

# Palm Beach County HIV CARE Council

# Council Policy

Policy Number: 1  
Approved: April 30, 2001  
Issue: CARE Council Member Leave of Absence

Any member of the CARE Council may request a Leave of Absence due to illness, absence from the county or personal hardship for up to three (3) months in duration. The member must submit the request in writing and include a date of anticipated return.

The request must be voted upon and approved by the CARE Council, with the date of anticipated return recorded in the minutes of the meeting.

Upon three (3) months of absences, the member may request one (1) additional month. This request must be approved by the Council. In the event the member is not able to return after a total of four (4) months of absences, he or she will be asked to discuss continued membership. Decisions will be made in accordance with the *Bylaws* and applicable *Policies and Procedures*.

Those on Leave of Absence shall be included in the total membership count.

A CARE Council member granted a Leave of Absence shall be considered to be on Leave of Absence from all committees on which they are a member.

Resignation from the CARE Council shall not preclude an individual from future application for membership or current participation on a committee.

# Palm Beach County HIV CARE Council

# Council Policy

Policy Number: 2  
Approved: April 30, 2001  
Amended: January 26, 2004  
Issue: Request for Excused Absences from CARE Council Meetings

This policy determines the process for requesting excused absences from CARE Council meetings. The policy does not apply to committee meetings.

It is the member=s responsibility to request that an absence be excused.

A written request is the preferred method of notification; however a telephone request is permissible.

All requests for excused absences will be in accordance with the Palm Beach County HIV CARE Council Bylaws and Palm Beach County Board of County Commissioners Resolution R-2002-1606 and per special exception approved in February 2003 pertinent to the CARE Council. No other reason will be considered by the CARE Council as an excused absence.

The only acceptable reason for an excused absence is illness.

Advanced notice of an absence from a CARE Council meeting is preferred if practical. Member should be prepared to make a request for an excused absence at the next regularly scheduled CARE Council meeting unless the request has been previously given to the appropriate staff.

Failure to request excused absences within two (2) regularly scheduled meetings of the Council shall result in the absences being classified as unexcused. In special circumstances, the member may request reconsideration by application to the Membership Committee which will make a recommendation to the Council.

This policy, in no case, shall conflict with the Palm Beach County HIV CARE Council Bylaws or related Policies and Procedures.

# Palm Beach County HIV CARE Council

# Council Policy

Policy Number: 3  
Approved: April 30, 2001  
Issue: Committee Member

It is a policy of the Palm Beach County HIV CARE Council that a “Committee Member” shall be defined as: Any interested individual, whether or not a member of the CARE Council who meets the following criteria, may qualify for membership on a committee:

## **Membership Request by Individual:**

- A) Attend three (3) out of four (4) consecutive meetings;
- B) Announce your intention to become a member and be voted in by the committee.
- C) Priorities and Allocations Committee membership is also subject to Policy 21, hereinafter.
- D) Membership on the Membership Committee shall be limited to full CARE Council members.

## **Membership Request by Council:**

Non-CARE Council member asked to serve by the Committee Chair or the Chair of the CARE Council;

CARE Council member asked to serve by the Committee Chair or the Chair of the CARE Council;

Membership is determined by approval through committee vote or by appointment by the Council Chair with ratification by the committee.

# Palm Beach County HIV CARE Council

# Council Policy

Policy Number: 4  
Approved: April 30, 2001  
Amended: February 25, 2002  
Issue: Committee Attendance and Participation

This policy applies to all Standing, Program Support, and Ad hoc Committees unless exception is made in another policy of the council.

It is the policy of the Palm Beach County HIV CARE Council to recognize each seat on a committee as an important and meaningful position of public trust. In order to fully support the commitment of individual members of committees, the following activities will be employed to support member participation.

Feedback to individual members about how their active participation benefits the Council is a responsibility of each Committee Chair. In order to support active members and a fully functioning Committee, the committee shall evaluate the following member activities:

- Participation at committee meetings, attendance at committee meetings, special events and workshops.
- Attendance at meetings in compliance with applicable policy.
- Voting on council and committee issues.
- Completing agreed to tasks.
- Sharing of skills, time, and other resources appropriate to the committee or council.

Attendance and participation at committee meetings is the responsibility of the committee member. Upon accumulation of three (3) consecutive unexcused absences or any absences from more than fifty percent (50%) of committee meetings during the preceding twelve (12) month period, inclusive of the month of the last absence, members will be asked to discuss their future committee participation with the Committee. The Committee will vote for removal or continued membership on the committee. If the committee member is not available to discuss the issue with the committee, the committee may proceed to vote for removal or continued membership.

