Territories for primary health care, including AIDS Drug Assistance Programs (ADAP), and support services that enhance access to care by people living with HIV and their families.
- Part C: A section of the Ryan White legislation that supports outpatient primary medical care and Early Intervention Services (EIS) to people living with HIV through grants to public and private nonprofit organizations. Part C also funds capacity development and planning grants to prepare EIS programs.
- Part D: A section of the Ryan White legislation that supports coordinated services and access to research for women, infants, children, and youth with HIV/AIDS and their families.
- Part F: A section of the Ryan White legislation that includes the AIDS Education and Training Center (AETC) Program, the Special Projects of National Significance (SPNS) Program, and the HIV/AIDS Dental Reimbursement Program.

Quorum
A numerical majority of voting members that must be present at a meeting in order to take action on agenda items.

Service Categories
The types of services defined by the Health Resources and Services Administration (HRSA) that Legislation funds can be used to provide in an EMA/TGA.

Service Gaps
Ideally, all of the service needs of all PLWH in the community should be met. When there are PLWH that have service needs that are not being met, there is a service gap.

Special Projects of National Significance (SPNS)
A health services demonstration, research, and evaluation program funded under Part F of the Ryan White legislation to identify innovative models of HIV care.

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- **Statewide Coordinated Statement of Need (SCSN)**
  A written statement of need for an entire state developed through a process designed to collaboratively identify significant HIV issues and maximize the Legislation program coordination.

- **Technical Assistance (TA)**
  The delivery of practical program and organizational support to Legislation Recipients, planning bodies, and affected communities. TA is used to assist in the design, implementation, and evaluation of Ryan White-supported planning and primary care service delivery systems.

- **United States Department of Health and Human Services (HHS)**
  A Federal agency responsible for protecting the health of all Americans and providing essential human services, including administration of the Ryan White legislation.

- **United States Department of Housing and Urban Development (HUD)**
  A Federal agency responsible for administering community development, affordable housing, and other programs including Housing Opportunities for People with AIDS (HOPWA).

- **Unmet Need**
  The unmet need for primary health services among individuals who know their HIV status but do not receive primary health care.
Planning Council Bylaws

The name of this planning body shall be the Greater Phoenix Ryan White HIV Services Planning Council, representing Maricopa and Pinal Counties, hereafter referred to as the “Council.”

OUR MISSION

The mission of the Greater Phoenix Ryan White HIV Services Planning Council is to ensure an integrated, holistic, and comprehensive system of health care for people living with HIV that is culturally appropriate, multilingual, full-service, family-friendly, and accessible to the entire community.

OUR VISION

All people living with HIV/AIDS in Maricopa and Pinal Counties will have unfettered access to high-quality health care and social services.

No discrimination shall be exercised by the Council or by any person subject to its direction against any person because of race, gender, religious belief, color, national origin, ancestry, age, physical or mental disability status, sexual orientation, and gender identity. Special consideration shall be given to ensure the diversity of the Council as outlined in Article III of these Bylaws.

I. AUTHORITY AND PURPOSE

Section 1: Authority.

Under Part A of the Ryan White HIV/AIDS Treatment Modernization Act of 2006 (the Legislation), a local area HIV health services Council is to be established by the Chief Elected Official (CEO) of the political entity administering the public health agency that provides outpatient and ambulatory services to the greatest number of HIV-positive persons in the Eligible Metropolitan Area (EMA).

As legislated, the Council will work in cooperation with Maricopa County Part A Recipient, the local administrative agency designated by the Maricopa County Board of Supervisors (Board). The Council and Part A Recipient seek to ensure access of HIV-positive persons to quality service delivery by a comprehensive network of care providers.

Section 2: Purpose.

In order to improve the lives of people affected by HIV throughout both urban and rural areas of the EMA and, as mandated under the Legislation, the Council’s responsibilities shall be to:

• Determine the size and demographics of the population of individuals with HIV-disease;
• Determine the needs of such population;

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- Establish priorities for the allocation of funds within the eligible area, including how best to meet each such priority and additional factors that a Recipient should consider in allocating funds under a grant;
- Develop a comprehensive plan for the organization and delivery of health and support services;
- Assess the efficiency of the administrative mechanism in rapidly allocating funds to the area of greatest need within the eligible area, and at the discretion of the Council, assess the effectiveness, either directly or through contractual arrangements, of the services offered in meeting the identified need;
- Participate in the development of the Statewide Coordinated Statement of Need initiated by the State public health agency responsible for administering grants under Part B;
- Establish methods for obtaining input on community needs and priorities which may include public meetings, conducting focus groups, and convening ad-hoc panels; and
- Coordinate with Federal Recipients that provide HIV-related services within the eligible area.

II. MEMBERSHIP

Section 1: Size and Composition.
Council membership shall include representation as mandated by the Legislation. Council members will be appointed by the Board, which receives and considers recommendations endorsed by the Council to identify suitable candidates for Council membership. The Council shall consist of a minimum of twenty-one (21) members and a maximum of twenty-seven (27) members residing throughout the EMA. Exceptions are made to ensure mandated representation as outlined below in the Federal Mandates.

The Council shall identify representatives from each of the following mandated representation categories as candidates for Council membership:

Federal Mandates
In accordance with the Ryan White legislation the Council must fill each of the following representation categories by a person residing within the EMA:

- Health care providers, including Federally qualified health centers;
- Community-based organizations serving affected populations and AIDS service organizations;
- Social service providers, including providers of housing and homeless services;
- Mental health and substance abuse providers;
- Local public health agencies;
- Hospital planning agencies or health care planning agencies;
- Affected communities, including people with HIV/AIDS, members of a Federally recognized Indian tribe as represented in the population, individuals co-infected with hepatitis B or C and historically underserved groups and subpopulations;

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Planning Council Bylaws

- Non-elected community leaders;
- State government (including the State Medicaid agency and the agency administering the program under Part B);
- Recipients under subpart II of Part C;
Planning Council Bylaws

- Recipients under section 300ff-71, 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;
- Recipients under other Federal HIV programs, including but not limited to providers of HIV prevention services; and
- 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/AIDS as of the date on which the individuals were so released.

Community Representation
Council members representing the general public shall strive to include representatives of the following groups as necessary to create a membership reflective of the epidemic in the EMA:

- African Americans
- Asian/Pacific Islanders
- Hispanic-Americans, Latinos and Latinas
- Women
- Gay/Bisexual and other Men who have Sex with Men (MSM)
- Transgender communities
- Persons with hemophilia
- Residents of rural communities
- People who Inject Drugs
- Parents/Guardians of children living with HIV/AIDS

Section 2: Consumer Mandates.
Per mandates of the Legislation, individuals having HIV disease who also access Part A-funded services but are not board members or paid employees of or have a financial interest in an entity providing Part A-funded services, shall constitute no less than thirty-three percent (33%) of all Council members. Consumers shall reflect the demographics of the population of individuals living with HIV in the EMA.

Section 3: Nomination Process.
The Council shall recommend a slate of nominees, consistent with the criteria set out in Sections 1 and 2 of this Article, to the Board. The Board shall have final appointing authority and may conduct additional screening or interviews prior to a final decision.

All members of the public residing in either Maricopa or Pinal County shall be eligible for membership consideration.

Nominations shall be made in accordance with the open process defined in these Bylaws and detailed in the Policies and Procedures of the Membership Committee.

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Only one Board member, paid employee of, or an individual who has a financial interest in a particular Ryan White Part A Sub-Recipient may serve on the Council as a voting member. Exceptions are made to ensure mandated representation as outlined in Section 1 of this Article.

Section 4: Confidentiality.
While individual Council members may opt to disclose publicly that they have been diagnosed as HIV positive, the Council as an entity, shall not release any information relating to any member’s HIV status or any other medical condition.

All information presented at a Council or Committee meeting is part of the public record. Council members are encouraged to exercise discretion when discussing confidential or sensitive information, most notably an individual’s HIV-status.

Section 5: Alternates.
A Council member may nominate an alternate to be designated to attend Council meetings and participate in all Council activities in the event of the member’s absence. An alternate may not attend more than three (3) consecutive meetings in place of the Council member. The fourth (4) consecutive meeting attended by the alternate shall be considered an unexcused member absence.

