

**Houston Area HIV Services Ryan White Planning Council**

**Operations Committee Meeting**

1:00 pm, Tuesday, October 17, 2017

Meeting Location: 2223 W. Loop South, Suite 240

Houston, Texas 77027

**AGENDA**

\* = Handout to be distributed at the meeting

- 
- I. Call to Order Curtis Bellard and  
Nancy Miertschin, Co- Chairs
- A. Moment of Reflection
  - B. Adoption of the Agenda
  - C. Adoption of the Minutes
- II. Public Comments and Announcements
- (NOTE: If you wish to speak during the Public Comment portion of the meeting, please sign up on the clipboard at the front of the room. No one is required to give his or her name or HIV status. All meetings are audio taped by the Office of Support for use in creating the meeting minutes. The audiotape and the minutes are public record. If you state your name or HIV status it will be on public record. If you would like your health status known, but do not wish to state your name, you can simply say: "I am a person living with HIV", before stating your opinion. If you represent an organization, please state that you are representing an agency and give the name of the organization.
- III. Old Business
- A. 2017 Council Training Topics
  - B. Review Council Policies
    - 400.03 Approving Council Support Budget
    - 800.01 Conflict of Interest
    - 1000.01 Grievance
- IV. New Business
- A. Evaluation of the Cross Training\* Amber Harbolt
  - B. Part A Stakeholder Memorandum of Understanding Tori Williams
  - C. Part B Stakeholder Letter of Agreement
  - D. Committee meeting schedule and tasks:
    - November: Finish policies & bylaws, design orientation, & review LEAP recommendations
    - December: No meeting
    - January (must select date): orientation
- V. Announcements
- VI. Adjourn
- OPTIONAL: Members meet with Committee Mentor Skeet Boyle

**FOUR INTERVIEWS WITH COUNCIL APPLICANTS**

**Houston Area HIV Services Ryan White Planning Council**

**Operations Committee Meeting**

1:00 pm, Tuesday, September 19, 2017

Meeting Location: 2223 W. Loop South, Suite 240; Houston, Texas 77027

**MINUTES**

<b>MEMBERS PRESENT</b>	<b>MEMBERS ABSENT</b>	<b>OTHERS PRESENT</b>
Curtis Bellard, Co-Chair	Skeet Boyle, excused	Tori Williams, Office of Support
Nancy Miertschin, Co- Chair		Rod Avila, Office of Support
Denis Kelly		
Carol Suazo		
Isis Torrente		

**Call to Order:** Curtis Bellard, Co-Chair, called the meeting to order at 1:07 p.m. and asked for a moment of reflection.

Adoption of the Agenda: ***Motion #1:*** *it was moved and seconded (Torrente, Kelly) to adopt the agenda. Motion carried unanimously.*

Approval of the Minutes: ***Motion #2:*** *it was moved and seconded (Torrente, Suazo) to approve the August 15, 2017 minutes. Motion carried. Abstained: Kelly*

**Public Comment:** None.

**Old Business:**

**Review Council Policies:**

**900.01200.01 Nominations Screening Process:** After reviewing staff suggestions,

***Motion #3:*** *it was moved and seconded (Kelly, Torrente) to accept the Nominations Screening Process policy as presented. Motion passed unanimously.*

**200.03 Meetings:** After reviewing staff suggestions,

***Motion #4:*** *it was moved and seconded (Torrente, Suazo) to accept the Meetings policy as presented. Motion passed unanimously.*

**300.01 Letters of Support and more:** After a brief discussion,

***Motion #5:*** *it was moved and seconded (Torrente, Kelly) to accept the Letters of Support and more policy as presented. Motion passed unanimously.*

**400.02 Roles & Responsibilities:** Since staff had no recommended changes

***Motion #6:*** *it was moved and seconded (Suazo, Torrente) to accept the Roles & Responsibilities policy as presented. Motion passed unanimously.*



# Training Topics for 2017 Ryan White Planning Council Meetings (updated: 10-06-17)

## DRAFT

Shading = may be room on agenda for a second speaker

Month	Topic	Speaker
January 26 2017	Council Orientation	N/A
February 9	END HIV Houston Crosswalk: END HIV Houston and 2017 Houston Area HIV Prevention and Care Comp. Plan	Venita Ray, Coordinator, END HIV Houston, Legacy Amber Harbolt, Health Planner, Office of Support
March 9	2017 HIV Comprehensive Plan: Council Activities How To Best Meet the Need Process & Training	Amber Harbolt, Health Planner, Office of Support Robert Noble & Gloria Sierra, Quality Improvement
April 13	Houston HSDA HIV Care Continuum	Ann Dills, Texas Dept. of State Health Services
May 11	DSHS Legislative Update (include ADAP update)	Shelly Lucas, Texas Dept. of State Health Services
June 8	Project LEAP Presentation	Project LEAP 2017 Students
July 13	Priority Setting and Allocations Processes	Ella Collins-Nelson & Paul Grunenwald, Co-Chairs, Priority & Allocations
August 10	DSHS Budget & Program Update	Shelly Lucas, Texas Dept. of State Health Services
September 14	<b>CANCELLED DUE TO HARVEY</b>	Difficulty accessing rooms, worried about quorum & most 2017 work products approved
October 12	Results of the 2015-2017 SPNS Project EIIHA Update	Tom Giordano, MD, Baylor College of Medicine Amber Harbolt, Health Planner
November 9	We Appreciate Our External Members Intimate Partner Violence and HIV Election Policy	Chair, Ryan White Planning Council Heather Keizman, RN, RW Grant Administration Operations Committee
December 14	Eliminating the Use of HIV Stigmatizing Language Elections for the 2018 Officers	POZ Strike Force Co-Chairs, Operations Committee

Requests: DSHS Updates (2/year) Training in reading Council reports  
 Training in how to be a good committee participant: keep questions related to the topic

# HOUSTON AREA HIV HEALTH SERVICES RYAN WHITE PLANNING COUNCIL

EST. JULY 10, 2008

POLICY No. 400.03

## PROCESS FOR APPROVING THE COUNCIL SUPPORT BUDGET

### 1 PURPOSE

2  
3 This policy is to establish the process used to review and approve the annual budget for the  
4 Houston Area HIV Health Services Ryan White Planning Council and the Council Support Staff.  
5

### 6 AUTHORITY

7  
8 The authority given to the Operations Committee by the Council **regarding** adoption and  
9 approval of **By-laws Rev. 12/07** and under the order of the Chief Elected Official (CEO) of  
10 Harris County, initiate procedures by which day to day business of the Council is to take place.  
11 According to the **Ryan White HIV/AIDS Treatment Modernization Act of 2006**, and a letter of  
12 guidance issued by the HIV/AIDS Bureau (April 26, 2007) "Section 2604(h) specifies that the  
13 chief elected official of an eligible area shall not use in excess of 10 percent of amounts received  
14 under a Part A grant for administrative expenses. The amounts may be used for administrative  
15 activities that include all activities associated with the grantee's contract award procedures,  
16 including activities carried out by the HIV Health Services Planning Council as established  
17 under section 2602 (b) of the Act... While Part A Planning Councils may use Ryan White  
18 Program funds to support certain activities related to carrying out required functions, the  
19 Planning Council must also work with the grantee to agree on a budget for Planning Council  
20 support activities. Reasonable and necessary activities include both tasks directly related to  
21 legislative functions and the following costs that support multiple functions:

- 22 • Staff support (professional and clerical)
- 23 • Expenses of Planning Council members as a result of their participation
- 24 • Activities publicizing the Planning Council's activities for people living with HIV and  
25 efforts to substantively enhance community participation in Planning Council activities
- 26 • Developing and implementing Planning Council grievance procedures for decisions  
27 related to funding."  
28

### 29 INTENT

30  
31 Create an atmosphere of mutual respect and transparency as the Council works with the CEO  
32 and the grantee to agree on the annual Council Support budget.  
33

### 34 PROCEDURE

35  
36 The following describes the steps to be followed in order to secure approval of the Council  
37 Support budget:  
38

- 39 1. The Manager of the Office of Support prepares a proposed budget.
- 40 2. The Manager distributes the proposed budget to members of the Operations  
41 Committee, the liaison to the CEO and the manager of Harris County Public

- 42 Health/Ryan White Grants Administration Section (the “grantee”).
- 43 3. The grantee reviews the budget in terms of Ryan White Program guidelines and
- 44 discusses any concerns with both the Manager of the Office of Support and the
- 45 assigned liaison to the CEO.
- 46 4. The Manager conveys this input to the Operations Committee when they meet to
- 47 review and make recommendations on the proposed budget.
- 48 5. The Operations Committee reviews the budget to make sure that it supports activities
- 49 related to carrying out the legislatively mandated role of the Council and prepares a
- 50 committee recommendation regarding the proposed budget.
- 51 6. The Steering Committee and Council review and vote on the recommendations of the
- 52 Operations Committee regarding the Council Support budget.
- 53 7. The Manager provides the grantee with the Council approved budget.
- 54 8. The grantee reviews the budget and provides written confirmation to the Manager of
- 55 the Office of Support and the liaison with the County Judge’s Office stating that the
- 56 budget is consistent with HRSA requirements and County rules and no changes are
- 57 necessary. If the budget is not consistent with HRSA requirements and County rules,
- 58 the budget is returned to the Manager of the Office of Support who revises the budget
- 59 and begins the process at Step 1 as described above.

# HOUSTON AREA HIV HEALTH SERVICES RYAN WHITE PLANNING COUNCIL

EST. JUL. 15, 1998

REV DECEMBER 13, 2007

POLICY No. 800.01

## CONFLICT OF INTEREST

### 1 PURPOSE

2 To define the policy in which the Houston Area HIV Health Services (RW) Planning Council  
3 identifies and addresses conflict of interest within the planning council (PC).

- 4 • Inherent in the system - The Ryan White Program states: The HIV health services  
5 planning council shall include representatives of...community-based organizations  
6 serving affected populations and AIDS service organizations; local public health  
7 agencies...
- 8
- 9 • Must be managed - The Ryan White Program states: The PC may not be directly  
10 involved in the administration of a grant. The PC may not designate (or otherwise be  
11 involved in the selection of) particular entities as recipients of any amount provided in the  
12 grant.
- 13

### 14 AUTHORITY

15  
16 The CARE Act Amendments of 2000 through 2006 Sec.2602(b)(1);Sec.2602(b)(5)(A);  
17 Sec.2602(b) (5)(B);Article VIII,Sec8.01 of the Bylaws of the Houston Area HIV Health Services  
18 (RW) Planning Council 2001.

### 20 DEFINITION(S)

21  
22 “Conflict of Interest” (COI) is defined as an actual or perceived interest by a RWPC member in  
23 an action which results or has the appearance of resulting in personal, organizational, or  
24 professional gain. COI does not refer to persons living with HIV disease (PLWH) whose sole  
25 relationship to a Ryan White Part A or B or State Services funded provider is as a client  
26 receiving services. The potential for conflict of interest is present in all Ryan White processes:  
27 needs assessment, priority setting, comprehensive planning, allocation of funds and evaluation.

### 29 PROCESS

30  
31 The rules contained in this policy apply to all RWPC members, council support, contractors and  
32 consultants to the Houston Area HIV Health Services (RW) Planning Council, all of whom shall  
33 be referred to as RWPC members in this policy.

34  
35 RWPC members who have a financial interest in, are employed by, sit on Boards of Directors, or  
36 have been employed by such an entity at any time during the previous twelve months, or are  
37 members of a public or private entity seeking Ryan White Part A or B or State Services funding  
38 will not participate directly or in an advisory capacity, in the Administrative Agency’s processes  
39 of selecting entities to receive Ryan White Part A or B or State Services funding within that  
40 particular service category. RWPC members shall be provided with copies of, and shall abide by  
41 local state regulations governing COI.

43 RWPC members must complete a COI Disclosure Form annually and/or as needed, describing  
44 the relationship of the person to each organization that can benefit from an action by the RWPC.  
45 This information, in the form of a matrix of members and their conflicts of interest, will be  
46 provided to all members of the RWPC. Additionally all RWPC members will identify conflicts  
47 of interest during a discussion and/or vote and abstain from voting on issues pertaining to that  
48 conflict. All RWPC members are encouraged to request a review of potential COI of another  
49 member during a RWPC meeting.

50  
51 The Secretary of the RWPC has responsibility for addressing actions to resolve COI when they  
52 occur (see RWPC Policy 500.01). When the Secretary has a COI, monitoring voting for COI  
53 and processing inquiries related to COI will fall to the role of the Council Vice Chair, if the  
54 Council Vice Chair has a COI the responsibility will fall to the Council Chair. If still unresolved  
55 then the responsibility will fall to the Chair of the Operation Committee.

56  
57 In the event of a COI and/or during the period of review of said COI, members with a COI may  
58 participate in the discussion of the COI or questions, but shall abstain from voting on the matter.

59  
60 The Operations Committee of the RWPC shall recommend to the CEO the termination of a  
61 member from the RWPC if the member refuses to complete a COI disclosure form, refuses to  
62 declare a COI, or refuses to cooperate in a COI review, or if it is determined that the member  
63 took action intended to influence the conduct of the Administrative Agency in selecting entities  
64 to receive Ryan White Part A or B or State Services funding within a particular service category  
65 or an action which resulted in or had the appearance of resulting in personal, organizational, or  
66 professional gain.

67  
68 **COI INQUIRY/INTRODUCTION/PROCEDURE: - HAVE OPERATIONS PRACTICE?**  
69 A COI matrix from the information provided on the COI questionnaire will indicate the service  
70 category(ies) in which a conflict(s) occurs.

71  
72 An inquiry as to whether or not an individual has a conflict of interest that has not been disclosed  
73 is handled as a privileged motion: raising a question of privilege.

