

Memorandum of Understanding (MOU)
Between the Ryan White HIV/AIDS Program (RWHAP) Part A Recipient,
Area 7 Lead Agency and the Central Florida HIV Planning Council

- I. **The Central Florida HIV Planning Council** (the “Council”), the Orange County Health Services Department RWHAP Part A Office (the “Recipient”), and the Area 7 Lead Agency, Heart of Florida United Way (the “Lead Agency”) have individual and shared responsibilities under the Ryan White HIV/AIDS Treatment Extension Act of 2009, and need to discharge these responsibilities in the most efficient and effective manner possible. The Council’s roles reflect its responsibilities for serving as:
- A decision-making body regarding the use of RWHAP Part A funds, including Minority AIDS Initiative (MAI) funds,
 - An advisory body to the State’s Area 7 Lead Agency regarding the use of RWHAP Part B and General Revenue funds in Area 7, and
 - An advisory body on prevention that prioritizes HIV prevention strategies and interventions for state-identified risk populations.

II. **Purpose Statement**

- A. This Memorandum of Understanding (MOU) is designed to:
1. Create a shared understanding of the relationship between the Council and the RWHAP Part A Recipient and the Area 7 Lead Agency (which manages RWHAP Part B and General Revenue funds for the Florida Department of Health, the RWHAP Part B Recipient, in Area 7);
 2. Delineate the legislated responsibilities and roles of each party, the locally defined roles, and expectations for how these roles and responsibilities will be carried out;
 3. Encourage a mutually beneficial relationship among these important partners; and
 4. Help ensure positive and appropriate communication, information sharing, and cooperation that will support the effective and efficient delivery of medical and support services to persons infected and affected by HIV disease in the five-county service area that encompasses the Orlando EMA and the State’s Area 7 Consortium.

III. **Roles and Responsibilities of the Planning Council, Planning Council Support, and Recipients**

- A. The Council is solely responsible for the following RWHAP Part A-related tasks, as specified in the Ryan White HIV/AIDS Treatment Extension Act of 2009:
1. **Priority Setting and Resource Allocation:** Set priorities among service categories, allocate funds to those service categories, and provide directives to the RWHAP Part A Recipient (Ways to Best Meet Needs

[WBMN]) on how best to meet these priorities. This includes acting upon RWHAP Part A Recipient quarterly recommendations for reallocation of funds as required during the program year and allocation of carryover funds.

2. **Assessment of the Administrative Mechanism:** Assess the efficiency of the administrative mechanism in rapidly allocating funds to areas of greatest need within the service area. The purpose is to ensure that funds are being contracted quickly in an open process, and that subrecipients are being paid in a timely manner. The assessment is to be done annually. Before the procurement process begins, the Council and RWHAP Part A Recipient, may establish a written memorandum of understanding outlining a process and timeline for sharing data necessary to evaluate the administrative mechanism. The RWHAP Part A Recipient must communicate back to the Council the results of the procurement process. The Council may then assess the consistency of the procurement process with the stated service priorities and allocations and the WBMN. The assessment should provide anonymous information only, without identification of individual sub-recipients. If the Council finds that the existing mechanism is not working effectively, the RWHAP Part A Recipient is responsible for responding to any deficiencies and implementing corrective actions. The assessment of the administrative mechanism is not an evaluation of the RWHAP Part A Recipient or individual service providers. Evaluation of individual service providers is a RWHAP Part A Recipient responsibility. The Council should not be involved in how the RWHAP Part A Recipient monitors providers.