Attendance and participation records are maintained for each committee member to assist in providing appropriate support to ensure members maintain necessary levels of

participation.

## **Palm Beach County HIV CARE Council**

# **Council Policy**

**Policy Number:** 5  
**Approved:** April 30, 2001  
**Issue:** CARE Council Quorum Requirements

It is the policy of the Palm Beach County HIV CARE Council that a quorum for CARE Council meetings be defined as follows:

Unless otherwise herein accepted, a quorum shall consist of fifty-percent (50%) plus one of the CARE Council members. At least one HIV positive committee member must be present at any meeting of the CARE Council. A majority of those CARE Council members present and voting at any quorum meeting shall be sufficient to enable taking action.

Total membership count shall consist of members in good standing, including those on officially sanctioned Leave of Absence.

\

# Palm Beach County HIV CARE Council

# Council Policy

Policy Number: **6**  
Approved: **April 30, 2001**  
Amended: **May 24, 2004**  
Amended: **January 31, 2005**  
Issue: **Standing Committee Quorum Requirements**

The CARE Council=s Standing Committees, in accordance with the Bylaws, include the Executive Committee, Planning Committee, Priorities and Allocations Committee, Membership Committee, Support Services Committee, Medical Services Committee, ~~Housing Services Committee,~~ and Community Awareness Committee.

It is the policy of the Palm Beach County HIV CARE Council that a quorum for each Standing Committee be defined as follows:

## Executive

The Council Chair or Vice Chair and three other Council members. One of those committee members present shall be HIV positive.

## Planning

The Committee Chair or Vice Chair and two other Committee members. One of those committee members present shall be HIV positive.

## Priorities and Allocations

The Committee Chair or Vice Chair and two other Committee members. One of those committee members present shall be HIV positive.

## Membership

The Committee Chair or Vice Chair and two other Committee members. One of those committee members present shall be HIV positive.

## Support Services

The Committee Chair or Vice Chair and two other Committee members. One of those committee members present shall be HIV positive.

## Medical Services

The Committee Chair or Vice Chair and two other Committee members. One of those committee members present shall be HIV positive.

## Community Awareness Committee

The Committee Chair or Vice Chair and two other Committee members. One of those committee members present shall be HIV positive.

# Palm Beach County HIV CARE Council

# Council Policy

Policy Number: 7  
Approved: April 30, 2001  
Issue: Ad hoc Committee Quorum Requirements

It is the policy of the Palm Beach County HIV CARE Council that a quorum for any Ad hoc Committee shall be defined as the Committee Chair or Vice Chair and two other Committee members. One of those committee members present should be HIV positive.

**Palm Beach County HIV CARE Council**  
**Council Policy**

**Policy Number:** 8  
**Approved:** April 30, 2001  
**Issue:** Program Support Committee Quorum Requirements

It is the policy of the Palm Beach County HIV CARE Council that a quorum for any Program Support Committee shall be defined as the Committee Chair or Vice Chair and two other Committee members. One of those committee members present should be HIV positive.

# Palm Beach County HIV CARE Council

# Council Policy

Policy Number: 9  
Approved: April 30, 2001  
Issue: Grievance Policy

## **Purpose**

The purpose of this policy is to provide a mechanism for individuals and or organizations to bring forth grievances relative to the allocation or prioritization of HIV and AIDS medical and support services provided in Palm Beach County, Florida under Part A and Part B of the Ryan White Act.

## **Authority**

This policy is required by the Ryan White CARE Act Amendments of 1996, Public Law 104-146, as amended, hereinafter referred to as the Ryan White Act.

## **Section A: Persons Eligible to File a Grievance**

Only individuals or entities directly affected by the outcome of a decision related to the prioritization or allocating of funding under Part A and Part B of the Ryan White Act may file a grievance under this policy. Such individuals include, but are not limited to, providers eligible to receive Ryan White Part A or Part B funding and consumer groups, persons living with HIV or AIDS (PLWH/A) coalitions or caucuses.

## **Section B: Actions Which May Be Grieved**

These procedures relate to the process of establishing priorities of service categories and allocating funds to those categories and any subsequent process to change the priorities and allocations. Persons wishing to file a grievance relating to the process of selecting contractors, making awards, and any subsequent process to change contractors or awards must follow the grievance procedures established by the Palm Beach County Board of County Commissioners.