74  
75 Questions of privilege relate to the conduct of officers, members, and employees. In this specific  
76 case, the conduct being addressed would be not having disclosed a COI. A question of privilege  
77 (COI Inquiry) will usually take place during or after a discussion or vote. If necessary, raising a  
78 question of privilege may interrupt a member's speech.

79  
80 A member of the RWPC, who feels that another member has violated the COI policy by failing  
81 to disclose a COI or by voting on an issue regarding a service category in which a conflict has  
82 been disclosed, should raise a question of privilege in order to inquire about a possible conflict.  
83 The following steps will take place:

84 Step 1: A member rises, addresses the chair, and then, without waiting, says, "I rise to a  
85 question of privilege."

86 Step 2: The Chair will at this time request the Secretary to take control of the meeting. The  
87 Secretary will direct him/her to state his/her question.

88 Step 3: The member will briefly express his/her complaint and propose, as a motion, a  
89 solution. The motion is the actual question of privilege or a request to inquire about a COI.

90 Step 4: The Secretary will attempt to process the motions to inquire as to whether a member  
91 has a COI by general consent. (General consent requires no objections). If the general  
92 consent is obtained, the motion will be discussed.

93



94 If general consent fails, the Secretary will ascertain if there is a second to the motion and then  
95 process it as a main motion (even if a main motion was interrupted).

96  
97 As soon as the interrupting question of privilege is disposed of, the assembly resumes  
98 consideration of the question that was interrupted.

99  
100 **METHOD OF DISCLOSURE:**  
101 Annually and on an as needed basis, PC and external committee members are required to submit  
102 a Proposed Conflict of Interest Disclosure Questionnaire (RWPC Form 2, COI) to PC Support  
103 Staff.

104  
105 **RESOLUTION OF CONFLICT OF INTEREST:**  
106 Ryan White Planning Council’s “APPROPRIATE STEPS FOR CONFLICT RESOLUTION”  
107 five-step process will be followed. (See RWPC Steps to Conflict Resolution Form).

108  
109 **PROCEDURE FOR COUNCIL MEMBERS WHO BECOME VENDORS AFTER**  
110 **JOINING THE COUNCIL:**  
111 Vendors must abide by the same conflict of interest policies that everyone else does.

# HOUSTON AREA HIV HEALTH SERVICES RYAN WHITE PLANNING COUNCIL

EST. JUL 15, 1998

REV DECEMBER 13, 2007

POLICY No. 1000.01

## GRIEVANCE

### 1 PURPOSE

2  
3 This policy establishes which types of grievances will be covered by the procedures and who  
4 may bring a grievance. This process will address priority setting and allocating funds to those  
5 priorities and any subsequent process to change the priorities or allocations. Any changes as a  
6 result of a hearing, mediation or arbitration process will be perspective in nature (i.e. any  
7 changes as a result of this process will effect future decisions and not impact former or current  
8 funding decisions).

9  
10 This policy will permit individuals or entities directly affected by the outcome of a decision  
11 related to funding as being eligible. At a minimum; providers eligible to receive Ryan White  
12 funding; consumer groups/PLWH coalitions and caucuses.

13  
14 This policy will allow for non-binding procedures for resolving conflicts, including but not  
15 limited to Mediation for the parties in reaching a solution. In addition, Binding Arbitration will  
16 be the final resolve in this process.

### 17 18 AUTHORITY

19  
20 Section 2602(b)(6) requires Planning Councils to develop procedures for addressing grievances  
21 with respect to funding; Section 2602(c)(1)(A), refers to non-binding and binding arbitration and  
22 under subsection (b)(1) allows for local discretion and describes the elements that must be  
23 addressed in establishing local grievance procedures and provides grantees with flexibility in the  
24 design of such local procedures. Section 2602(c)(1)(B) requires that once grievance policies are  
25 established they are determined adequate. This will assess whether such procedures permit  
26 legitimate grievances to be filed, evaluated, and resolved at the local level. Section 2602(c)(2)  
27 states that "to be eligible to receive funds under this part a grantee shall develop grievance  
28 procedures that are determined by the Secretary to be consistent with the model procedures  
29 developed under paragraph (1)(A) of HRSA regs. By adoption of the BYLAWS of the Houston  
30 Area HIV Health Services (Ryan White) Planning Council; Rev 12/01.

### 31 32 DEFINITIONS

33  
34 Arbitration - A private informal process by which all parties agree, in writing, to submit their  
35 disputes to one or more impartial persons authorized to resolve a controversy by rendering a final  
36 and binding award.

37 Arbitrator - An impartial third party who has completed a minimum of 40 hours of training in  
38 dispute resolution techniques in a course conducted by an alternative dispute resolution system  
39 or organization. Decisions awarded by arbitrators are binding unless otherwise stipulated in  
40 advance of the arbitration proceeding.

41 Business Day - Reference to a business day will be understood to mean Monday through Friday,  
42 8:00am to 5:00pm.

43 Court - Includes an appellate court, district court, constitutional county court, statutory county  
44 court, family law court, probate court, municipal court, or justice of the peace court.

45 Grievance - Any unresolved controversy, claim or dispute relating to the Planning Council  
46 process involving establishing priorities; allocating funds to those priorities and any subsequent  
47 process to change the priorities or allocations.

48 The Operations Committee - The Operations Committee will convene as needed to address a  
49 grievance. All final resolutions by that committee will be presented at the next full Planning  
50 Council meeting and presented by the Chair of the Operations Committee.

51 Grievant - An individual or group of individuals with standing and who file a grievance with the  
52 Manager of the Office of Support for the Planning Council.

53 Hearing - Meeting held with the Houston Area HIV Health Services (Ryan White) Planning  
54 Council Operations Committee at which an individual or group of individuals provides specific  
55 testimony relating to an unresolved controversy, claim or dispute.

56 Mediation - A private, informal process in which an impartial third person facilitates  
57 communication among parties to encourage reconciliation, settlement or agreement of a  
58 particular dispute, controversy, or claim.

59 Mediator - An impartial third person who facilitates the communication between parties in  
60 dispute and encourages reconciliation, settlement or agreement of a particular dispute,  
61 controversy or claim. Qualifications of a mediator must include a minimum of 40 classroom  
62 hours of training in dispute resolution techniques provided by an alternative dispute resolution  
63 system or organization. A mediator may not impose his own judgment on the issues for that of  
64 the parties.

65  
66 **TIMELINE:**

67 Written notification of grievance, using the Grievance Intake Form, must be given to the  
68 Manager of the Office of Support for the Planning Council within five (5) business days after the  
69 incident or results of the process being grieved are announced. When written notification of  
70 grievance is received, the Manager of the Office of Support will establish a file which briefly  
71 describes the grievance issue and the remedy being requested.

72  
73 The Manager, within three (3) business days, will notify the Chair of the Operations Committee  
74 and the Chair of the Planning Council of the grievance notification. The Manager will also  
75 acknowledge receipt of grievance to grievant by certified mail, return receipt requested, within  
76 three (3) business days of notification.