Nomination of an alternate shall be made by the Council member for whom the alternate is being selected; the alternate may not be an existing Council member and the alternate must be representative of the same membership category. The names of all alternates must also be submitted to the Board or its designee for prior approval.

Section 6: Terms.
Members shall be appointed for up to three (3) years, effective on approval by the Board. If a member is completing the term of a former Council member, the term shall expire on the date of the former member’s appointment. Members may be reappointed for additional terms upon the recommendation of the Council and on approval of the Board.

Terms of Alternates appointed in accordance with Section 5 of this article shall coincide with the term of the Council member for whom the Alternate has been appointed.

For appointments that begin in 2022 or after, members may serve a maximum of two (2) consecutive terms. Following serving two (2) consecutive terms, individuals may reapply to the Council after a waiting period of at least one (1) calendar year.

Section 7: Vacancies.
A Council vacancy in any Federally mandated category, with the exception of individuals living with or affected by HIV, shall be filled for the unexpired term by approval of the Board.

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Section 8: Attendance.
Council members are expected to attend regular council meetings. If a Council member is unable to attend a meeting, they should notify the Council chair and Planning Council support staff. If a member misses 3 consecutive Council meetings without notifying Council support, the Council Chair will contact the member in writing to confirm their ability to attend future meetings.

Exceptions: If a Council member is absent due to illness or other mitigating circumstances, the member may request that the Council Chair approve a leave of absence. If the Council Chair declines the request, the member may appeal the decision to the Executive Committee. The Board Designee or the Designee’s alternate are exempted from attendance requirements under this Section.

Absences from a total of three (3) meetings within any rolling twelve (12) month period will be deemed to be a voluntary resignation of Council membership. Following the second absence in a rolling twelve-month period, support staff will contact the member via their preferred method of communication to remind them of this policy. Missing the third meeting will be considered a voluntary resignation.

EXCEPTIONS: If a Council member is absent due to illness or other mitigating circumstances, the member may request that the Council Chair approve a leave of absence. If the Council Chair declines the request, the member may appeal the decision to the Executive Committee. The Board Designee or the Designee’s alternate are exempted from attendance requirements under this Section.

Section 9: Resignation.
Council members may resign at any time during their term. Resignation is immediate upon written or verbal confirmation by notice to the Council chair.

Section 10: Removal.
Members of the Council may be removed by the Board, or its designee, for any of the following reasons:

- Change of affiliation that qualified the member for appointment to the Council;
- Residency outside the geographical boundaries of the EMA;
- Conduct or behavior which habitually disrupts the Council and interferes with the business of the Council; and/or
- Conduct or behavior in office which would have a negative impact on the integrity of and/or the community’s confidence in the Council including, but not limited to, conflict-of-interest violations, conviction of a felony offense and/or any instance of illegal behavior, malfeasance or conduct which violates these Bylaws.

Upon recommendation of the Executive Committee, the Council may move to recommend to the Board a member’s removal. In such instances, the following procedure shall be followed:
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1) A written complaint shall be submitted by anyone to the Executive Committee through Planning Council Support Council outlining the rationale for the removal.

2) The Executive Committee shall provide at least a twenty-four (24) hour notice to the member who is the subject of the complaint to permit the member to determine whether he/she would prefer that the meeting occur in an open meeting.

3) If the Executive Committee recommends removal, the Council shall meet and discuss the written complaint in Executive Session in accordance with the Arizona Open Meeting Law, Arizona Revised Statute §38-431, et seq. After the Council has deliberated, upon two-thirds majority vote of members in attendance in open meeting, for removal, the Council shall issue to the member a written notice of its intent and the reasons for the recommendation.

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4) The member shall have ten (10) business days to respond in writing.

5) Upon receipt of the response or after ten (10) business days from the date of the notice, the Council shall vote on the matter at the next full Council meeting.

6) Upon a two-thirds majority vote of members in attendance in open meeting, for removal, written notification of said action shall be forwarded to the Board or its designee.

7) The effective date of removal shall be that date of acceptance of the recommendation by the Board or its designee. If the Board or its designee declines to accept the recommendation of the Council, the individual shall remain a full Council member, with all the rights and responsibilities thereunto pertaining.

Section 11: Public Information.
The Council Chair is the sole official spokesperson of the Council. Whenever Council members speak to the media and/or in public on matters relating to Part A related business, they shall clearly articulate that they are speaking strictly on behalf of themselves, and that their opinions are not necessarily shared by the Council or the Board. Should the Council Chair fail to speak on behalf of the Council on a critical issue, the Executive Committee may, by simple majority vote of members in attendance in open meeting, issue a written statement.

III. MEETINGS

Section 1: Open Meeting Law and Meeting Notices.
All meetings shall be conducted in accordance with the Arizona Open Meeting Law, Arizona Revised Statute §38-431 et seq and 42 USCA § 300ff-12(b)(7). Public notices shall be posted as required.

Section 2: Meeting Agendas.
All meetings shall be conducted following a published agenda. While Council meetings are in session, the Council is precluded by law from commenting, deliberating, or acting on any matter not appearing on the meeting agenda. Meeting agendas may provide for public comment.

Section 3: Council Meetings.
The Council shall meet at least once each calendar quarter. Subject to the open meeting law, special meetings may be called by the Chair, Executive Committee and/or the Board or its designee and shall be held upon no less than 48 hours advance notice of any special meetings to be conducted. The absence of the Council Chair from any meeting shall not be sole grounds for the cancellation of that meeting.
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Section 4: Quorum.
The presence of a quorum for the transaction of business at any meeting of the Council and Committees will consist of a numerical majority of all voting members of the council or committee, at their respective meetings, will constitute a quorum for the transaction of business, regardless of whether or not those members are in attendance.

The presence of an alternate shall be considered as constituting a presence for purposes of establishing a quorum, if both the member and alternate are in attendance only one person counts towards quorum.

Section 45: Voting.
While the Council will strive for consensus, official actions of the Council and all committees, except as noted elsewhere in the Bylaws, shall be determined by a simple majority vote of the members in attendance in open meeting. A roll call vote shall be taken when requested by any member in attendance. Alternates may vote on behalf of the member for whom they are the designated alternate at all meetings of the Council and its committees.

Section 5: Quorum.
A quorum for the transaction of business at any meeting of the Council and Committees will consist of a numerical majority of voting members. The presence of an alternate shall be considered as constituting a presence for purposes of establishing a quorum.

Section 6: Agenda Requests.
Members of the Council or the public may request that items be placed on the agenda by notifying the Chair and providing supporting documentation for action items. Written requests and supporting documentation must be received a minimum of nine (9) business days before a meeting agenda is published. The Chair may disallow any such request to place an item on the agenda. The Chair’s disallowance of said request may be appealed to the Executive Committee, which may reverse the decision upon a simple majority vote of members in attendance in open meeting.

Section 7: Public Participation.
Public participation in Council and Committee meetings shall be invited and encouraged provided that participation does not interfere with the conduct of the meeting. The Chair may invite members of the public attending Council meetings to address the Council pursuant to the inclusion of a call for public comment on the meeting’s agenda. In such instances, the Chair shall establish a fixed time limit for public comment unless a simple majority vote of members in attendance in open meeting, to extend the time limit.

IV. EXECUTIVE COMMITTEE

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Section 1: Composition.
The Executive Committee shall consist of:

- Council Chair
- Council Vice Chair
- Most recent Past Council Chair who shall be if they are a current Council member
- Two (2) individuals that are elected as Positive Community Representatives as outlined in Article 5, Section 5.
- Committee Chairs
- Designee of the Board
- Additionally, up to two (2) individuals may be elected to serve as Community Representatives.

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Section 2: Meetings.
Subject to the Arizona Revised Statute §38-431, et seq. and 42 USCA § 300ff-12(b)(7), the Executive Committee may be convened by the Council Chair, the Council Vice Chair, the Board or its designee.

Every effort shall be made to keep the full membership informed of events necessitating Executive Committee action. If the Executive Committee desires to poll the full membership regarding specific issues and/or positions, a special meeting of the Council shall be convened in compliance with the open meeting law.