At least one of the following basic criteria must be the form and basis of the grievance which is being filed:

1. Alleged deviations from the established, written priority-setting or resource setting process (such as failure to follow established conflict-of-interest rules).

2. Alleged deviations from an established, written process for any subsequent changes to priorities or allocations.
3. Inconsistency with the findings of the locally published Needs Assessment or Comprehensive Plan for HIV/AIDS Services in Palm Beach County, Florida.

Grievances filed merely on the basis of dissatisfaction with the outcome of the prioritization or allocation process will not be accepted unless one of the above deviations is alleged.

### **Section C: Internal Non-Binding Procedures**

The grievance must be filed with the HIV CARE Council within five (5) working days<sup>1</sup> of the date of action by the Planning Council which is being grieved. Grievances must be filed on the form entitled "Palm Beach County HIV CARE Council Grievance Form", a copy of which is attached hereto as Exhibit "A". All grievances will initially be handled through the internal non-binding grievance process.

The CARE Council Chair will review the grievance within five (5) working days of filing to determine if the basis for a grievance exists. If such a determination is made, the Chair will appoint a grievance committee within three (3) working days of a determination to initiate the non-binding process.

The non-binding process will be handled by the grievance committee appointed by the Council Chair. A hearing will be scheduled before the committee within five (5) working days of appointment. The committee shall have five (5) working days to render a decision on the grievance and notify the parties. The grievant shall have five (5) working days from receipt of the final decision of the grievance committee to make a request for third party mediation.

### **Section D: Third Party Mediation**

If a grievant does not accept the decision of the grievance committee, the grievant may request that the grievance be submitted to a third party mediator. A request for third party mediation shall be made within five (5) working days from receipt of the final decision of the grievance committee as described in section C above. A request for third party mediation shall be filed with the Palm Beach County HIV CARE Council on a "Request for Third Party Mediation" form, a copy of which is attached as Exhibit "B".

Upon receipt of a request for third party mediation, the HIV CARE Council Chair will establish a date and time within twenty-one (21) working days of receipt of the request for mediation through the Palm Beach County Alternative Dispute Resolution Office. The Chair shall inform the grievant within five (5) working days of receipt of the request for third party mediation as to the date, time, and location of the requested mediation

---

<sup>1</sup> *Working days excluding holidays and weekends.*

hearing. The grievant must agree that all mediation will be handled through the Palm Beach County Alternative Dispute Resolution Office and must agree to pay at the time of mediation one-half of the cost of all mediation which extends beyond two billable hours. The Palm Beach County HIV CARE Council shall be responsible for the other half of the cost of mediation. Mediators will be selected by mutual consent of the parties, from a list of certified mediators maintained by the Alternative Dispute Resolution Office. A copy of the current list will be made available to the parties within five (5) working days of the request for mediation. Mediators will only seek to resolve the dispute between the parties, but will not make any findings. Grievant must agree that a maximum of eight (8) hours shall be expended in attempting to resolve the dispute through the third party mediator.

Confidential information disclosed to a mediator by the parties or witnesses in the course of the mediation shall not be divulged by the mediator. All records, reports, or other documents received by a mediator while serving in that capacity shall be confidential. The mediator shall not be compelled to divulge such records or to testify in regard to mediation in any adversary proceedings or judicial forum.

If the grievance is not resolved through mediation, the grievant shall have five (5) working days from the conclusion of the mediation to make a request for binding arbitration.

#### **Section E: Binding Arbitration**

If the question is not resolved through mediation, the grievant may request binding arbitration. Such requests must be submitted to the Palm Beach County HIV CARE Council on "Palm Beach County HIV CARE Council Request for Binding Arbitration Form", a copy of which is attached as Exhibit "C". The hourly rate shall be determined by the Alternate Dispute Resolution Office. The check shall be made payable to the Alternate Dispute Resolution Office. Such fee shall cover one-half of two hour arbitration. The grievant must also agree to pay one-half of the total cost of arbitration at the time of arbitration. The Palm Beach County HIV CARE Council will be responsible for the other half of the cost of arbitration. Grievant must identify their list of anticipated witnesses and exhibits to be admitted during arbitration. The Palm Beach County HIV CARE Council shall have five (5) working days from receipt of the arbitration request form to identify its anticipated witnesses and exhibits and must provide a copy to the grievant. Arbitrators will be selected by mutual consent of the parties, from an approved list maintained by the Office of Alternative Dispute Resolution, based upon availability. Hearings shall be held within ten (10) working days of the appointment of an arbitrator at the Palm Beach County Alternate Dispute Resolution Office. The arbitrator shall have fifteen (15) working days to render a decision after the hearing is concluded. Grievant shall have no further remedies after rendition of the arbitrator's order.