77  
78 A grievance hearing will be held within fourteen (14) business days after receipt of notification  
79 of the grievance. At that time, the Operations Committee will determine whether the grievance  
80 is within the scope of the procedures, and whether or not a grievant is eligible to initiate a non-  
81 binding process. Once a grievance has been filed, if not resolved at the initial hearing, the  
82 conversation from here forward must be limited to the items discussed in the grievance hearing.  
83 Amendments to the form are acceptable only before the hearing. The person who filed the  
84 grievance and the party(s) involved will be interviewed by the Operations Committee.

85  
86 The grieving party will be notified by certified mail, return receipt requested, of the date, time  
87 and place of hearing at least five (5) business days before the hearing is held.

88  
89 The Operations Committee will render a decision within ten (10) business days after the  
90 scheduled Grievance hearing, and Grievant will be notified of said decision by certified mail,  
91 return receipt requested, within three (3) business days after rendered decision.

92  
93 If, after being notified of the Operations Committee's decision, any party to the grievance is not

94 satisfied with said decision, that party may request mediation of the dispute. That party must  
95 notify in writing the Manager of the Office of Support of the request for mediation no later than  
96 three (3) business days after receiving the Operations Committee’s decision. Mediation will be  
97 provided by the Harris County Alternative Dispute Resolution Service, or any other such service  
98 that is mutual agreed upon by all parties involved, who will provide impartial third parties to  
99 mediate the filed grievance. Mediation costs will be shared equally among both parties involved.

100  
101 The initial mediation will be scheduled within fourteen (14) business days after the Planning  
102 Council Manager (subject to the schedule of the mediation service) receives the request. The  
103 mediation process will be held at a location designated by the mediation service provider, and all  
104 business conducted during the mediation process will be considered confidential. Documents  
105 provided during mediation will be subject to the Public Information Act. Maximum amount of  
106 time to complete any non-binding process will be eight (8) hours. Additional time may be  
107 granted on an “as needed” basis to promote resolution of the grievance.

108  
109 Any unresolved controversies, claims or disputes that cannot successfully be resolved through  
110 the Operations Committee process or through good faith negotiations in mediation shall be  
111 settled by arbitration. Results of the arbitration will be binding upon all parties involved. The  
112 grievant must notify in writing the Manager of the Office of Support of the intent to pursue  
113 arbitration within three (3) business days after the mediation process ends.

114  
115 A panel of three (3) qualified neutral arbitrators will conduct the arbitration process. An  
116 independent, impartial third party organization designated in advance will provide each party  
117 with a list of proposed arbitrators who may be familiar with the subject matter involved in the  
118 grievance. Each side will have ten (10) business days to strike the names of those individuals on  
119 the list that are deemed unacceptable, prioritize the remaining names in order of preference and  
120 return the list to the designated organization. The designated organization will contact the  
121 arbitrators remaining on the list in order of preference to serve on the panel.

122  
123 The Arbitration Committee will hear the dispute within thirty (30) business days after the  
124 appointment of the arbitrators. Fees associated with the arbitration process will be borne by the  
125 parties equally. However, each party shall be responsible for expenses related to its own  
126 counsel, experts, witnesses, and preparation and presentation of documents. Cost and fees may  
127 include, but are not limited to, all reasonable pre-award expenses of the arbitrators’ fees,  
128 administrative fees, travel expense, out-of-pocket expenses for copying and telephone, court  
129 cost, witness fees, and attorney’s fees.

Policy 002.

Date of Issue \_\_\_\_\_  
Date Filed \_\_\_\_\_  
Date Received \_\_\_\_\_  
Date of Hearing \_\_\_\_\_

Date of Grievance Recommendation \_\_\_\_\_  
Date of Appeal \_\_\_\_\_  
Date of Appeal Decision \_\_\_\_\_  
Date Grievance Concluded \_\_\_\_\_

**Please do not write in this space**

The Grievance Process will be as follows:

- 1) Grievant must notify the Manager of the Office of Support for the Planning Council in writing of a grievance.
- 2) The Manager will immediately notify Chair of the Operations Committee of request for hearing.
- 3) The Grievance hearing will be scheduled within fourteen (14) business days after the request for hearing is received by the chair of the Operations Committee.
- 4) Amendments to the form are acceptable only before the hearing.
- 5) If a mutual agreeable solution is not reached in this process, the grievant may request mediation.
- 6) Mediation will be provided by a mutually agreed upon service to all parties involved.
- 7) Mediation costs will be shared equally among all parties involved.

**GRIEVANCE FORM**

Instructions: Please type or print the information requested in the space provided below. If additional space is needed, please attach additional pages.

Name: \_\_\_\_\_ Title: \_\_\_\_\_

Agency: \_\_\_\_\_ Phone: \_\_\_\_\_

Address: \_\_\_\_\_ Zip code: \_\_\_\_\_

Briefly provide a description of expectations from the grievance process:

Will you have a representative at the hearing? \_\_\_\_\_

If yes, please provide the representative's name: \_\_\_\_\_

List the names of witnesses and a brief overview of the witnesses' testimony:

\_\_\_\_\_  
Grievant Signature

\_\_\_\_\_  
Title

\_\_\_\_\_  
Date

**Operations Committee's Recommendations**

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Title

\_\_\_\_\_  
Date

# Memorandum of Understanding

(Approved by the Council on 12-08-11)

Parties to the Memorandum of Understanding:

1. Harris County Judge – The “Chief Elected Official” (CEO)
2. Houston Eligible Metropolitan Area (EMA) Ryan White CARE Act (as amended) Part A Planning Council – The “Planning Council” (RWPC)
3. Houston EMA Ryan White CARE Act Part A Planning Council Office of Support – The “Office of Support” (RWPC/OS)
4. Harris County Public Health Services Department, Ryan White Grant Administration Section – The “Administrative Agency” (HCPHS/RWGA)

## **PURPOSE**

This Memorandum of Understanding is created to facilitate cooperative and collaborative working relationships between and among the Houston Ryan White Planning Council, the Council’s Office of Support and the Houston Administrative Agency. The Health Resources and Services Administration (HRSA), the federal agency that administers the Ryan White program, encourages stakeholders to draft a Memorandum of Understanding (MOU) to better define responsibilities. This document is not intended to restate all HRSA rules but to clarify entity roles and outline procedures that will foster productive interaction and efficient communication between and among the three stakeholders.

This MOU is a dynamic tool to help the aforementioned stakeholders avert misunderstanding. The underlying foundation of the memorandum is the principle of mutual respect. Mutual respect is created through open communication, active listening, seeking understanding, and acknowledging our mutual goals. This document is built upon the understanding that the three entities are equal stakeholders in the Ryan White process with the mutual goal of helping eligible individuals and families living with HIV/AIDS obtain the highest quality and most appropriate Ryan White Program services.