A Council Officer shall make a full report on all Executive Committee actions at the next scheduled meeting of the full Council.

V. OFFICERS - DUTIES AND RESPONSIBILITIES

Section 1: Officers.
A Chair, Vice Chair, two (2) Positive Community Representatives and up to two (2) Community Representatives shall be elected by the Council membership by a simple majority of voting members present.

Section 2: Vacancies.
A vacancy in any elected office, other than Council Chair, shall be filled for the unexpired term by a special election.

Section 3: Council Chair.
The Chair shall serve for a three-year term. No Chair shall hold office for more than two (2) consecutive terms. A vacancy in the office of Chair shall be filled for the unexpired term by automatic advancement of the Vice Chair.

Eligibility. In order to hold the office of Council Chair, an individual, at a minimum, shall have been a member of the Council for at least one (1) year immediately prior to election.

Duties. The Council Chair’s duties and responsibilities include, but are not limited to:

- Serving as official Council spokesperson, representing the Council to the Part A Recipient, Federal grantor, media, other interested parties, and the general public;
- Advising the Board designee of on-going Council activities and actions;
- Directing the Council affairs as its chief administrative officer;
- Presiding over Council meetings;
- Presiding over Executive Committee meetings;
- Preside as Interim Committee Chair if there are no Committee Members eligible to be the Chair.

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- Appointing Committee Chairs and Vice Chairs, upon approval of the Council; and
- Cast a deciding vote in the event of a tie.
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Section 4: Council Vice Chair.
The Vice Chair shall serve for a three-year term. No Vice Chair shall hold the office for more than two (2) consecutive terms.

Eligibility. In order to hold the office of Council Vice Chair, an individual, at a minimum, shall have been a member of the Council for at least one (1) year immediately prior to election.

Duties. The Vice Chair’s duties and responsibilities include, but are not limited to:

• Presiding over any scheduled Council or executive committee meeting and fulfilling the duties of the Chair in the absence of the Chair;
• Assisting the Chair by assuming such other duties as are assigned by the Executive Committee; and
• Assuming the position of Council Chair in the event of a mid-term vacancy of the position.

At meetings where both the Chair and Vice Chair are present, the Vice Chair may cast a vote as an ordinary member of that body.

Section 5: Positive Community Representatives.
Positive Community Representatives are elected from the Council membership and shall serve for a three-year term. No general public members shall hold the office for more than two (2) consecutive terms. Council members interested in running for this office must nominate themselves during Executive Committee elections.

Eligibility. In order to hold the office of Positive Community Representative, an individual, at a minimum, shall:

• Have been a member of the Council for at least six (6) months immediately prior to election;
• Publicly identify themselves as a HIV-positive individual who accesses Part A-funded services; and
• Not currently be a paid employee or board member of or have a financial interest in an entity providing Part A-funded services.

Section 6: Community Representatives.
Community Representatives are elected from the Council membership to represent special populations within the EMA as defined in Article 2 Section 1 and shall serve for a three-year term. No individuals shall hold the office for more than two (2) consecutive terms. Council members interested in holding this office must nominate themselves during Executive Committee elections and identify the special population they represent. Individuals from underrepresented communities are encouraged to seek this position.
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Eligibility. In order to hold the office of Community Representative, an individual, at a minimum, shall:

- Have been a member of the Council for at least six (6) months immediately prior to election; and
- Shall publicly identify themselves as member of a specific special population; and
- Not currently be a paid employee or board member of or have a financial interest in an entity providing Part A funded services.

Section 7: Removal from Office.

Council Officers may be removed from office by a two-thirds majority vote of members in attendance in open meeting for any of the following reasons:

- Conduct or behavior which habitually disrupts the Council and interferes with the business of the Council;
- Conduct or behavior in office which would have a negative impact on the integrity of and/or the community’s confidence in the Council including, but not limited to, conflict-of-interest violations, conviction of a felony offense and/or any instance of illegal behavior, malfeasance or conduct which violates these Bylaws;
- Dereliction of duty or failure to carry out the responsibilities of the elected office; and
- In the case of Positive Community Representatives or Community Representatives, employment by, election to the Board of Directors of, or obtaining a financial interest in an entity providing Part A funded services.

Upon recommendation of the Executive Committee, the Council may, upon a two-thirds majority vote of members present, remove an Officer from office. In such instances, the following procedure shall be followed:

1) A written complaint shall be submitted by anyone to the Executive Committee through Council Support outlining the rationale for removal. A written complaint is a public record.

2) The Executive Committee shall meet to discuss the written complaint in Executive Session in accordance with the Arizona Open Meeting Law, Arizona Revised Statute §38-431, et seq. After the Executive Committee has deliberated, upon a two thirds majority vote of Executive Committee members present in open meeting, a recommendation for removal may be made to the full Council.

3) If the Executive Committee recommends removal, the Officer who is the subject of the complaint shall have five (5) calendar days after the Executive Committee vote to respond to the complaint in writing.

4) Upon receipt of the written response, or after five (5) calendar days have passed, the Council shall meet in Executive Session in accordance with the Arizona Open Meeting Law, Arizona Revised Statute §38-431, et seq and discuss the written complaint and the Officer’s written response, if any.

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5) After its deliberations, the Council shall vote on the matter in open session. If the Officer is removed from office, they shall remain a Council member and be entitled to the rights and responsibilities of Council membership.

4) Upon removal from office, the vacancy shall be filled in accordance with Section 2 of this Article.

5) In the event the complaint is against the Council Chair, the Council Vice Chair shall preside over the portions of any meeting at which a complaint of this nature is discussed.

VI. RESPONSIBILITIES OF THE BOARD DESIGNEE

Section 1. Appointment
The Board may appoint a representative from among their members or from a programmatic unit of Maricopa County government to serve on its behalf as Designee. Each year in January, the Chairman of the Board shall nominate a representative, such nomination subject to the approval of the Board. The term of the appointment shall be from the first day of March to the last day of the following February each year or until his/her successor has been appointed.

Section 2. Duties and Responsibilities
The Board Designee’s duties and responsibilities in this regard may include, but are not limited to:

- Serving as liaison to the Board and making routine administrative decisions on its behalf regarding Council operations. This may include accepting member resignations and approving member alternates, if the Board, under a separate and specific resolution, opts to delegate these functions; and
- Directing that technical assistance be provided to Council members and committees regarding Federal grants policy and legislative mandates of the Act.

VII. RESPONSIBILITIES OF PLANNING COUNCIL SUPPORT

Section 1. Personnel
Subject to Article XI and the availability of funds from the Legislation, the Part A Recipient may provide for the services of professional and clerical personnel to support the work of the full Council and all its Committees in meeting their legislatively mandated responsibilities.

Section 2. Staff Expertise
Council Support staff serve as experts on the Legislation and Council Bylaws and policies. This expertise

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serves to ensure that the Council understands and follows its policies and meets its legislated responsibilities.

Section 3: Duties and Responsibilities.
Duties and responsibilities of support personnel may include, but are not limited to:
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- Assisting with the development of needs assessments and the comprehensive, long-term service delivery plan and statewide integrated plan;
- Preparing and submitting all Council reports required by HRSA.
- Negotiating a budget proposal with the Administrative AgencyRecipient’s Office for Council operations and support, to be presented for approval to the Executive Committee and full Council membership;
- Overseeing the maintenance of an itemized expenditure log detailing all costs incurred;
- Directing the safeguarding of original invoices and receipts for costs incurred;
- Directing the preparation of monthly expenditure reports and forwarding copies of expenditure logs to the Part A Recipient for reimbursement out of pre-allocated Legislation funds;
- Reviewing and approving all expenditures and reimbursement requests;
- Ensuring the maintenance of all financial records in a manner that is consistent with Generally Accepted Accounting Principles and requirements of the Board
- Posting public notices of all Council meetings pursuant to the open meeting law (Arizona Revised Statute §38-431, et seq.);
- Recording the minutes of all Council, Executive Committee and committee meetings;
- Distributing copies of all summary minutes to committee members prior to the next regularly scheduled meeting;
- Notifying all Council members of the date, time, and place of upcoming meetings;
- Maintaining the roll of Council members, their addresses, telephone numbers, and membership representation categories;
- Maintaining member’s conflict of interest forms;
- Recording attendance at Council and committee meetings;
- Generating and distributing all correspondence; and
- Performing other duties as delegated by the Chair or Executive Committee.