#### **Section F: Remedies**

It should be noted that due to the stringent time frames associated with administration of grant funds, remedies sought through this grievance procedure are limited to future actions and are not applied retroactively.

**Section G: Dissemination of Grievance Procedure Process**

Copies of this grievance procedure will be available at the offices of the Palm Beach County HIV CARE Council and the Palm Beach County Department of Community Services.

Exhibit A

**RYAN WHITE ACT**

Palm Beach County

**Submission of Part A Funding Grievance to Dispute Resolution**

Grievance No.  
(To be filled in by receiving authority)

Date:

The undersigned party(ies) submits the following dispute for resolution under the grievance procedures of the Palm Beach County HIV CARE Council.

**Statement of Grievance** (should include date questioned decision was taken, by what entity, and the reasons for filing the grievance; use back of form if necessary)

**Statement of previous action taken** (if arbitration is sought, indicate results of previous attempts at resolution)

**Statement of what result the grievant would like** (the remedy sought by the grievant; use back of form if necessary) *Note that remedies may be limited to future action and may not be able to reverse decisions retroactively.*

If the procedure to be used is binding arbitration, signature constitutes agreement to be bound by the decision of the arbitrator.

\_\_\_\_\_  
Name of grievant

\_\_\_\_\_  
If grievant is an organization,

\_\_\_\_\_  
Name of authorized individual

\_\_\_\_\_  
Address

\_\_\_\_\_  
City/state/zip code

\_\_\_\_\_  
Telephone number

\_\_\_\_\_  
Fax number

\_\_\_\_\_  
Signature

*Mail this form to:*

Palm Beach County HIV CARE Council

Attention: COUNCIL Chair

at its current address

**STATEMENT OF UNDERSTANDING**

I understand that the Palm Beach County HIV CARE Council and its representatives have no legal authority over any agency, but can act as an advocate and make recommendations to service agencies in my behalf. I understand a representative from the CARE Council will contact me for assistance and I authorize that any of my records or knowledge of me and my health, including HIV/AIDS related information as it pertains to my grievance be released to parties related to the Council. All information will be held in strictest confidence. Grievance will be registered by the staff of Palm Beach County HIV CARE Council, who will notify you of any decisions or determinations made within six weeks. There is no cost to you for voluntary mediation.

Exhibit B

**RYAN WHITE ACT  
Palm Beach County Part A Request for Third Party Mediation**

Grievance No. \_\_\_\_\_  
(To be filled in by receiving authority)

Date \_\_\_\_\_

The undersigned party(ies) requests the following dispute be submitted to a third party mediation under the grievance procedures of Palm Beach County, as grantee.

**STATEMENT OF GRIEVANCE:**

Date of questioned decision/action:

Description of questioned decision/action:

Description of why grievant believes questioned decision/action was in error:

Description of remedy sought by grievant:

Description of previous action taken:

Name of grievant:

Organization represented, if any:

Address:

Telephone Number:

Fax Number:

Signature:

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

\_\_\_\_\_

*Note: The hourly rate shall be determined by the Alternate Dispute Resolution Office made payable to the Alternative Dispute Resolution Office. This amount will cover one-half of the cost of one hour of mediation. By signing this request for third party mediation, the grievant agrees to pay one-half of the full cost of the mediation at the time of mediation. Palm Beach County will pay the remaining half of the cost of mediation.*

Exhibit C

**RYAN WHITE ACT  
Palm Beach County Part A Binding Arbitration Request Form**

Grievance No.  
(To be filled in by receiving authority)

Date:

The undersigned party(ies) requests the following dispute be submitted to a third party mediation under the grievance procedures of Palm Beach County, as grantee.