B. Roles and Responsibilities of Planning Council Support (PCS)

1. PCS staff is responsible for supporting the work of the Council and its committees, enabling the Council to meet its responsibilities under the RWHAP legislation. PCS is accountable to the Council.
2. PCS provides logistical support, research, and coordination for all Council meetings and authorized committee meetings.
3. PCS works with the Council to ensure the availability of data needed for the members to make data-driven health planning decisions.
4. PCS assists the Council with implementing the annual assessment of the administrative mechanism.
5. PCS works in coordination with the Council to ensure and document membership reflectiveness of the local epidemic, representation of required slots, and PIR (Parity, Inclusion, and Reflectiveness), and to maintain attendance records.
6. PCS ensures member orientation and training, including development and implementation of a training plan.
7. PCS provides expert advice to the Council regarding RWHAP legislation, including Planning Council roles and responsibilities.

C. Roles and Responsibilities of the RWHAP Part A Recipient and Area 7 Lead Agency

The RWHAP Part A Recipient and Area 7 Lead Agency are solely responsible for meeting the following legislatively mandated responsibilities:

1. **Procurement:** Manage the process for awarding subrecipient contracts to specific service providers.
2. **Contracting:** Distribute funds to subrecipients to provide HIV-related services. For RWHAP Part A funds, this must be done according to the priorities, allocations, and directives (WBMN) of the Planning Council.
3. **Contract monitoring:** Monitor contracts to be sure that subrecipients are meeting their contracted responsibilities and are in compliance with established service standards. Recommend RWHAP Part A reallocations to the Planning Council during the grant year based on service category performance, and implement reallocations as needed for RWHAP Part B and General Revenue funds.
4. **Technical Assistance to Service Providers:** Provide technical assistance to subrecipients as needed, to build capacity and to improve contract compliance and service delivery.
5. **Client Grievances:** Establish and carry out a mechanism to assist clients with grievances about the services they receive, including ensuring that all subrecipients have an appropriate grievance process.

D. **Shared Responsibilities**

The RWHAP Part A Recipient, Area 7 Lead Agency, and Council share the following legislative responsibilities, with one entity having the lead role for each, as stated below:

1. **Needs Assessment:** Determine the size and demographics of the population of individuals with HIV disease in the 5-county service area and their service needs. The Council has primary responsibility for needs assessment, with the RWHAP Part A Recipient and Area 7 Lead Agency assisting with the process and providing the Council with information such as service utilization data and expenditures by service category.
2. **Comprehensive/Integrated Planning:** Develop an Integrated HIV Prevention and Care Plan for the organization and delivery of prevention, health and support services within the service area. The Council takes the lead in developing and updating the Integrated Plan, with the RWHAP Part A Recipient and Area 7 Lead Agency providing information, input, and other assistance. The RWHAP Part A Recipient and Area 7 Lead Agency have the opportunity to review and suggest changes to the draft Plan. The Plan is developed every five years or as specified by the funding agencies, the Health Resources and Services Administration's HIV/AIDS Bureau (HRSA/HAB) and the Center for Disease Control and Prevention (CDC).
3. **Evaluation:** The RWHAP Part A Recipient and Area 7 Lead Agency are responsible for measuring the program's success in meeting performance measures provided by HRSA. Determination of the impact services are having on overall client health outcomes and cost effectiveness of services are shared responsibilities, with the RWHAP Part A Recipient and Area 7 Lead Agency taking the lead. In addition, all parties assess the effectiveness of the services offered in meeting the identified needs via aggregate data provided by the RWHAP

Part A Recipient and Area 7 Lead Agency, which may incorporate the findings of special studies.

4. **Service Standards:** Develop and maintain service standards and indicators in accordance with best practice standards where available for the relevant service categories. Recommendations from a committee of experts are sought in the development of the service standards. The Council takes the lead in this effort, with extensive RWHAP Part A Recipient and Area 7 Lead Agency involvement and final approval. The RWHAP Part A Recipient and Area 7 Lead Agency are responsible for ensuring that these service standards are implemented. The Council's Service Systems Planning and Quality Committee reviews monitoring findings by service category.