Section 4. Council Responsibilities
The development of Council operating policies and procedures for the fulfillment of Council responsibilities rests with Council members, not the administrative staff.

VIII. COMMITTEES

Section 1: Membership.
All Council members are strongly encouraged to be voting members of at least one (1) Council committee.

Section 2: Committee Meetings.
Each Committee shall meet as deemed necessary by the Committee Chair. Subject to the Open Meeting Law, special meetings may be called by the Chair or Executive Committee and shall be held upon no less
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than 48 hours advance notice of any special meetings to be conducted. The absence of the Committee Chair from any meeting shall not be sole grounds for the cancellation of that meeting. All committee and ad hoc committee meetings are open to the public.

Section 3: Committee Chair and Vice Chair.
The Council Chair shall appoint all Committee Chairs and Vice Chairs subject to the approval of the Council. The Committee Chair’s duties and responsibilities include, but are not limited to:

- Directing the Committee’s affairs as its administrative officer;
- Presiding over Committee meetings;
- Setting the agenda for each Committee meeting;
- Ascertaining if a quorum is present for the transaction of business at all Committee meetings;
- Designating a Committee Member to preside over a Committee meeting in the absence of the Chair;
- Assigning additional duties to the Vice Chair, within reason; and
- Completing the Committee Chair’s responsibilities when the Committee Chair cannot be present.

The Committee Vice Chair’s duties and responsibilities include, but are not limited to,

- Completing the Committee Chair’s responsibilities when the Committee Chair cannot be present.

Section 4: Chair Eligibility
Any Council member is eligible for appointment as a Committee Chair if they meet the following eligibility criteria:

- The individual is a voting member of the Committee; and
- The individual has been a full Council member for a minimum of six (6) months prior to their appointment.

Section 5: Chair Removal.
Committee Chairs may be removed from their positions for any of the following reasons:

- Interference with the work of the Committee and/or the Council;
- Conduct in office which would have a negative impact on the integrity of and/or the community’s confidence in the Committee and/or the Council;
- Acting in a unilateral fashion contrary to the expressed intent of the Committee; and/or
- Conviction of a criminal offense while in office.

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The removal as of a Committee Chair shall be approved by two-thirds majority vote of members in attendance in open at a Planning Council meeting.

Section 6: Voting.
All Council members may attend any Committee meeting at any time but have no voting privileges unless they are a member of the Committee. If a Council member attends two consecutive Committee meetings the Council member may choose to become a voting member of that Committee.
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Section 7: Council Authority.
Except as provided in Article XII of these Bylaws, all decisions of any Council Committee, including the Executive Committee, Committee Chair, and/or Council Officer are subject to the approval of the full Council by simple majority vote of the members in attendance in open meeting.

Section 8: Responsibilities.
The Council may establish committees and/or work groups at any time to address its goals, activities, and new and emerging needs. Individual committees are responsible for developing and maintaining policies and procedures.

Section 9: Quorum.
In the event a committee cannot meet quorum and, as a result, is unable to vote on a matter of critical importance to the Council, the Executive Committee may decide the matter at its next scheduled meeting. The action of the Executive Committee taken under this section shall also be submitted to the full Council for approval by simple majority vote of the members in attendance in open meeting.

Committee membership may not constitute a numerical majority of the Planning Council members.

IX. COMPENSATION

Section 1. Reimbursement
Members of the Council shall serve without compensation, but may be reimbursed for any preapproved, actual, and necessary expenses incurred in connection with their duties as a Council member. Consumers of Ryan White services may be reimbursed for reasonable travel expenses to facilitate their participation in the planning process.

Section 2. Reimbursement Process
Reimbursements approved under Section 1 of this Article shall be forwarded to the Part A Recipient for payment upon submission and approval of an invoice and/or receipt for transportation.

X. CONTRACTS

The Council and/or members shall not have the power or authority to bind Maricopa County or the Board by any contract.

XI. GRIEVANCES

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Section 1: Grievances.

The Council shall provide an appropriate administrative channel by which individuals and/or organizations may appeal allocation decisions of the Council.
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Types of grievances to be addressed by the Council include only decisions with respect to funding:

• Process of establishing service priorities (including how best to meet those priorities);
• Service priorities allocations;
• Process involving revising priorities or allocations;
• Deviation from established, written priority setting or resources allocation process (e.g., failure to follow established conflict of interest procedures);
• Deviation from established, written process for revising priorities or allocations; and/or
• Failure of the Council to exercise its powers to grieve the Recipient.

Grievances against service providers are specifically excluded from discussion, consideration, or action on the part of the Council and/or any of its Committees. Grievances against service providers should be filed in accordance with the grievance procedure of the service provider involved.

Section 2: Early Intervention.

The Council shall endeavor to foster a successful grievance process through the concerted prevention of disputes by addressing issues as early as possible.

Early interventions shall be extensively utilized to ensure as few disputes as possible, and include, but are not limited to:

• Open, honest communication;
• Council Bylaws assuring inclusive participation in decision-making processes and effective conflict of interest management;
• Public input is encouraged throughout each Council and Committee meeting with no prior clearances/arrangements necessary;
• Council members and public participants shall make every attempt to resolve any disputes to their mutual satisfaction prior to the filing of a formal grievance; and
• Council members and public participants shall encourage diverse expression and full dialogue at Council meetings.


Individuals or entities in Maricopa or Pinal County affected by the outcome of Council decisions may grieve Council decisions. Affected parties may include, but are not limited to, HIV service providers, providers eligible to receive Ryan White HIV/AIDS program funding, persons living with HIV and consumer groups including but not limited to PLWH coalitions and caucuses. Any party believing themselves to constitute an individual or entity affected by the outcome of a Council decision may bring a grievance in accordance with this Article.

Section 4: Informal Resolution.
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Prior to filing a written grievance, the grieving party shall make every reasonable effort to resolve the dispute informally.

Section 5: Rules for Grievance Process.
The following ground rules shall apply to the entire grievance process:

1) Grievances must be submitted in writing and must contain the following information:
   • A detailed description of the nature of the complaint;
   • The reasons for the complaint;
   • The specific process alleged to have been violated;
   • The desired resolution;
   • Any supporting documentation; and
   • The name and contact information of the grieving party.

2) Grievances must be submitted within ten (10) business days following Council action.

3) Grievances must be submitted to Council Support.

4) If the request is for non-binding mediation, the grieving party must fully document attempts to resolve the complaint informally in accordance with Section 4.7 of this Article.

5) If the request is for binding arbitration, the grieving party must fully document attempts to resolve the complaint both informally and through non-binding mediation in accordance with Section 4.8 of this Article.

6) The Council may revise previous decisions retroactively based on the outcome of grievance processes.

7) No administrative filing fee shall be imposed.

8) The fees and costs of the Arbitrator or Mediator may be paid at the discretion of the Board from funds budgeted for that purpose in accordance with the fees and cost schedules set forth by the rules of either the Mediation Service of the Volunteer Lawyers Program of Maricopa County or the American Arbitration Association. Neither the grieving party nor the respondent, unless the Council itself is responding to a grievance, shall be responsible for the arbitrator’s or mediator’s fees and costs. No decision issued by an arbitrator or mediator shall include an assessment of fees and costs against either the grieving party or the respondent.

Section 6: Who Shall Resolve Disputes.
Third parties for formal dispute resolution shall be selected by a process whereby the Council Chair will provide a pre-selected list of eight (8) impartial mediators/arbitrators certified by either the Mediation Service or the American Arbitration Association. Neither the grieving party nor the respondent, unless the Council itself is responding to a grievance, shall be responsible for the arbitrator’s or mediator’s fees and costs. No decision issued by an arbitrator or mediator shall include an assessment of fees and costs against either the grievances party or the respondent.
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Arbitration Association to the involved parties. Each party shall have one (1) opportunity to strike no more than two names from the aforementioned list. The Council Chair shall select one mediator/arbitrator from the remaining list of names. Selection of an impartial third party must be completed within ten (10) business days of a determination that both the grieving party and the grievance are qualified, and that the grievance was filed in a timely manner.

