

CHAPTER XXIII. - HUMAN IMMUNODEFICIENCY VIRUS COMMISSION

Sec. A6-260. - Establishment.

There is hereby established, pursuant to and in accordance with Sections 500 and 506 of the Charter, a Human Immunodeficiency Virus Commission, hereinafter known as the HIV Commission.

([Ord. No. NS-300.910, § 1, 6-20-17](#))

Sec. A6-261. - Membership.

- (a) The HIV Commission shall consist of 17 members to be selected as follows:
- (1) Two shall be persons living with HIV who are not agents, employees or representatives of any County-funded HIV service providers and who are also beneficiaries of federally-funded HIV service programs, including the Ryan White HIV/AIDS Program.
 - (2) Five shall be persons living with or affected by HIV, such as spouses/partners, parents, siblings, children, or caregivers of persons living with HIV, and who are not agents, employees or representatives of any County-funded HIV service provider.
 - (3) Three shall be persons representing disproportionately affected and historically underserved groups and subpopulations.
 - (4) Two shall be persons with expertise in essential HIV health and medical services, at least one of whom must be a physician, physician's assistant, nurse practitioner or nurse actively caring for individuals living with HIV.
 - (5) Two shall be persons with expertise in supportive services for persons living with HIV.
 - (6) Two shall be persons with expertise in HIV prevention.
 - (7) One shall be a member of the general public having an interest or expertise in supporting persons living with HIV and not an agent, employee or representative of any County-funded HIV service provider.
- (b) All members of the HIV Health Services Planning Council immediately prior to the establishment of the HIV Commission shall automatically become members of the HIV Commission. Thereafter, prospective Commissioners shall be nominated by the presiding officer of the Board and appointed by the Board as a whole.
- (c) To the extent possible, the appointed membership of the Commission should reflect the demographics of the local population living with HIV, and the Board shall endeavor to have at least half of the Commission's overall membership consist of persons living with HIV.
- (d) The chairperson of the Commission may, with the Commission's approval, appoint one or two ex-officio members representing state or federal HIV programs, as needed for the purpose of carrying out any of the functions and duties of the Commission. Ex-officio members shall not have the power to vote and shall not be counted for purposes of establishing a quorum.
- (e) Each Commissioner shall have a term of three years. The terms shall be staggered so that no more than one-third of members' terms expire each year.
- (f) No member shall be eligible to serve more than three consecutive terms, in addition to any portion of any unexpired term which may have been served; provided, however, that a member who has reached the term limit may continue to serve until an individual has been appointed to fill his or her seat. After reaching the term limit, an individual shall not be eligible to serve another term until at least 12 months have passed from the time that he or she vacates his or her position on the HIV Commission. For purposes of this paragraph (f), any prior terms served on the HIV Health Services Planning Council shall not count toward the term limit for an HIV Commission member.

- (g) A Commissioner's failure to attend three consecutive regular meetings without good cause as determined by the Chairperson will result in notification to the Board, which may result in removal of the Commissioner from office.

([Ord. No. NS-300.910, § 1, 6-20-17](#) ; [Ord. No. NS-300.921, § 1, 2-6-18](#))

Sec. A6-262. - Organization; meeting times.

The HIV Commission shall organize itself in accordance with Section 506 of the Charter. It shall prepare bylaws for the conduct of its meetings and, after approval by the Board of Supervisors, such bylaws shall govern the Commission to the extent not in conflict with this ordinance. On an annual basis, the HIV Commission shall adopt dates and times for its regular meetings over the next year.

([Ord. No. NS-300.910, § 1, 6-20-17](#))

Sec. A6-263. - Powers and duties.

The powers and duties of the HIV Commission shall be to:

- (a) Serve as the designated alternative to an HIV health services planning council pursuant to Title XXVI, Sec. 2609(d)(1)(A), of the Public Health Service Act (42 U.S.C. § 300ff-19(d)(1)(A)) for the receipt of Ryan White HIV/AIDS Program grant funds.
- (b) Establish priorities for the allocation of HIV service funds received or designated by the County based on the epidemiology of the epidemic, including how best to meet each priority and amounts to be allocated and reallocated to each priority.
- (c) Obtain community input from persons living with or affected by HIV and others on needs of, and priorities for, services to persons living with or affected by HIV; and assess the prevention, care and support needs of people living with or at risk for HIV in the County.
- (d) Conduct public presentations on HIV-related issues affecting the County.
- (e) Invite department heads, officials and others to appear before the HIV Commission for the purpose of providing information, clarification and/or assistance necessary or desirable for the performance of the HIV Commission's powers and duties.
- (f) Participate in comprehensive planning and development of the Statewide Coordinated Statement of Need (SCSN), which concerns the provision of prevention, health and support services to individuals with or at risk for HIV disease and which is required by the Centers for Disease Control and Prevention and Health Resources and Services Administration (HRSA).
- (g) Establish standards of care for core and support services consistent with HRSA guidance for federally-funded HIV programs.
- (h) Assess and report on the efficiency and effectiveness of the local HIV prevention, care and support system.
- (i) Advise the Board, Public Health Department, and other County agencies on HIV-related matters, and recommend positions on public policy or legislative issues to the Board consistent with the Board Policy Manual and any other applicable local, state or federal policy, rule or law.
- (j) Provide, for the Board's approval, an annual work plan no later than June of each year detailing the HIV Commission's activities for the following year.
- (k) Provide other reports on HIV prevention and care related priorities, needs, services, and allocation of funding as may be requested by the Board or generated in the course of conducting the HIV Commission's business.

([Ord. No. NS-300.910, § 1, 6-20-17](#))

Sec. A6-264. - Expenditures by commission.

Subject to the approved budget for the fiscal year, no expenditures or requisitions for services and supplies for Commissioners or HIV Commission activities shall be made without the approval of a majority of the members of the HIV Commission. All expenditures, requisitions, and reimbursements shall comply with the County Charter, Ordinance Code, and policies. The support staff to the Commission shall be responsible for preparing and processing all expenditures, requisitions and claims.

Commissioners shall be eligible for actual and necessary expenses incurred in the performance of official duties as allowed by County policies and the County Ordinance Code.

([Ord. No. NS-300.910, § 1, 6-20-17](#))

Sec. A6-265. - Staff to the commission.

- (a) The Clerk of the Board or his or her designee shall provide secretarial assistance to the Commission.
- (b) The Public Health Department shall provide staff assistance to the Commission.

([Ord. No. NS-300.910, § 1, 6-20-17](#))

Secs. A6-266—A6-269. - Reserved.