5. Clinical Quality Management: Establish a clinical quality management (CQM) program and plan to assess the extent to which HIV-related primary health care services are consistent with Public Health Service guidelines and to enhance health and supportive service access and delivery and continuously improve systems of care. This includes developing and evaluating outcomes and indicators based on HRSA-specified performance measures, and working directly with subrecipients to implement and monitor the CQM plan. The RWHAP Part A Recipient and Area 7 Lead Agency have primary responsibility for CQM. The Planning Council is represented on the Quality Management Technical Workgroup, which provides input regarding QM efforts, including what quality improvement (QI) activities need to be implemented in the service area. The Council's Service Systems Planning and Quality Committee receive and reviews CQM and QI findings, by service category.

6. RWHAP Part B and General Revenues Only: Priority Setting and Resource Allocations: Set priorities among service categories, allocate funds to those service categories, and provide directives to the Area 7 Lead Agency on how best to meet these priorities (WBMN). The Planning Council makes recommendations to the Area 7 Lead Agency, which is the final decision maker.

E. **Administrative Responsibilities**

In addition to these legislative roles, the Council will share the following responsibilities related to RWHAP Part A and RWHAP Part B planning and management with the RWHAP Part A Recipient and Area 7 Lead Agency:

1. **Budgeting and Fiscal Management of PCS funds:** The Area 7 Lead Agency as PCS contractor provides fiscal management of PCS funds. As specified in the *RWHAP Part A Manual*, "The planning council must negotiate the size of the planning council support budget with the grantee and is then responsible for developing and managing that budget within the grantee's grants management structure" [p 104]. The annual PCS budget comes partly from the allocation of up to 10% of the total RWHAP Part A grant that may be used for administrative costs and partly from the 15% of RWHAP Part B funds that may be used for planning and

evaluation and administrative costs. RWHAP Part A funds are used to cover PCS costs related to the four EMA counties, and RWHAP Part B funds are used to cover costs associated with Brevard County. The Council Co-Chairs work with the PCS Manager to develop the budget. The PCS staff and the Needs Assessment and Planning Committee share responsibility for monitoring Council expenditures, based on reports provided by PCS staff. The RWHAP Part A Recipient and Area 7 Lead Agency are responsible for ensuring that all expenditures meet RWHAP guidelines as well as RWHAP Part A Recipient and Area 7 Lead Agency financial management regulations.

2. **Contracting for Planning Council Consultants or Services:** The Area 7 Lead Agency provides contracting services when the Council needs to hire consultants or other contractors out of PCS funds. The RWHAP Part A Recipient and/or Area 7 Lead Agency provide contracting services when consultants or other contractors are to be hired out of other RWHAP Part A or RWHAP Part B administrative funds. Such costs will typically be shared between the RWHAP Part A Recipient and Area 7 Lead Agency, with the Area 7 Lead Agency covering costs related to Brevard County. As described in the *RWHAP Part A Manual*, “The planning council determines the scope of work, sets criteria for selection, and evaluates proposals” [p 105]. This contracting must meet RWHAP Part A Recipient and Area 7 Lead Agency procurement requirements as well as RWHAP federal guidelines. The process, including oversight, is managed by PCS staff.
3. **Office Space:** The Area 7 Lead Agency as the contractor for PCS takes the lead in providing appropriate office space for PCS. This office space must meet all Americans with Disabilities Act (ADA) requirements and include arrangements for meeting space sufficient to accommodate committee meetings and access to meeting space sufficient to accommodate Council meetings.
4. **Hiring of Planning Council Support Staff:** PCS staff are employees of the Area 7 Lead Agency, but as stated in the *RWHAP Part A Manual*, “measures must be taken to ensure that the planning council, not the grantee [RWHAP Part A Recipient or Area 7 Lead Agency], directs the work of the planning council’s staff” [p 105]. When PCS positions are advertised, Area 7 Lead Agency procedures are followed and the Planning Council Co-Chairs may participate in the interview and hiring process.
5. **Annual Part A Application Process:** The RWHAP Part A Recipient has primary responsibility for preparation and submission of the RWHAP Part A application. PCS staff provides information for the application sections related to Planning Council membership and responsibilities, including priority setting and resource allocations and the findings from the annual assessment of the efficiency of the administrative mechanism. The Council approves action by the Co-Chairs to sign a letter of assurance accompanying the application that indicates whether the RWHAP Part A Recipient has expended funds in accordance with Council priorities,

allocations, and directives and provides other information as required in the Notice of Funding Opportunity (NOFO).