Section 7: Non-Binding Mediation Processes.

After unsuccessful informal attempts to resolve the dispute and before filing a request for binding arbitration, a request for non-binding mediation must be submitted to Council Support within ten (10) business days of the Council action being grieved.

The following additional rules shall be followed for non-binding mediation:

1) Council Support shall notify the Council Chair within two (2) business days as to the nature and scope of the grievance as well as the resolution sought.

2) Upon receipt of the grievance, the Council Chair shall immediately refer the matter to the appropriate committee for determination of the eligibility of the grievance party to initiate nonbinding mediation, whether the grievance is within the scope of the processes, and whether the grievance has been filed in a timely manner. If the committee determines that both the grieving party and grievance are qualified and that the grievance has been filed in a timely manner, the matter shall proceed with the mutual selection of a mediator to occur within ten (10) business days.

3) If the grievance request is denied the grieving party wishes to proceed, s/he may appeal the denial to the Executive Committee. The Executive Committee may, upon a simple majority vote of members in attendance in open meeting, reverse the denial. The decision of the Executive Committee regarding the denial of a grievance request shall be final.

4) If the grieving party fails to respond within ten (10) business days after notification of the decision, the grievance will be deemed to have been resolved to the satisfaction of the grieving party.

5) Non-binding mediation may include any of the types of grievances listed in Section 1 of this Article including protesting and appealing allocations decisions.

6) The mediator shall be responsible for initiating a meeting of all relevant parties to the grievance within ten (10) business days of his/her selection and designating a mutually agreeable meetingplace. If a mutually agreeable decision is not reached within five (5) business days following the
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6) In the event of a dispute, the mediator shall declare an impasse and inform the parties of additional steps (i.e., binding arbitration) which are available.

Section 8: Binding Arbitration.

After both unsuccessful informal attempts and unsuccessful non-binding mediation to resolve the dispute have been exhausted, a written request for binding arbitration must be submitted to Council Support within five (5) business days following a mediator’s declaration of an impasse. The following additional rules shall be followed for binding arbitration:

1) Council Support shall notify the Council Chair within two (2) business days as to the request for binding arbitration. Strict confidentiality shall be maintained by all parties involved in accordance with the rules of the American Arbitration Association and Section 5 of this Article.

2) An arbitrator shall be selected in accordance with Section 6 of this Article within ten (10) business days.

3) The arbitrator shall designate a mutually agreeable meeting place and resolve the dispute in accordance with American Arbitration Association rules.

4) The arbitrator is responsible for notifying both parties and the Council Chair of his/her decision.

5) The decision shall be made promptly by the arbitrator and, unless otherwise agreed by the parties or specified by law, no later than thirty (30) calendar days from the date of the closing of the hearing, or, if oral hearings have been waived, from the date of the American Arbitration Association’s transmittal of the final statements and proofs to the arbitrator.

6) The decision of the arbitrator is final and may not be appealed.

XII. CONFLICT OF INTEREST

Section 1: Definitions.

Conflict of interest is defined as an actual or perceived interest by a Council member in an action that results or has the appearance of resulting in personal, organizational, or professional gain. A Council member shall be deemed to have a conflict of interest if the member, and/or the member’s relative is a director, trustee, member, paid employee of, or has a financial interest in any entity seeking funding or providing services funded by Federal Ryan White legislation.

For the purposes of these Bylaws, a relative is the spouse, child, child’s child, parent, grandparent, brother or sister of the whole or half blood and their spouses and the parent, brother, sister or child of a relative.

Approved by STaR Committee 3.29.22
Approved by Maricopa County Attorney PNDG
Approved by Planning Council PNDG
Amended and Approved by Maricopa Board of Supervisors PNDG - C-95-19-014-M-00
Planning Council Bylaws

spouse of a Council member. Unmarried domestic partners of Council members are regarded in the same manner as a spouse.
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Section 2: Grant Administration.
The Council shall not be directly involved in the administration of a grant, nor shall the Council designate or otherwise be involved in the selection of particular entities as sub-recipients of any of the amounts in the Part A grant. The Council may be involved in selecting particular entities or individuals to carry out activities directly related to Council functions and responsibilities.

Section 3: Contract Selection.
An individual shall serve on the Council only if the individual agrees that if the individual has a financial interest in an entity, if the individual is an employee of a public or private entity, or if the individual is a member of a public or private organization, and that entity or organization is seeking Part A funding, the individual will not, with respect to the purpose for which the entity seeks such amounts, participate, either directly or in an advisory capacity, in the process of selecting entities to receive such amounts for such purposes.

Section 4: Directives.
The Council may, at its choosing, provide guidance to the Recipient regarding the types of organizations that may best meet each service priority established by the Council in an effort to help guide the Recipient in how best to meet the established service priorities. However, the Council shall not select which particular organizations receive funding, either by specific direction or by narrowly describing a type of organization.

Section 5: Council Support.
Council members who have a conflict of interest by providing Council Support Services to the Council will be ineligible to serve as an officer on the Council’s Executive Committee.

Section 6: Consumers.
Conflict of interest generally does not refer to persons living with HIV whose sole relationship to a Part A service provider is as a client receiving services or serving as an uncompensated volunteer working fewer than thirty (30) hours per week.

Section 7: Part A Service Provider Affiliation.
Members of the Council affiliated with a Part A Sub-recipient shall state the name of the organization and declare conflicts of interest during introductions at every Council or Committee meeting. Members shall abstain from votes which would appear to result in personal, professional, or organizational gain. Members may respond to specific questions asked about a service category in which the individual’s organization provides services, but the member may not initiate such a discussion.

Section 8: Disclosure Forms.
All Council members must sign a Conflict of Interest and Affiliations Disclosure Form indicating their willingness to disassociate from any actual or perceived special interests during Council deliberations.

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and agreeing to act only on behalf of the broadly affected HIV community in its totality. It is the.
Planning Council Bylaws

Section 9: Voting.
Any Council member with a real or perceived conflict of interest shall be prohibited from voting on issues related to a particular organization or category of service, except as provided in this Article.

Section 10: Determinations.
The Council Chair, other Council members or the person alleged to have a conflict of interest may call for a vote to determine whether a member will have voting privileges on any issues in question.

Section 11: Violations.
Council members found to be in violation of the Council's Conflict of Interest Policy may be subject to disciplinary action. Disciplinary action under this Section shall include, but not be limited to, the following:

• Asking the member to leave the room during the discussion of and/or the voting on a particular service category or organization;
• Removal of the member from a Committee membership; and/or
• Removal of the member from the Council membership.

XIII. EFFECTIVE DATE
These Bylaws shall become effective as of August 1, 1996 or sooner, upon appointment of Council members by the Board. All future amendments thereto, unless specified, shall become effective upon adoption by the Board.

XIV. AMENDMENTS

Section 1. Authority
These Bylaws shall only be amended, suspended, or changed in any manner by the Board.

Section 2. Amendment Process
Proposed amendments shall be submitted to the appropriate committee for consideration. Proposed amendments shall be submitted in writing to the full Council a minimum of two weeks prior to the next scheduled meeting at which the amendments will be considered. Any amendments must be consistent with the Legislation. The Council may propose amendments to these Bylaws by submitting written recommendations to the Board or its designee. Once quorum is established, a two-thirds majority vote

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of members in attendance in open meeting, shall be required to recommend amending the Bylaws.

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Approved by Planning Council **PNDG**
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Section 3. Availability
The Council Chair, Council Support and the Recipient shall keep updated copies of the Council Bylaws and Glossary and shall make the most current version available to all Council members and the public upon request.
Add logo and update address

Guiding Principles for Allocations Decisions

In keeping with the guiding principles of the Health Resources and Services Administration (HRSA) and the HIV/AIDS Bureau (HAB), the paramount purpose of the Ryan White program is to address the health needs of persons living with HIV and AIDS (PLWHA) "by funding primary health care and support services that enhance access to and retention in care.”

While recognizing that all services are inter-related, not all service categories are created equal. The ultimate goal is to provide an expansive continuum of care, containing an ideal mix of core and support services that assists PLWHA in the Phoenix EMA Greater Phoenix Ryan White Planning Council (Council) to achieve optimal health, wellbeing, and self-determination.