**STATEMENT OF GRIEVANCE:**

Date of questioned decision/action:

Description of questioned decision/action:

Description of why grievant believes questioned decision/action was in error:

Description of remedy sought by grievant:

Description of previous action taken:

List of witnesses anticipated to testify during arbitration (include name, address and telephone number along with a description of their anticipated testimony):

List of exhibits anticipated to be introduced during arbitration (please attach copies of all exhibits):

# **Palm Beach County HIV CARE Council**

# **Council Policy**

Policy Number: **10**  
Approved: **April 30, 2001**  
Amended: **January 26, 2004**  
Amended: **November 16, 2009**

Issue: **Nominations Process for CARE Council Membership**

This policy is adopted by the Palm Beach County HIV CARE Council (CARE Council), for the purpose of ensuring there is an open and fair nominations process which will provide for a CARE Council membership which is reflective of the AIDS epidemic in Palm Beach County, Florida. In addition, it is the intention of the CARE Council to maintain a nominations policy which complies with directives of the Division of HIV Services (DHS) and the Health Resources Services Administration (HRSA) as those directives relate to the Ryan White Act.

## **I. Legislative Background**

Section 2602(b) of the reauthorized Ryan White Act states: "Nominations to the planning council (CARE Council) shall be identified through an open process and candidates shall be selected based upon locally delineated and published criteria. Such criteria shall include a conflict of interest standard for each nominee."

## **II. Expectations**

An open nominations process, in combination with other legislative requirements and existing DHS policy on PLWH participation, shall result in broad and diverse community inclusion and culturally competent deliberations in CARE Council processes. The CARE Council will only approve and/or appoint members who have gone through the nominations process and shall appoint members on a timely basis to ensure minimum disruption to CARE Council activities.

Nominations to the Council shall be sought from a wide spectrum of potential members. Recruitment shall be made through existing Council committees and through ongoing solicitation through existing council members, service providers, outreach through advertising, and staff working with consumers of HIV/AIDS services. Particular

consideration shall be given to disproportionately affected and historically underserved groups and sub-populations.

Every member of the CARE Council is encouraged to actively recruit members to fill gaps in Council membership. Recruitment is not just the Membership Committee's responsibility. Council members should use their own network and seek key contacts in other communities to help identify potential members to fill gaps and to provide individuals to participate in CARE Council committee activities.

### **III. Steps in the Nominations Process:**

1. When necessary advertising may be placed in various publications countywide notifying the public of the need for participation through membership on the CARE Council. Included in the advertising shall be notification of the need to fill membership positions based upon the demographics of the epidemic in Palm Beach County, and to ensure legislatively mandated positions are filled. A time limit for return of applications shall be included in the notification.

Potential applicants shall be provided a nominations packet containing a letter describing roles and responsibilities of the council, duties of membership, time expectations, gaps in representations, conflict of interest standards, HIV disclosure requirements, and an overview of the selection process and timeline; within three (3) business days of request. There shall also be an application form using open-ended questions to ask about relevant experience, expertise, skills, the persons interest in serving, the perspective he or she might bring to the CARE Council, how his or her peer group might relate to groups affected by HIV, and other related information.

3. Each returned application will be issued a document number, and receipt shall be logged in for tracking purposes.
4. CARE Council staff will review all application forms and will recommend a list of persons for the Membership Committee to interview. When two or more persons apply for the same slot, the committee will interview at least two applicants for the slot. Interviews shall be conducted by at least two committee members according to a structured interview format. Open ended questions about past experience on boards, ideas about significant HIV/AIDS issues and professional or affected community linkages shall be incorporated into the interview. Applicants shall be interviewed within 30 calendar days. If they are not available within that time their name will be placed on the inactive pool list.
5. After the interviews are completed, the results of each interview are discussed at the next regularly scheduled Membership Committee meeting. When reviewing candidates for membership the committee will consider the following factors: attendance at CARE Council meetings, involvement at Membership Development Sessions and involvement on committees. In addition, seat availability, the

demographics of the board and candidate qualification will be taken into consideration. The final committee recommendations will be forwarded to the Executive Committee and if approved to the Palm Beach County HIV CARE Council. If the recommendation is accepted by the CARE Council, the individual's name will then be forwarded to the Palm Beach County Board of County Commissioners for appointment. In the event a recommended candidate is not acceptable to the Palm Beach County Board of County Commissioners, a request for a replacement candidate will be forwarded to the Membership Committee and the Membership Committee will provide the name of another candidate to the Palm Beach County HIV CARE Council. If the recommendation is accepted by the CARE Council, the individual's name will then be forwarded to the Palm Beach County Board of County Commissioners for appointment.