## **HRSA DEFINED ROLES AND DUTIES**

The following is taken from the 2002 HRSA Title I/Part A manual and the Title I/Part A Planning Council Primer and describes the role and duties of the:

### **Chief Elected Official (CEO or grantee): Harris County Judge**

The CEO is the person who officially receives the Ryan White Part A funds. In Houston the CEO is the County Judge making the Judge ultimately responsible for administering all aspects of the Part A program funds (Part A includes Minority AIDS Initiative, or “MAI” funds). Duties include: ensuring that all legal requirements are met, appointing members of the Planning Council and selecting the Harris County Public Health and Environmental Services Department to be the Administrative Agency for the Part A grant.

### **Planning Council: Houston Area HIV Services Ryan White Planning Council**

The Houston Ryan White Planning Council is a group of volunteers appointed by the CEO whose purpose is to plan for and oversee the delivery of services to persons living with HIV in the Houston EMA. Duties include: setting up planning body operations; setting service priorities; allocating resources to those priorities; and assessing the administrative mechanism which means reviewing how long the grantee takes to pay providers, reviewing whether the funds are used to pay only for services that were identified as priorities by the planning council and whether all the funds are spent”. The Council also works with the Administrative Agency to assess

need, develop a comprehensive plan, coordinate with other Ryan White programs and services, and reallocate funds. The Council reports to the CEO.

**Planning Council Support: Office of Support**

This entity provides administrative support to the Council. Duties include: coordinating and staffing all Council processes; interfacing with HRSA, the CEO's Office and other County Offices regarding Council business; and assisting Council members to stay in compliance with federal and county rules and regulations as well as Council bylaws, policies & procedures. The Manager of the Office of Support reports to the Planning Council and the CEO.

**Administrative Agency (the CEO's Agent, also called the grantee): Harris County PHS/Ryan White Grant Administration**

This entity carries out the day-to-day administrative activities required to implement and administer services in the Houston EMA according to the plan set forth by the Planning Council. Duties include: procuring services for PLWH/A consistent with Planning Council priorities and allocations, including all aspects of the RFP, review, award and contracting process with service providers; establishing intergovernmental agreements; ensuring services to women, infants, children and youth with HIV disease; ensuring that Ryan White Part A funds are used to fill gaps; ensuring delivery of quality services; preparing and submitting Part A applications; assuring all services are in compliance with the HRSA Ryan White National Part A and Universal Monitoring Standards; limiting grantee administrative costs; limiting contractor administrative costs; monitoring contracts; implementing Quality Management activities, advising the Council on HRSA mandates; and working with the Council to assess need, develop a Comprehensive Plan, coordinate with other Ryan White programs and services, and reallocate funds. According to HRSA, an employee of the grantee may serve as a co-chair to the Planning Council, provided the bylaws of the planning council permit or specify that arrangement. The Manager of RWGA reports to the Executive Director of the Harris County Public Health Services Department (HCPHS) or his/her designee.

**LOCALLY DEFINED RESPONSIBILITIES**

HRSA clearly assigns responsibility for certain work products to specific entities. For example: the Planning Council is the only entity allowed to set service priorities and determine annual allocations. Similarly, the Administrative Agency is the only entity allowed to monitor contracts and collect agency-specific information. In areas where there is shared responsibility, it is agreed that, in the Houston EMA, the entity named below will have primary responsibility for initiating and completing the following:

**Planning Council:**

- Through the Needs Assessment process, determine the size and demographics of the population of individuals with HIV disease (Section VI, page 2).
- Determine the needs of such population.
- Adapt the HRSA defined service definitions to meet the local needs.
- Indicate to the grantee, through the service definitions and standards of care, how the services are to be purchased.
- Determine the annual Part A service priorities.
- Determine the annual Part A allocations.
- Collaborate with the Administrative Agency in determining the Part A Standards of Care.
- Collaborate with the Administrative Agency in determining the Part A Outcome Measures.

- Reallocate unspent or carryover funds in a timely manner (see below under Administrative Agency for an explanation of the 10% rule).
- Through Council membership and joint activities, such as the Needs Assessment process, coordinate with other Ryan White programs and services.
- According to HRSA mandates, produce the Comprehensive Needs Assessment that is currently required at least every three (3) years.
- According to HRSA mandates, produce and update the Comprehensive Plan that is currently required at least every three (3) years.
- Produce the Blue Book so long as it is a Council-approved priority. Work with the Harris County Purchasing Department to procure a printer for the final product.
- Procure vendors for specific work products where the contract is under \$25,000 and no formal RFP process is needed. Provide system-wide guidance regarding the Continuum of Care, client eligibility and preferred treatment strategies, at a minimum meeting HHS treatment guidelines, in order that HCPHS/RWGA can implement the Centralized Patient Care Data Management System (CPCDMS) in a manner supportive of the Council's annual implementation plan and approved Comprehensive Plan. Examples of such guidance include the Council's approved stance on de-identified client-level data collection (i.e., no names or other identifying information stored in the CPCDMS) and applicable goals and objectives listed in the Comprehensive Plan.

#### **RWPC Office of Support Staff:**

- Provide guidance to the Council on HRSA and County policy that relates to Council processes and work products.
- Provide guidance and leadership to the Council in order to ensure the Council accomplishes all required and necessary goals and objectives.
- At the beginning of each grant year (i.e., January and February) meet with all stakeholders in the Ryan White Part A process to provide guidance and leadership in the Council's development and implementation of a timeline for all required Council work products that is consistent with published deadlines. Inform and advise the Council on multi-year and/or recurring processes such as needs assessment and comprehensive planning in order that the Council is appropriately informed of its deadlines and expected work products.
- Coordinate and staff all Council processes except the workgroups for Standards of Care and Outcome Measures.
- If an outside vendor is utilized, supervise the vendor contract for the Comprehensive Needs Assessment.
- If an outside vendor is utilized, supervise the vendor contract for the Comprehensive Plan.
- Work with the Council to develop the Blue Book. The Office of Support will work with the Purchasing Department to secure and supervise the printer and other vendors needed to produce the document.
- Provide RWPC-related information required for the submission of the annual HRSA grant application in a timely manner in order that HCPHS/RWGA can prepare the annual grant application for review and submission by the CEO.

#### **Administrative Agency:**

- Provide the Council with accurate, timely, aggregate service category and other information needed for the different Council processes such as the *How to Best Meet the Need*, priority setting, annual allocations and other processes.
- Collaborate with the Planning Council in determining the Part A Standards of Care.