The Phoenix EMA Greater Phoenix Ryan White HIV Services Planning Council (Council) may face, at some future time, scenarios, which place powerful stresses on the HIV continuum of care. Scenarios may include, but are not limited to, increased or decreased federal funding, level federal funding with increased PLWHA demand for services, and the increased cost of providing high-quality care.

To best make decisions and maintain funding levels that align with the principles of HRSA/HAB and the Ryan White HIV/AIDS Treatment Modernization Act of 2006, the Phoenix EMA Planning Council commits itself to the following Guiding Principles as described in the broad headings below.

Service Categories

The Council realizes that restricted funding may necessitate changes to the mix and variety of services available through the Ryan White program. As such, the Council commits itself to the following Principles:

- No eligible PLWHA should be denied access to Ryan White-funded primary health care.

Funding is provided by the United States Department of Health and Human Services, the Ryan White HIV/AIDS Treatment Modernization Act of 2006, and the Maricopa County Department of Public Health.

CHPS Approved 3.29.202216
• It is a valid practice to rank service categories in priority order, as defined in the PSRA Process, policies and procedures, of importance.

• Funding for higher-ranked categories should be preserved before lower-ranked categories.

• Maintaining Ryan White funding as the payor of last resort.

• If it becomes necessary to conduct budget revisions to address forecasted funding shortages in high priority services, the Council will first reallocate funding from services that are forecasted to be underspent. If reallocating funding for services forecasted to be underspent does not achieve the necessary outcomes, funding will then be reduced/eliminated by priority from the bottom up.

Regardless of the amount of federal grants or the demands on services, certain service categories must be fully funded in order to preserve the health of PLWHA in the Greater Phoenix Ryan White Planning Council (Council): Phoenix EMA:

When considering allocation revisions, consideration should be given to the importance of the following service categories have in preserving the health of PLWHA in the Greater Phoenix Ryan White Planning Council (Council): Phoenix EMA:

Those categories include, but are not limited to:

• Outpatient and ambulatory health services
• AIDS Drug Assistance Program treatments
• Oral health care
• Early intervention services
• Health insurance premium and cost-sharing assistance for low-income individuals
• Medical nutrition therapy
• Medical case management, including treatment adherence services
• Mental health services
• Substance abuse outpatient care

Funding is provided by the United States Department of Health and Human Services, the Ryan White HIV/AIDS Treatment Modernization Act of 2006, and the Maricopa County Department of Public Health.
Funding is provided by the United States Department of Health and Human Services, the Ryan White HIV/AIDS Treatment Modernization Act of 2006, and the Maricopa County Department of Public Health.

Decision Making

The Council commits itself to making the wisest allocation decisions possible. In order to accomplish this goal, decisions will be grounded in reliable data that includes, but is not limited to, the following elements:

- Service utilization
- Epidemiology and demographics
- Population increases
- The cost of providing service
- Health care economics
- Inflationary forces
- Availability of other funding
- Current and emerging needs
Memorandum of Understanding
Between the
Ryan White HIV/AIDS Program Part A Recipient
Maricopa County, Arizona
and
Part A Planning Council
Greater Phoenix Ryan White HIV Services Planning Council

Terms Used in the Memorandum of Understanding (MOU):

- **Ryan White Legislation:** The Ryan White legislation was enacted in 1990 to provide federal funding for HIV medical care and supportive services nationwide.
- **Health Resources and Services Administration (HRSA):** HRSA is the federal entity that grants Ryan White funding to areas most impacted by HIV.
- **Ryan White Part A (RWPA):** Part A funds are distributed to urban areas that have a large population of people living with HIV.
- **Phoenix Eligible Metropolitan Area (EMA):** The EMA is comprised of Maricopa and Pinal counties, Arizona.
- **Chief Elected Officer:** The Maricopa Board of Supervisors Chair (BOS) is the Chief Elected Officer for the Phoenix EMA Ryan White Part A (RWPA) grant.
- **Recipient:** The Chief Elected Officer has designated the Maricopa County Public Health Department as the Recipient of Ryan White Part A funds awarded to the EMA.
- **Project Director:** The Recipient’s staff member tasked with the oversight of the fiscal, administrative and quality management functions for the RWPA grant.
- **Planning Council:** The Greater Phoenix HIV Services Planning Council for Maricopa and Pinal Counties has been appointed by the Maricopa Boards of Supervisors to establish the prioritization of Ryan White Part A funded services and resource allocations to provide these services.

**Purpose Statement**
This Memorandum of Understanding (MOU) between the Ryan White Part A Recipient (Recipient) and the Ryan White Planning Council is designed to:

- Create a shared understanding of the relationship between the Part A Recipient and the Planning Council;
- Define the legislatively mandated, and locally defined roles and responsibilities of each entity;
- Establish agreed-upon expectations for how roles and responsibilities will be carried out; and
- Foster a mutually beneficial relationship between these important partners.
Roles and Responsibilities

Roles and Responsibilities of the Phoenix EMA Ryan White Planning Council

Responsibilities stated in the Ryan White HIV/AIDS Treatment Extension Act of 2009: The Part A Planning Council is a legislatively required entity. It has a number of legislative responsibilities involving planning and decision making on behalf of the Phoenix EMA. They include the following:

a. Carry out needs assessment, with the assistance of the Ryan White Part A Recipient. This includes determining the size and demographics of the population of individuals with HIV/AIDS in the EMA; assessing their service needs and gaps, including those of individuals receiving primary medical care and those who are not in care; and assessing the availability and capacity of sub-recipients to deliver needed services. This also requires obtaining consumer and other public input on community needs;

b. Prioritize all Service Categories and provide directives to the Ryan White Part A Program;

c. Allocate resources to HRSA-defined service categories, specifying the percent of funds and dollar amounts that are to be spent in each service category;

d. Reallocate funds or review reallocations as reported by the Ryan White Part A Recipient;

e. Work with the Ryan White Part A Recipient to develop and execute a comprehensive plan for the organization and delivery of HIV-related health and support services;

f. Assist the Ryan White Part A Recipient with quality management (for example, update/establish standards of care for specific service categories);

g. Assess the efficiency of the administrative mechanism (Ryan White Part A Recipient);

h. Evaluate the effectiveness of services in meeting the identified needs of the HIV community;

i. Ensure coordination with other federal Recipients of HIV/AIDS services and sub-recipients in the EMA.

Roles and Responsibilities of the Recipient

Responsibilities stated in the Ryan White HIV/AIDS Treatment Extension Act of 2009: As the county program designated by the CEO to administer Part A funds, the Ryan White Part A Recipient has the following legislative responsibilities:

a. Manage procurement - ensuring that Planning Council service category allocations and Directives are followed;

b. Ensure the rapid allocation and disbursement of Part A funds to meet HIV/AIDS service needs within the EMA;

c. Monitor sub-recipient contracts to ensure that service level, service quality, reporting, and financial management requirements are met;

d. Provide and maintain Quality Management Programs;

e. Assist the Planning Council with needs assessment and other data needs as a foundation for the annual priority setting and resource allocation process;
f. Work with the Planning Council to develop a comprehensive plan for the organization and delivery of HIV-related health and support services.

**Locally specified responsibilities:** The Ryan White Part A Recipient has the following additional responsibilities determined at the local level:

a. As part of the quality management program, evaluate service outcomes, as agreed with the Planning Council;

b. Through the Ryan White Part A Recipient, serve as designated liaison to the Planning Council on behalf of the CEO on grant-related issues;

c. Planning Council membership, structure, and policies will be relayed through the Maricopa County Board of Supervisors;

d. Through the Ryan White Part A Recipient, serve as designated liaison to HRSA/HAB on behalf of the Chair of Maricopa County Board of Supervisors.