**Candidates must fulfill the following requirements prior to being forwarded for CARE Council Membership:**

- **Candidates must attend the Introduction to CARE Council Membership training session**
- **Candidates must join one (1) committee and then attend at least three (3) meetings, one (1) of which must be a CARE Council meeting, within a one (1) year period.**

**Documented exceptions to these requirements may be made, based upon the need of the CARE Council or in an extenuating circumstance, at the discretion of the Membership Committee Chair with the approval of the Executive Committee.**

# Council Policy

Policy Number: 11

Approved: **April 30, 2001**

Amended: **January 26, 2004**

Issue: **Travel and Reimbursement for CARE Council and Committee Members**

## I. PURPOSE

The purpose of this policy is to provide guidelines to CARE Council members and Committee members for reimbursement for travel and other related expenses.

## II. AUTHORITY

All travel reimbursements shall be made pursuant to policies and regulations established by the Palm Beach County Board of County Commissioners.

# Palm Beach County HIV CARE Council

# Council Policy

Policy Number: ~~12~~  
Approved: ~~April 30, 2001~~  
Amended: ~~January 26, 2004~~  
Issue: ~~Needs Assessment Sub-Committee Member~~

~~It is a policy of the Palm Beach County HIV CARE Council that a Needs Assessment Sub-Committee member may perform tasks related to committee business on a voluntary basis only. Committee members may not be compensated other than for what is stated in the Palm Beach County HIV CARE Council Bylaws (mileage, childcare, etc.).~~

# Palm Beach County HIV CARE Council

# Council Policy

Policy Number: **13**  
Approved: **April 30, 2001**  
Issue: **Quality Assurance and Evaluation Committee Responsibilities**

The Quality Assurance and Evaluation Committee (QAEC) is responsible for ensuring that HIV funded agencies participating in the Coordinated Services Network (CSN) comply with standards of care established by the Palm Beach County HIV CARE Council in the delivery of services to their clients with HIV/AIDS.

Committee responsibilities will include:

1. Overseeing the Palm Beach County HIV CARE Council=s Quality Assurance Program.
2. Developing written Quality Assurance and Evaluation Plans.
3. Establishing quality assurance and evaluation activities including cost effectiveness analyses, monitoring medical and support service standards of care outcome indicators (specific information that tracks a program=s success) and client-level outcomes (benefits or changes for clients during or after receiving services).
4. Assisting Ryan White Part A and B, HOPWA, State of Florida AIDS Network, and HIV/AIDS General Revenue Grantees in ensuring funded service providers are implementing their own continuous quality improvement activities that are consistent with the Palm Beach County HIV CARE Council=s Standards of Care.

5. Working collaboratively with other quality assurance and evaluation entities in Palm Beach County including persons living with HIV/AIDS.
6. Any non-compliance found by the Quality Assurance Coordinator or Quality Assurance and Evaluation Committee must be reported to the funder.
7. Will coordinate MIS responsibilities with the Part A Grantee.

# Palm Beach County HIV CARE Council

# Council Policy

Policy Number: **14**  
Approved: **April 30, 2001**  
Issue: **Grievance Committee Responsibilities**

The Grievance Committee is an Ad hoc Committee called together by the Council Chair to review grievance requests as defined in the *Grievance Policy*. The purpose of this review is to provide a broader consideration of a filing of a grievance to ensure that decisions are consistent with the purposes and spirit of the grievance procedure as called for in the reauthorization of the Ryan White Act.

~~Palm Beach County HIV CARE Council~~

# ~~Council Policy~~

Policy Number: ~~15~~

Approved: ~~January 27, 2003~~

Amended: ~~May 24, 2004~~

Issue: ~~Elections Committee (Nominating Committee) Responsibilities~~

~~The Elections Committee is an Ad hoc Committee called together by the Council Chair. The responsibilities of the committee shall be to coordinate the Annual Election of Officers. Specifically, the Elections Committee shall:~~

**Palm Beach County HIV CARE Council**

# **Council Policy**

**Policy Number: 16**  
**Approved: April 30, 2001**  
**Issue: Bylaws Committee Responsibilities**

The Bylaws Committee is an Ad hoc Committee convened by the Council Chair to address issues relating to the *Palm Beach County HIV CARE Council Bylaws and Policies and Procedures*.