- Collaborate with the Planning Council in determining the Part A Outcome Measures.
- Coordinate and staff the Part A Standard of Care and Outcome Measures workgroups in order to ensure appropriate interface with the Quality Management Program and because Standards of Care must also reflect the HRSA Ryan White Part A National Programmatic, Fiscal and Universal Monitoring Standards, the current Part A grant guidance, conditions of award and more.
- Reallocate funds per Council-approved decisions. Inform the Council no later than the next scheduled Planning Council Steering Committee meeting of any allocation changes made under the Houston RWPC-approved "10% rule". The 10% rule allows the administrative agency to shift funds between Service Categories without prior Council approval so long as the funds shifted are no more than 10% of the current approved Council allocation for either service category affected by the change.
- Prepare the Houston EMA HRSA grant application for review and submission to HRSA by the CEO.
- Implement and maintain the de-identified client-level data system used in the Houston EMA. The data system used by HCPHS/RWGA is the Centralized Patient Care Data Management System (CPCDMS). The CPCDMS is the property of HCPHS/RWGA and is used to securely collect and store HRSA- and RWPC- required data on client utilization, client demographics, medical and co-morbidity information, health outcomes and to enable the grantee to implement the HRSA-mandated Quality Management program.
- Inform the Council in an ongoing and timely manner of issues surrounding automated client-level data collection, changing data requirements from HRSA and other stakeholders, future technology changes and potential future issues of concern to Houston EMA stakeholders (e.g. interface with the State's ARIES data system for RW Part B data collection by TDSHS).

## **PROCEDURES**

**Meetings:** Please refer to Council bylaws, policies and procedures for details regarding protocol for Council members. This section is devoted to outlining staff functions in relationship to Council protocol. Regarding the Administrative Agent and Office of Support:

- Staff representation from the Office of Support will be provided at all regular Council meetings including standing committees, ad-hoc and workgroup meetings. Staff representation from RWGA will be provided as appropriate.
- In an effort to help chairs and other attendees delineate between members of the voting body, staff and the general public, neither staff nor members of the general public will sit at the table with Council or committee members while business is being conducted. Because of the more informal nature of workgroups, the chair of the workgroup may choose to make an exception to this rule.
- Staff will provide data and give periodic reports to the Planning Council during time allotted on the meeting agenda.
- Additional insights and suggestions from staff will be given to the Planning Council during meetings in the following manner:
  - Staff and Planning Council members will request permission from the Chairperson before providing input or requesting information from other members of the group.

**Requesting Information:** Council committees and workgroups will follow Council-approved policy and procedures to request information from the Office of Support or RWGA. This may be done via a standardized form or, in more informal situations, by request of the Council Chair or Vice Chair, Committee Chair or Co-Chair, or workgroup Chair as applicable. Individual Council members should make requests for information through the Committee or workgroup chair as described above.

**Distributing Information to the Council, its Committees and Work Groups:** Information will be delivered to the Manager of the Office of Support for distribution to the Council, its Committees and workgroups. The Manager will determine the appropriate process to be used to disseminate the information. When providing information, please keep the following in mind:

- 1.) Requests requiring Council or committee approval must be submitted in writing eight days before the date of the meeting.
- 2.) If the information does not require approval, submission of the information eight days before the date of the meeting is preferred.
- 3.) Once a workgroup or committee has created a recommendation in response to the request, the chair of the Committee, workgroup or designee will be responsible for moving the request forward and speaking on behalf of the request.

**Verifying Information.** Any member of this MOU can question accuracy and request sources to support or verify reports and other information. When accuracy is questioned within the context of a Council or Committee meeting, the chair can ask the entity that submitted the document or report to verify the information at the next meeting. It is incumbent on the one who submitted the document or report to verify the source and attest to its accuracy. While the information is being verified, it is important that decision-making continue and that the information be treated as valid to the extent possible.

However, it is the responsibility of HCPHS/RWGA and RWPC Office of Support staff to provide guidance to the Council regarding HRSA policy, County rules and procedures and other relevant information necessary for the Council to perform its responsibilities in an appropriate and timely manner. Therefore, information provided to the Council or its committees by staff is expected to be accurate and relevant to the issue or question being discussed and Stakeholders should respect such information. When necessary, more detail regarding the accuracy or applicability of such information may be requested, however such requests must not infringe upon established roles and responsibilities under the Ryan White Program (e.g., Council members may not, in their role as Council members, request agency or contract-specific information). Office of Support and HCPHS/RWGA staff are responsible for ensuring the overall Ryan White Part A grant process complies with all applicable HRSA guidelines and other Federal, State and local laws, rules and guidelines.

**Proof Reading the Annual Ryan White Part A Grant Application:** The Administrative Agency will provide the Office of Support with a draft copy of the application for review by the Council. Notwithstanding HRSA giving grantees less than the customary 60 days to prepare and submit the annual Part A grant application, the Council will nominally have one week (7 calendar days) to review the application and suggest corrections, edits or improvements. The Office of Support will be responsible for collecting and collating the comments and sending these to the Administrative Agency in a timely manner.

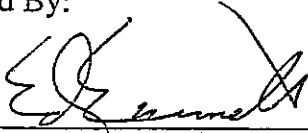
**Contracting with outside vendors:** Any contracting process that requires issuing an RFP or Interlocal Agreement shall be the responsibility of the Administrative Agency.

**Reviewing and Updating the MOU:** Annually in October of each year the Operations Committee of the Ryan White Planning Council will contact the principal Stakeholders (i.e., RWPC, RWPC Office of Support, CEO and Administrative Agency) in this MOU to see if any of the Stakeholders wish to review and/or revise the document. This annual process will provide an opportunity for Stakeholders to ensure the MOU will continue to be responsive to the needs and responsibilities of all concerned.

**THE DO'S AND DON'TS OF COUNCIL PARTICIPATION:** As members of a planning body, there are a number of areas where HRSA and/or county legislation mandates Council participation. The following is not a complete list, but strives to address areas where there are more likely to be questions.

DO's	DON'T's
✓ Do use Robert's Rules of Order in Meetings.	✓ Don't ignore the Chairperson and interrupt others who have been called upon to speak.
✓ When giving reports, do present key information your committee used to make a decision.	✓ Don't offer your personal opinion.
✓ Do ask for questions and think beyond your own situation.	✓ Don't force your point of view on others.
✓ Do make a motion for action.	✓ Don't repeat what everyone else has just stated.
✓ Do attend meetings in order to listen and learn.	✓ Don't feel intimidated and stop participating.
✓ Do share your concerns and ask questions.	✓ Don't vote for something you don't understand.
✓ Do come to meetings prepared.	✓ Don't ignore your meeting packets.
✓ Do work with other committee members to determine the information needs of the committee and have the committee chair ask the staff to prepare the information.	✓ As a Council member, don't ask the staff to prepare reports for your agency or personal use.
✓ Do assess how well services that are funded by the grantee address the planning council's priorities, allocations and instructions for addressing these priorities.	✓ Don't evaluate how well services are being delivered and the cost effectiveness of such services which are to be undertaken separately under the leadership of the grantee.
✓ Do assess the administrative mechanism in the following ways: 1.) evaluate how well the grantee manages to get funds to providers by reviewing how quickly contracts with service providers are signed and how long the grantee takes to pay providers. 2.) Review whether the funds are used to pay only for services that were identified as priorities by the planning council and whether all the funds were spent. 3.) Evaluate how well services funded by Ryan White Part A are meeting community needs.	✓ Don't evaluate the grantee or individual service providers, which is a grantee responsibility.
✓ Do review and discuss aggregate data about service categories.	✓ Don't get directly involved in the administration of the grant or be involved in the selection of particular entities as recipients of Part A funds.