**Shared/Mutual Responsibilities: Ryan White Part A Recipient and Planning Council**

- The Planning Council will have no involvement in the Ryan White Part A Recipient procurement of HIV services or HIV sub-recipients;
- The Planning Council will work in concert with the Ryan White Part A Recipient to select entities that will be involved carrying out activities on behalf of the EMA Planning Council. This shall include but not be limited to consultants, needs assessments, program and outcomes evaluation, etc. This collaboration between Planning Council and the Ryan White Part A Recipient shall include the development of the scope of services, the development of methods, objectives, and the evaluation of the same via Planning Council sub-committee scopes of work/budgets. Planning Council involvement in selection of support entities shall adhere to Ryan White Part A Recipient purchasing guidelines and stipulations.

**Shared/Mutual Responsibilities: Chief Elected Official (CEO), Ryan White Part A Recipient, and Planning Council.**

All three entities share responsibility for ensuring that:

- Phoenix EMA Ryan White Part A program is implemented efficiently and effectively, so it provides equitable access to high quality HIV/AIDS services to individuals and families infected and affected by HIV/AIDS in the EMA;
- Ryan White HIV/AIDS Treatment Extension Act of 2009 legislative responsibilities and HRSA/HAB policies and guidelines are met;
- The program follows state and local statutes and policies;
- The provisions and the spirit of this MOU are consistently followed.
Communications

Principles for Effective Communications

Both the Recipient and the Planning Council recognize the importance of regular and open communications and of sharing information on a regular and timely basis. There should be clarity regarding what will be communicated, when, and to whom. When problems or issues arise, there should be a joint commitment to resolving them through established procedures. The parties commit themselves to the following principles:

- All parties will take responsibility for establishing and maintaining open communications. This includes both sharing information on a timely basis and reviewing shared information once it has been received. If issues or problems arise, it means communicating with the other parties to clarify the situation and decide how best to address it.

- Every Planning Council standing committee will have a Recipient staff member who is assigned to it and attends meetings regularly. That staff member will serve as liaison to the Ryan White Part A Recipient for that committee and will be responsible for all regular communications and information requests related to that committee.

- The Ryan White Part A Recipient and Planning Council will each have a designated liaison responsible for the sharing and receiving information for all other communication requests, and for disseminating information within his/her entity. When questions or concerns arise, the designated liaison will ensure that they are addressed in a timely manner. For the Planning Council, the designated liaison will be the Planning Council Program Coordinator. For the Ryan White Part A Recipient, it will be the RWPA Program Manager/Recipient.

- Both entities will use designated liaisons and channels of communication. When someone needs information or materials beyond those that are regularly shared, s/he will request it through the designated liaison, and the request will be made in writing (via e-mail or letter). This means, for example, that a Committee Chair who needs information from the Administrative Agency will request it either through the assigned Administrative Agency staff member during the meetings or through Planning Council Support staff. For information beyond normal reports and information, it is the responsibility of the Planning Council Program Coordinator and RWPA Program Manager to determine whether the Administrative Agency is the appropriate source for this information and whether the information is available and can be provided within the Administrative Agency’s resources. Where the Administrative Agency feels it cannot meet the request, the RWPA Program Manager will consult with the Program Coordinator and with the Planning Council Chair and Vice Chair as necessary.

- Staff of both entities and Planning Council members will avoid inappropriate communication requests or channels. This means not asking for information from individuals other than the designated individuals, using and not bypassing established communication channels, and maintaining the confidentiality of information that should not be shared outside the RWPA program.

- When policies or procedures appear problematic, the parties will work together to clarify and, if appropriate, refine them – while adhering to legislative guidelines, Heath Resources
and Services Administration/ HIV/AIDS Bureau (HRSA/HAB) expectations, and state and local statutes and policies.

- Communications and problem solving will protect the separation of roles between the Planning Council and Administrative Agency. For example, the Planning Council is not supposed to have access to information about the performance or expenditures of subrecipients; it should receive such information only by service category. In cases where there is only one subrecipient for a service category, the Planning Council will have access to this information but without identifying information.

- Planning Council members and staff will not use, in meetings or decision making, any information about subrecipient, even if it is available to members as individuals through the Public Records law. Planning Council members will refrain from requesting information through the Arizona Public Records law in their capacity as Planning Council members.

- If either Administrative Agency staff or Planning Council Support staff or members receive complaints about the other party, they will inform the other party, with appropriate protection of confidentiality.

- The Planning Council will not become involved in consumer complaints about services. If the Planning Council or its support staff receives consumer or subrecipient concerns or complaints about a subrecipient’s, they will refer the individual expressing the concern to the individual subrecipient for resolution through its own complaints process. If the Planning Council or support staff receives broader complaints or concerns about services, it will refer them to the Administrative Agency.

**Implementing These Principles**

To facilitate communications and implement these principles, all parties agree to the following actions:

- When making special requests for information or materials, both parties will provide as much lead time as possible; when sharing information, both parties will do so as quickly as possible. Normally, information received by one entity but important to both – such as Conditions of Award, new or revised HRSA/HAB regulations or expectations, and the RWPA Program Guidance – will be shared within two business days. Requests for information will generally be met within five business days. If requests will take longer to meet, the party responding will contact the other party within five business days to discuss and agree on a time frame for meeting the request. Both parties commit themselves to responding rapidly to any requests that involve meeting Conditions of Award, satisfying other HRSA/HAB requirements or requests, and addressing other matters that may affect the funding or reputation of the Phoenix EMA RWPA program.

- If requested information is not received in a timely manner, the Administrative Agency RWPA Program Manager and the Planning Council Program Coordinator will have responsibility for resolving the situation.
Communication of Planning Council Decisions to the Recipient

To facilitate communication of Planning Council decisions to the Recipient, all parties agree to the following actions:

- All Planning Council decisions that require action by the Recipient, such as the reallocation of funds or the implementation of directives will be formally communicated to the Recipient within five business days of the date of the Planning Council meeting at which the decision occurred. Planning Council Support will forward a standardized form that documents the decision and provides the rationale/supporting information, Council expectations for evaluation/measure and a desired timeframe for implementation.

- The Recipient will acknowledge receipt of the form within five business days. At the following regularly scheduled Planning Council meeting, the Recipient will provide the Planning Council with a statement of activities and an implementation timeline related to the decision. Progress reports will be provided at subsequent Executive Committee and full Planning Council meetings.

- Should challenges with the activities or timeline occur, the Recipient will promptly notify the Planning Council Chair and Planning Council Support and include an action plan to resolve any issues.

Information/Document Sharing and Reports/Deliverables

It is the intent of this MOU to encourage regular sharing of information and materials throughout the year. This section specifies a set of materials to be provided and information to be shared through meetings. Parties to the MOU may request and receive additional materials or information, except for those that should not be shared for reasons of sensitivity or confidentiality.

Information Sharing: Planning Council to the Recipient

The Planning Council will provide the Recipient with the following information and materials:

- A dated list of Planning Council members and their terms of office, with primary affiliations as appropriate, to be provided annually and updated as needed throughout the year, in accordance with current Notice of Grant Award (NGA) guidelines.

- Notification of the Planning Council’s monthly meetings, retreats, orientation and training sessions, and other Planning Council events, at the same time notification goes to Planning Council members.

- The meeting notice, agenda, and information package for each Planning Council meeting, to be provided at the same time they are provided to Planning Council members.

- The annual list of service priorities and resource allocations, along with the process used to establish them and directives to the Administrative Agency or edits to existing directives on how best to meet these priorities – the same information that is submitted to HRSA/HAB as part of the annual Part A application. This information will be provided
within two weeks after the Planning Council has approved the priorities, allocations, and directives.

- Copies of final planning documents prepared by the Planning Council, such as needs assessment reports and the Comprehensive Plan, within two weeks after their completion.
- Information or documents needed by the Recipient to complete the sections of the annual application related to the Planning Council and its functions.