# **Palm Beach County HIV CARE Council**

# **Council Policy**

**Policy Number: 17**  
**Approved: April 30, 2001**  
**Issue: Removal of CARE Council Members**

It is a policy of the Palm Beach County HIV CARE Council, that a Council Member shall be removed from membership on the CARE Council for any of the following:

If member moves out of Palm Beach County;

Lack of attendance as described in the Palm Beach County HIV CARE Council Bylaws and applicable Policies and Procedures;

If member is found to be in violation of the Sunshine Law;

If a member is in violation of the Ryan White Act, Florida Statute 112.3143 and Palm Beach County Code of Ethics R-94-693 (as may be amended) regarding voting conflicts;

If a member does not comply with the training mandates of Policy 25.

Serious breaches of conduct and procedures as determined by the body according to the procedures of *Roberts Rules of Order*.

# Palm Beach County HIV CARE Council

# Council Policy

Policy Number: **18**  
Approved: **April 30, 2001**  
Issue: **Removal of Committee Members**

It is a policy of the Palm Beach County HIV CARE Council, that a Committee Member shall be removed from membership on a committee for any of the following:

Lack of attendance as described in the Palm Beach County HIV CARE Council Committee Attendance Policy;

If member is in violation of the Sunshine Law;

If a member is in violation of the Ryan White Act, Florida Statute 112.3143 and Palm Beach County Code of Ethics R-94-693 (as may be amended) regarding voting conflicts;

Serious breaches of conduct and procedures as determined by the committee according to the procedures of *Roberts Rules of Order*.

# Palm Beach County HIV CARE Council

# Council Policy

Policy Number: **19**  
Approved: **April 30, 2001**  
Amended: **January 26, 2004**  
Issue: **Occupancy of Service Provider Designated Seats**

It is a policy of the Palm Beach County HIV CARE Council, that an individual occupying a specific seat on the CARE Council who is later no longer eligible to hold that seat shall relate this to the Membership Committee. The Membership Committee shall determine if another seat is available that the individual can occupy. If so, that seat shall be offered to the member. If not, the individual will no longer be a member of the CARE Council.

This policy shall not preclude the individual's participation on committees as a committee member.

# Palm Beach County HIV CARE Council

# Council Policy

Policy Number: **20**  
Approved: **April 30, 2001**  
Issue: **Maximum Provider Representation**

## **Provider (Service Provider):**

Any agency receiving Coordinated Services Network (CSN) Funding (Ryan White Title Part A Ryan White Part B, Housing Opportunities for Persons with AIDS (HOPWA), AIDS Network, County Health Department HIV/AIDS, or any future funders).

## **Rule:**

It is a policy of the Palm Beach County HIV CARE Council that no more than two (2) individuals (employees or Board Members) from a service provider may be a member of the CARE Council. This policy shall not preclude the individual's participation on committees.

## **Exceptions:**

Maximum of one (1) part time employee (20 hours or less per week) or temporary employee (average of 20 hours or less per week);

Individual represents a federally legislated partner such as Title IV or a State Agency;

Non-paid volunteers;

Independent contractors.

## **Note:**

This policy applies to all individuals no matter what designated seat they may occupy.

# Palm Beach County HIV CARE Council

# Council Policy

Policy Number: 21  
Approved: April 30, 2001  
Amended: January 26, 2004  
Amended: August 29, 2005  
Issue: Priorities and Allocations Policy Regarding Providers

**Provider (Service Provider):**

Any agency receiving Coordinated Services Network (CSN) Funding (Ryan White Part A, Ryan White Part B, Housing Opportunities for Persons with AIDS (HOPWA), AIDS Network, County Health Department HIV/AIDS, or any future funders).

**Rule:**

It is a policy of the Palm Beach County HIV CARE Council that the Priorities and Allocations Committee shall consist of a maximum of twelve (12) members with maximum of one third (1/3) members who are providers. There shall not be more than one (1) representative from any provider agency.

# Palm Beach County HIV CARE Council

# Council Policy

Policy Number: **22**  
Approved: **April 30, 2001**  
Amended: **February 25, 2002**  
**Issue: Committee Chairmanship**

The following is a policy of the Palm Beach County HIV CARE Council regarding Committee Chairmanship:

**Standing Committees:**

The Chair of any standing committee must be a member of the Palm Beach County HIV CARE Council.

The Vice Chair of any standing committee should be, but is not required to be a member of the Palm Beach County HIV CARE Council.

**Program Support, Ad hoc, and Sub-Committees:**

The Chair of any Program Support, Ad hoc, or Sub-Committee should be, but is not required to be a member of the Palm Beach County HIV CARE Council.