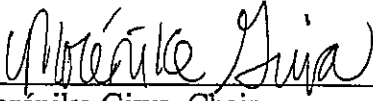
Signed By:



County Judge Ed Emmett

2/2/12

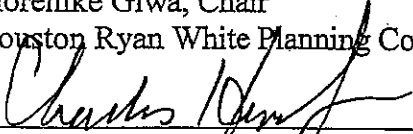
Date



Morenike Giwa, Chair  
Houston Ryan White Planning Council

3/1/12

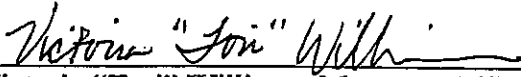
Date



Charles Henley, Manager  
HCPHS/Ryan White Grant Administration

3/1/12

Date



Victoria "Tori" Williams, Manager, Office of Support,  
Houston Ryan White Planning Council

3/1/12

Date

**Houston Area HIV Services Ryan White Planning Council**  
**2223 West Loop South, Suite 240, Houston, Texas 77027**  
**713 572-3724 telephone; 713 572-3740 fax**

**LETTER OF AGREEMENT**

Parties to the Letter of Agreement:

1. Harris County Judge – The “Chief Elected Official” (CEO)
2. Houston Eligible Metropolitan Area (EMA) Ryan White Part A Planning Council – The “Planning Council” (RWPC)
3. Houston EMA Office of Support for the Ryan White Part A Planning Council
4. Texas Department of State Health Services (TDSHS) - Part B Grantee
5. Houston Regional HIV/AIDS Resource Group, Inc. - Houston HIV Service Delivery Area (HSDA) Part B Administrative Agency
6. Harris County Public Health Services, Ryan White Grant Administration Section (HCPHS/RWGA) - Houston EMA Part A Administrative Agency

**PURPOSE**

This Letter of Agreement is created to facilitate cooperative and collaborative working relationships between and among the Ryan White Part B Administrative Agency (AA) and the Ryan White Part A Planning Council, its affiliated AA and the Planning Council staff. The Health Resources and Services Administration (HRSA), a division of the United States Department of Health and Human Services, encourages stakeholders to draft a Letter of Agreement (LOA) to better define responsibilities for the Houston Eligible Metropolitan Area (EMA) and the Houston Health Services Delivery Area (HSDA) designated by the Texas Department of State Health Services (TDSHS). The Houston EMA is designated by HRSA to receive Ryan White Program Part A funds to provide services to People Living with HIV/AIDS (PLWH/A). The Houston EMA is a six-county area in southeast Texas that consists of Chambers, Fort Bend, Harris, Liberty, Montgomery and Waller counties. The Houston HSDA consists of these same six counties and four others – Austin, Colorado, Walker and Wharton.

This document is not intended to restate all HRSA and TDSHS rules, but rather to clarify entity roles and outline procedures that will foster productive interaction and efficient communication between and among the six stakeholders.

This LOA is a dynamic tool to help the principle stakeholders avert conflict and foster collaborative relationships and decision-making processes. The underlying foundation of the agreement is the principle of mutual respect. Mutual respect is created through open communication, active listening, seeking understanding, and acknowledging our mutual goals. This document is built upon the understanding that the six entities are equal stakeholders in the Ryan White process with the mutual goal of helping individuals and families living with HIV/AIDS obtain the highest quality and most appropriate Ryan White Program eligible services.

## **HRSA DEFINED ROLES AND DUTIES**

The following is taken from the 2002 HRSA Title I (Part A) manual and the Title I (Part A) Planning Council Primer and describes the role and duties of the:

### **Chief Elected Official (CEO or Grantee for Part A):**

The CEO is the person who officially receives the Part A Ryan White Program funds. In the Houston Eligible Metropolitan Area (EMA), the CEO is the County Judge, making the Judge ultimately responsible for administering all aspects of the Part A funds. Duties include: ensuring that all legal requirements are met, appointing all members of the Planning Council and selecting the Harris County Public Health Services (HCPHS) to be the Administrative Agency (or grantee) for the Part A funding.

### **Houston Ryan White Part A Planning Council**

This entity is a group of volunteers appointed by the CEO whose purpose is to plan for and oversee the delivery of services to persons with HIV in the defined EMA/HSDA. Duties include: setting up planning body operations; setting priorities; allocating resources to those priorities; and assessing the administrative mechanism which means reviewing how long the grantee takes to pay providers, reviewing whether the funds are used to pay only for services that were identified as priorities by the planning council and whether all the funds are spent. The Council also works with the Administrative Agencies to assess need, develop a comprehensive plan, coordinate with other Ryan White Program programs and services, and reallocate funds. The Council reports to the CEO.

### **Planning Council Office of Support:**

This entity provides administrative support to the Council. Duties include: coordinating and staffing all Council processes; interfacing with HRSA, the CEO's Office and other County Offices regarding Council business; and assisting Council members to stay in compliance with federal and county rules and regulations as well as Council bylaws, policies and procedures. The Manager of the Office of Support reports to the Planning Council and the CEO.

### **Ryan White Part A Administrative Agency (CEO's Agent, also called the Part A grantee):**

This entity carries out the day-to-day administrative activities required to implement and administer services in the defined EMA according to the plan set forth by the Planning Council. Duties include: procuring services for people living with HIV or AIDS (PLWH/A) consistent with Planning Council priorities and allocations, including all aspects of the RFP, review, award and contracting process with service providers; establishing intergovernmental agreements; ensuring services to women, infants, children, and youth with HIV/AIDS disease; ensuring that Ryan White Program Part A funds are used to fill gaps; ensuring delivery of quality services; preparing and submitting Part A applications; assuring all services are in compliance with HRSA rules and regulations; limiting grantee administrative costs; limiting contractor administrative costs; monitoring contracts; advising the Council on HRSA mandates; and working with the Council to assess need, develop a comprehensive plan, coordinate with other Ryan White Program grantees and service providers programs and services, and reallocate funds.

## **Texas Department of State Health Services (TDSHS)**

This entity is the Ryan White Program Part B and State Services (SS) Grantee for the state of Texas. The Part B grantee is the entity that officially receives the Part B funds. In Texas, TDSHS is ultimately responsible for administering all aspects of Part B and SS funds. Duties include: ensuring that all legal requirements are met, selecting and contracting with Part B/SS AAs,

providing oversight, monitoring and technical assistance to AAs in the planning and implementation of Part B/SS funds.

### **Houston Regional HIV/AIDS Resource Group, Inc.**

This entity is contracted by TDSHS to carry out the day-to-day administrative activities required to implement and administer services in the Part B and State Services (SS) HIV/AIDS Administrative Service Area (HASA) according to the comprehensive plan. Duties include: procuring services for PLWH/A consistent with the local priorities and allocation as approved by TDSHS, including all aspects of the RFP, review, award and contracting process with service providers: establishing intergovernmental agreements; ensuring services to women, infants, children, and youth with HIV/AIDS disease; **(ADD): ensuring services to rural residents with HIV/AIDS disease residing in the HSDA**; ensuring that Ryan White Program funds are used to fill gaps; ensuring delivery of quality services; preparing and submitting Part B applications to the State; assuring all services are in compliance with HRSA rules and regulations; limiting grantee administrative costs; limiting contractor administrative costs; monitoring contracts; and assessing need, developing a comprehensive plan, coordinating with other Ryan White Program grantees and services, and reallocating funds.