F. Communications

Principles for Effective Communications

The RWHAP Part A Recipient, Area 7 Lead Agency, and Council all recognize the importance of regular and open communications and of sharing information on a timely basis. There should be clarity regarding what will be communicated, when, and to whom. When problems or issues arise, there should be a joint commitment to resolving them through established procedures. The parties commit themselves to the following principles:

1. All parties will take responsibility for establishing and maintaining open communications. This includes both sharing information on a timely basis and reviewing shared information once it has been received. If issues or problems arise, it means communicating with the other parties to clarify the situation and decide how best to address it.
2. Every Planning Council standing committee will have an assigned RWHAP Part A Recipient staff member and an assigned Area 7 Lead Agency staff member, both of whom attend meetings regularly.
3. The RWHAP Part A Recipient, Area 7 Lead Agency, and Council will each have a designated liaison responsible for sharing and receiving information for all other communication requests, and for disseminating information within their entity. When questions or concerns arise, the designated liaison will ensure that they are addressed in a timely manner. For the Council, the designated liaison will be the PCS Manager; for the RWHAP Part A Recipient it will be the RWHAP Part A Recipient Representative; and for the Area 7 Lead Agency it will be the Director, Ryan White Program.
4. All entities will use designated liaisons as channels of communication. When someone needs information or materials beyond those that are listed on the deliverables table in Section IV.D., that person will request it through the designated liaison. The request will be made in writing (via e-mail or letter) and will contain the specific request and why the information is needed. For information beyond normal reports, it is the responsibility of the PCS staff and RWHAP Part A Recipient and Area 7 Lead Agency liaisons to determine the appropriate source for this information and whether the information is available and can be provided within the entity's resources. When the RWHAP Part A Recipient or Area 7 Lead Agency feels it cannot meet a Council request, the appropriate liaison will notify the PCS Manager.
5. Staff of all entities and Council members will avoid inappropriate communication requests or channels by adhering to the Council's Communications Policy and Procedure, and maintaining the confidentiality of information that should not be shared outside the Central Florida HIV Program.
6. Communications and problem solving will protect the separation of roles between the Planning Council, the RWHAP Part A Recipient and the Area 7 Lead Agency. For example, the Council is not supposed to have

access to information about the performance or expenditures of individual providers; it should receive such information only by service category. In cases where there is only one service provider for a service category, the Planning Council will have access to this information but without identifying information.

7. Planning Council members and staff will not use in meetings or decision making any information about individual providers, even if it is available to members as individuals through the Public Records and Freedom of Information Act.
8. The Planning Council will not become involved in client complaints or grievances about services. If the Council or its Support staff receives client or provider concerns or complaints about a specific provider, it will refer the individual expressing the concern to the individual provider for resolution through its own complaints or grievance process. If the Council or PCS staff receives broader complaints or concerns about services of an identified provider, it will refer them to the RWHAP Part A Recipient or Area 7 Lead Agency. The Council will address systemic concerns, which relate to an entire service category or the system of care.

G. Implementing these Principles

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

1. The signatories to this agreement will participate in a face-to-face planning meeting including all entities, to be held in September, just before the planning year begins in October, and will continue to meet at least quarterly throughout the year. The first meeting will be used to lay out specific mutual expectations for the year, ensure a mutual understanding of the Central Florida HIV Program's status and directions, clarify a calendar for the year including dates when materials and information will be shared, and address potential issues or problems. This includes identifying additional or different reports or information needed, beyond those specified in this MOU. Subsequent meetings will be used to monitor progress and refine the calendar as needed, further define information sharing needs, and address any issues that may arise in the relationship between the RWHAP Part A Recipient and Area 7 Lead Agency and the Council.
2. When making special requests for information or materials, all parties will provide at least five (5) days' notice; requests will be in writing. When sharing information, all parties will do so as quickly as possible. All parties commit themselves to responding in a timely manner to any requests pertaining to the Council, satisfying other HRSA/HAB, CDC or Florida Department of Health (FDOH) HIV Section requirements or requests, and addressing other matters that may affect the funding or reputation of the Central Florida HIV Program.