Information Sharing: Recipient to the Planning Council

- The Recipient will provide the Planning Council Program Coordinator the following reports and information. These will be the minimum requirements. Additional or different information needs will be discussed and agreed upon:
  
  o A copy of the annual grant award notice including Conditions of Award, a copy of any approved carryover request, and a copy of other official communications from HRSA/HAB that directly involve the Planning Council, within one week after they are received from the funding agency and more quickly where time-sensitive responses are required.
  
  o An annual utilization report by service category, including expenditures and client numbers and demographics, provided in writing on a mutually agreed upon schedule. The Administrative Agency will also provide at a minimum a quarterly written report to the Allocations Committee, highlighting any unexpected expense levels.
  
  o An end-of-year Final Allocations Report, providing information on the number of individuals served and costs per client for each service category. The Planning Council will receive this information within two weeks after the Administrative Agency submits the final progress report to HRSA/HAB, based on the Conditions of Award, in time for use in priority setting and resource allocation.
  
  o Recommendations to the Planning Council regarding over- and under-expenditures by service category and suggested reallocations, at least quarterly and on mutually agreed upon dates during the year.
  
  o Information and recommendations designed to assist the Planning Council in carrying out its responsibility to set priorities among service categories, allocate funds to those service categories, and provide directives to the Administrative Agency on how best to meet these priorities. The content and format for this information will be mutually agreed upon each year, but will typically include epidemiologic data and an estimate of unmet need for primary health care among people who know their status but are not in care.
  
  o Information needed by the Planning Council to meet its responsibility for assessing the efficiency of the administrative mechanism. The content and format for this information will be mutually agreed upon each year, but will typically include information on procurement, contracting, and reimbursement procedures and timelines.
Whenever the Planning Council or a Committee requests special or additional information from the Administrative Agency, the request will always be listed in the summary minutes of the meeting. In addition, Planning Council Support staff will provide a list of requests in a follow-up e-mail within two business days, with a copy to the Committee Chair and Planning Council Chair.

Information That Will Not Be Shared

In order to maintain the confidentiality of sensitive information, the following information will not be shared:

- The Planning Council will not share information on the HIV status of members of the Planning Council who are not publicly disclosed as people living with HIV/AIDS. Except for individuals who choose to disclose their status, the HIV status of Planning Council members will not be shared with the Administrative Agency or with other Planning Council members except those involved in the Open Nominations Process.

- The Administrative Agency will not share information about individual applicants for subrecipient contracts or about the performance of subrecipients – information will be shared by service category only.

- Information about the individual salaries of Administrative Agency and Planning Council staff will not be shared beyond those with a direct need to know. Except for the Chair and the Executive Committee, the Planning Council will receive staff salary data on Planning Council Support staff only as submitted in the Part A application or in the aggregate. The Planning Council will not have access to the Administrative Agency’s detailed budget other than the version submitted in the RWPA Application. The Part A Program Manager will have access to the Planning Council’s detailed budget as needed for the Part A application, Conditions of Award, and other HRSA/HAB requirements.

Assessment of the Efficiency of the Administrative Mechanism (AEAM)

The HIV/AIDS Bureau/Division of Service Systems expects that the Chief Elected Official in each EMA will disburse RWPA funds quickly and efficiently and will closely monitor their use. Meeting these expectations involves effectively implementing the request for proposal (RFP) process, reviewing applications, awarding and execution of subrecipient contracts, disbursement of funds, and programmatic and fiscal monitoring of subcontractors.

Each year, the Planning Council is required to assess the efficiency of the administrative mechanism in rapidly allocating funds to areas of greatest need within the EMA. At a minimum, this evaluation will include:

- An assessment of how efficiently subrecipients are selected and paid and how effectively their contracts are monitored based on time-framed observations of procurement, expenditure, and reimbursement processes.

- A determination that services funded by the Administrative Agency are consistent with the Planning Council’s priorities, allocations, and instructions for addressing these priorities.
At the Planning Council’s discretion, this evaluation may include:

- An assessment of the effectiveness of the services offered in meeting identified needs.
- An analysis of how well Ryan White-funded services achieved expected client health and/or service outcomes.
- An assessment of the planning process used by the EMA prior to the procurement of services and disbursement of funds (when an evaluation of the involvement of the Administrative Agency is a component of the assessment).

Assessing the administrative mechanism is not an evaluation of the Administrative Agency or individual subrecipients.

The Executive Committee of the Planning Council is tasked with the completion of the assessment of the administrative mechanism.

**Responsibilities of Involved Parties**

The assessment of the Administrative Agency has the potential to create an adversarial relationship between the Planning Council and the Recipient. However, this is not the intent of the legislative mandate. Clear delineation of responsibilities and an effective communication mechanism can minimize this potential.

**Executive Committee Responsibilities**

- Overseeing the planning and evaluation process
- Securing a contractor to complete the project
- Engaging Council and community stakeholder input
- Ensuring a fair and balanced assessment is completed
- Ensuring that legislative mandates are fulfilled
- Keeping the Planning Council and the Recipient informed of the status of the assessment

**Recipient Responsibilities**

- Assigning a liaison to collaborate with the Executive Committee for the duration of the assessment process, including participating in all meetings related to the project
- Facilitating information sharing with the Executive Committee and the contractor tasked with the completion of the assessment
- Facilitating communication/information gathering between the contractor and Ryan White subrecipients, as needed
- Maintaining communication with the Executive Committee and the Planning Council during the completion of the assessment
- Providing a written response to the final assessment and, if necessary, a corrective action plan
Shared Responsibilities

- Developing a written process that documents the agreed-upon objectives of the assessment, a work plan, and timeline of activities
- Maintaining ongoing communication between parties
- Evaluating the process at the completion of the project

Settling Disputes or Conflicts

If conflicts or disputes arise with regard to the roles and responsibilities of this Memorandum of Understanding, the parties will use the following procedures to resolve them:

- Begin with a face-to-face meeting between the parties to attempt to resolve the situation, within five working days after the issue or dispute arises.
- If the situation cannot be resolved by these parties, a meeting of representatives of both parties, will take place within ten working days after the initial meeting to discuss the issue and reach resolution, if possible.
- If the situation still cannot be resolved, a representative of both parties will hold a meeting with the Chairman of the Board of Supervisors in his/her capacity as Chief Elected Official. The decision of the Chairman of the Board will be final.

MOU Duration and Review

Effective Date

The MOU will become effective once all the authorized individuals representing the Administrative Agency and Planning Council sign it.

Duration

The MOU will remain in effect unless or until the parties take action to end it or the Maricopa County Board of Supervisor Chairman is no longer the CEO of RWPA funding for the EMA.

Process for Reviewing and Revising the MOU

The MOU will be reviewed and/or revised periodically, with the involvement and approval of all parties. Reviews will occur:

- Following each reauthorization or legislative revision of the Ryan White HIV/AIDS Treatment Extension Act of 2009 by the U.S. Congress, to ensure that the MOU is fully appropriate, updated, and reflective of the Act.
- At least once every two years, to assess its contents, use, and value, and agree on needed changes to make it more useful to all parties.
- When the MOU has been reviewed and revised, the amended version it will be signed and dated by all parties. The revised version will become effective once signed.

**Responsible Parties and Contact Information**

Following are the responsible parties to this MOU, along with the names of the individuals in these positions at the time the MOU was adopted, and their contact information, including the individual within their office who should receive all communications related to this MOU and the RWPA program.

**For the Recipient:**

Carmen Batista  
Program Manager, Ryan White Part A Program  
Maricopa County Public Health  
4041 N. Central Ave, Suite 850  
Phoenix, AZ 85012  
602-372-7091  
Carmen.Batista@maricopa.gov

**For the Greater Phoenix Ryan White HIV Services Planning Council Support Staff:**

Randall Furrow  
Chair, Phoenix EMA Planning Council  
Maricopa County Public Health  
4041 N. Central Ave, Suite 850  
Phoenix, AZ 85012  
888-235-1653  
Randallfurrow@aol.com

**For the Greater Phoenix Ryan White HIV Services Planning Council Support Staff:**

Jason Landers  
Planning Council Administrative Support  
Maricopa County Public Health  
4041 N. Central Ave, Suite 850  
Phoenix, AZ 85012  
Jason.Landers@maricopa.gov
Memorandum of Understanding (MOU)
Between the Ryan White Part A Recipient and the Greater Phoenix Ryan White HIV Services Planning Council

Signatures

[Signature]
Program Manager, Ryan White Part A Program
Date

[Signature]
Randall Furrow (Apr 15, 2022 10:16 PDT)
Randall Furrow
Chair, Greater Phoenix Ryan White HIV Services Planning Council
Date

[Signature]
4/15/2022
Planning Council Support Staff, Greater Phoenix Ryan White HIV Services Planning Council
Date
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