### **DEFINED RESPONSIBILITIES IN THE HOUSTON EMA/HSDA**

In areas where there is shared responsibility between the Part A Planning Council, Part A & B/SS AAs, and the Office of Council Support, it is agreed that, in the Houston EMA/HSDA, the entities named above will have primary responsibility for initiating and completing the following:

Houston Ryan White Planning Council and Part A and B/SS Administrative Agents agree to:

- Collaborate in developing the Part A and B/SS Standards of Care.
- Collaborate in determining the Part A/Part B/SS Outcome Measures.
- The Part B/SS AA, TDSHS, and Part A AA will develop procedures to ensure that Part A, Part B & State Services client level data is entered into the ARIES system whether through direct input or import.

**Houston Ryan White Planning Council and Part B/SS Administrative Agency (The Resource Group) agree to:**

- Collaborate to provide guidance and leadership in the development and implementation of a timeline for all required Part B/SS AA and Council work products that is consistent with published deadlines.
- Collaborate on planning and completion of multi-year and/or recurring processes such as needs assessment and comprehensive planning in order that the Council is appropriately informed of its deadlines and expected work products.
- Collaborate on a Needs Assessment process to determine the size and demographics of the population of individuals with HIV/AIDS disease in the Houston EMA/HSDA, and through this process jointly determine the needs of such populations in the defined geographic area.
- Collaborate on the production of, and updates to, the Comprehensive Needs Assessment for the defined EMA/HSDA.
- The Part B/SS AA and the Part A Planning Council will collaborate to develop a single list of service priorities for the Houston HSDA.
-

### **Houston Ryan White Planning Council agrees to:**

- Indicate to the Part A and Part B/SS AAs, through the service definitions and the standards of care, how the services are to be configured.
- Develop recommendations for Part B and State Services allocations for the EMA/HSDA. (Recommended priorities and allocations and reallocations for the EMA/HSDA may not be changed by the Part B/SS Administrative Agency and must be presented to TDSHS for approval.)
- Develop recommendations for the reallocation of Part B and State Services funds.
- Assess the Part B/SS AA administrative mechanism which means reviewing how long the AA takes to pay providers, reviewing whether the funds are used to pay only for services that were identified as priorities by the planning council and whether all the funds are spent. (Per the County Judge's Office: Distribute copies of the final assessment to DSHS, the Part B/SS AA and the Chair of the Board of Directors for the Houston AA for RW Part B and State Services.) This will be done annually in January.
- Solicit input from the Part B/SS AA in the development of the Houston EMA/HSDA HIV/AIDS Resource Guide, commonly known as The Blue Book.

### **Part B/State Services Administrative Agency agrees to:**

- Provide accurate, timely, aggregate service category and other information needed or requested for the different Council processes such as the *How to Best Meet the Need*, priority setting, annual allocations, reallocations and other processes.
- Coordinate and staff the Part B/SS Standard of Care and Outcome Measures Work Groups in order to ensure appropriate interface with the Quality Management Program and because Standards of Care must also reflect all HRSA Ryan White and TDSHS programmatic and fiscal guidelines and more.
- Within thirty days of receiving a notice of grant award for Part B or State Services funding, inform the Office of Support in writing of the award amount and date of notice.
- At a minimum, inform the Office of Support after the initial grant awards are distributed and within 45 days after the end of the second quarter of any unobligated funds available for reallocation.
- Notify all Part B/SS agencies when the Priority and Allocations Committee is preparing to allocate or reallocate funds.
- Within 30 days of announcing the availability of funds, provide the Council with de-identified service category increased funding requests so that the Council can review and make recommendations for reallocating these funds .
- Inform the Office of Support within thirty days of any allocation changes made under the Houston RWPC-approved "10% rule". The 10% rule allows the administrative agency to shift funds between Service Categories without prior Council recommendation so long as the funds shifted are no more than 10% of the current approved TDSHS allocation for either service category affected by the change.
- In the final quarter of the Ryan White Part B and State Services grant years, after implementing the year end Council-approved reallocation of unspent funds and utilizing the existing 10% reallocation rule to the extent feasible, the Part B/SS AA may reallocate any remaining unspent funds as necessary to ensure no funds are returned to the Texas Department of State Health Services (TDSHS). If funds are to be moved from the Houston HSDA, the Part B/SS AA will notify the Office of Support no later than when the information is submitted to the TDSHS. The Office of Support will notify the



members of the Priority and Allocations Committee upon receipt and the Steering Committee and Council at their next scheduled meetings.

- Annually in November of each year, contact the principal Stakeholders (i.e., RWPC, RWPC Office of Support, CEO, Administrative Agency and TDSHS) in this LOA to see if any of the Stakeholders wish to review and/or revise the document. This annual process will provide an opportunity for Stakeholders to ensure the LOA will continue to be responsive to the needs and responsibilities of all concerned.

**Distributing Information to the Council, its Committees and Work Groups:** Information will be delivered to the Manager of the Office of Support for distribution to the Council, its Committees and workgroups. The Manager will determine the appropriate process to be used to disseminate the information. When providing information, please keep the following in mind:

- 1.) Requests requiring Council or committee approval must be submitted in writing eight days before the date of the meeting.
- 2.) If the information does not require approval, submission of the information eight days before the date of the meeting is preferred.
- 3.) Once a workgroup or committee has created a recommendation in response to the request, the chair of the Committee, workgroup or designee will be responsible for moving the request forward and speaking on behalf of the request.

Signed By:

\_\_\_\_\_  
Harris County Judge Ed Emmett

\_\_\_\_\_  
Date

\_\_\_\_\_  
Chair, Houston Ryan White Part A Planning Council

\_\_\_\_\_  
Date

\_\_\_\_\_  
Office of Support for the Houston Ryan White Planning Council

\_\_\_\_\_  
Date

\_\_\_\_\_  
TDSHS, Texas Part B and State Services Grantee

\_\_\_\_\_  
Date

\_\_\_\_\_  
Houston Regional HIV/AIDS Resource Group, Inc.

\_\_\_\_\_  
Date

\_\_\_\_\_  
Harris County PHS RWGA Section

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Date

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Mentor Luncheon

Orientation

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30	31					

Jan 01: New Years Day	Jan 15: M L King Day	Feb 14: Valentine's Day	Feb 19: Presidents' Day
Mar 30: Good Friday	Apr 01: Easter	May 13: Mother's Day	May 28: Memorial Day
Jun 17: Father's Day	Jul 04: Independence Day	Sep 03: Labor Day	Oct 08: Columbus Day
Oct 31: Halloween	Nov 11: Veterans Day	Nov 22: Thanksgiving Day	Dec 25: Christmas