**Term of Office:**

The term for a committee chair will be for a period of up to twelve (12) months. Following election of officers at the annual meeting, the newly elected Chair of the Palm Beach County HIV CARE Council will then appoint committee chairs. The selection of committee chair/s will be presented for ratification by the Council. In such a case the Council does not ratify a chosen chair; the existing committee chair will remain until such a time an acceptable replacement is found. The newly elected Chair of the Palm Beach County HIV CARE Council will appoint committee chairs within two (2) meetings of being elected.

When a committee chair resigns during their term, a replacement will be appointed by the existing chair of the CARE Council and ratified by the CARE Council. The new chair will serve until committee chairs are appointed or reappointed following the elections.

When in conflict, the Palm Beach County HIV CARE Council Bylaws supersede this policy.

# Palm Beach County HIV CARE Council

# Council Policy

Policy Number: **24**  
Approved: **January 27, 2003**  
Amended: **May 24, 2004**  
Issue: **Election Process for Annual Election**

It is a policy of the Palm Beach County HIV CARE Council that:

1. The CARE Council will elect the Chair, Vice Chair, Treasurer and Secretary from the CARE Council membership by a majority vote of the quorum of the members present at the Annual Meeting (*as per the Palm Beach County HIV CARE Council Bylaws*). Candidate search forms will be distributed at the meeting prior to the Annual Election and mailed to those not in attendance. The candidate search forms must be submitted to the designated staff.
2. The designated staff will compile all names nominated on the Candidate Search Form(s), reflecting whether they are eligible to serve and if they have accepted the nomination the month prior to the Annual Election.
3. At the meeting the month prior to the Annual Election and at the Annual Election, nominations will be open from the floor after the designated staff presents the list of those nominated.
4. A brief introduction of each nominee will take place, and if necessary, will be repeated at the Annual Election.
5. Ballots will include all persons nominated and must be signed by the member, and will be open to public inspection.
6. Ballots will be counted by staff.
7. In the event that there is not a majority vote for any one official, the members shall vote again choosing between the candidates with the two highest vote totals.
8. Results are announced prior to adjournment of the Annual meeting.

## Palm Beach County HIV CARE Council

# Council Policy

Policy Number: **25**  
Approved: **May 24, 2004**  
Issue: **CARE Council Training Requirement**

This policy applies to all CARE Council members.

HRSA requires that all CARE Council members have competencies in the following areas:

the CARE Act legislation, roles and responsibilities in planning, conflict of interest, and how it can affect their deliberations, how to control its impact grievance procedures and way to minimize grievances related to funding, meeting procedures such as *Robert=s Rules of Order* or other procedures used locally, cultural sensitivity to viewpoints of all members, culturally competent about the needs of underserved communities in their jurisdictions, technical issues, like how to interpret and use data as tools for decision-making, and treatment requirements of HIV disease and how they affect the cost of ambulatory outpatient care, especially primary care.

CARE Council members must maintain a level of competency in all of the areas listed above.

Before placement on the CARE Council the applicant must attend the CARE Council Orientation which includes information on the roles and responsibilities in planning, conflict of interest, grievance procedures, and a brief summary of *Roberts Rules of Order*.

After being appointed to the CARE Council members must attend at least one training per year.

All committee chairs and CARE Council officers should attend the Chair Workshop.

It is the policy of the Palm Beach County HIV CARE Council to recognize each seat on a committee as an important and meaningful position of public trust. In order to fully support the commitment of individual members of committees, the following activities will be employed to support member participation.

Records of attendance and participation in Membership Development Session are maintained for each CARE Council member to assist in providing appropriate support to ensure members maintain necessary levels of proficiency.

# Palm Beach County HIV CARE Council

# Council Policy

Policy Number: **26**  
Approved: **July 26, 2004**  
Issue: **CARE Council Member Day Care Reimbursement Policy**

It is the policy of the Palm Beach County HIV CARE Council that CARE Council members that receive reimbursement for day care must fulfill the requirements below:

Member must submit birth certificates for children that need day care.

If reimbursement is for children that are not the members, proof of guardianship is required.

CARE Council member will give proof of the care givers receipt of payment to CARE Council staff.

The day care reimbursement is only to be used for hours when a CARE Council member is attending a meeting and commuting to and from the meeting. In special circumstances reimbursement for care giving shall be with the approval of the grantee.