IV. Information/Document Sharing and Reports/Deliverables

A. Overview

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

B. Information to be provided by the Planning Council to the Recipient and Lead Agency

The Planning Council will provide the RWHAP Part A Recipient and Area 7 Lead Agency the following information and materials:

1. A dated list of Council members and their terms of office, with primary affiliations as appropriate, to be provided annually and updated as needed throughout the year, in accordance with current Notice of Award (NOA) guidelines.
2. Notification of the Planning Council's monthly meetings, retreats, orientation and training sessions, and other Council events, at the same time notification goes to Planning Council members.
3. The meeting notice, agenda, and information package for each Planning Council meeting, to be provided at least one week before the meeting, at the same time they are provided to Council members.
4. The annual list of service priorities, the RWHAP Part A resource allocations, and directives (WBMN) or edits to existing directives on how best to meet priorities, to be provided to RWHAP Part A – the same information that is submitted to HRSA/HAB as part of the annual RWHAP Part A application. These priorities, along with recommended RWHAP Part B/General Revenues resource allocations and directives (WBMN), will be provided to the Area 7 Lead Agency. This information will be provided within two weeks after the Planning Council has approved the priorities, allocations, and directives.
5. Copies of final planning documents prepared for the Planning Council, such as needs assessment reports and updates to the Integrated Plan, within five business days after their completion and approval by the Council.
6. Information or documents needed by the RWHAP Part A Recipient to complete the sections of the annual application, and periodic progress reports related to the Council and its functions, to be provided on a mutually agreed-upon schedule.

C. Information to be provided by the Recipient and Lead Agency to the Planning Council

The RWHAP Part A Recipient and Area 7 Lead Agency will provide the PCS Manager the following reports and information. These will be the minimum requirements. Additional or different information needs will be discussed and agreed upon at the beginning of each year and at quarterly meetings of the parties to this MOU, as described in Section III.G.1.

1. A copy of any RWHAP Part A Conditions of Award pertaining to the Planning Council, within five business days of receipt.

2. Utilization data for RWHAP Part A and RWHAP Part B/General Revenues by service category, including number of clients and demographics, to be provided quarterly.
3. An oral and written financial report for RWHAP Part A and for RWHAP Part B/General Revenues, provided to the Needs Assessment and Planning Committee, providing information on contracted amounts by service category, amount spent to date, over- and under-expenditures, and any unobligated balances by service category, provided monthly. For RWHAP Part A only, suggested reallocations will be provided on a quarterly basis. Any suggested RWHAP Part A reallocations will be presented to the Needs Assessment and Planning Committee when the RWHAP Part A Recipient determines that a reallocation of funds across service categories is necessary. The Area 7 Lead Agency makes decisions about RWHAP Part B/General Revenues reallocations, and informs the Council of these reallocations at the following Council meeting.
4. Information and recommendations requested as needed by the Planning Council to carry out its responsibilities for priority setting and resource allocations. This includes setting priorities among service categories for both RWHAP Part A and RWHAP Part B/General Revenues Funds, allocating RWHAP Part A funds to those service categories and providing WBMN to the RWHAP Part A Recipient, and recommending allocations of RWHAP Part B/General Revenues funds and WBMN to the Area 7 Lead Agency. The content and format for this information will be mutually agreed upon each year, but will typically include data provided by the RWHAP Part A Recipient and Area 7 Lead Agency such as final cost and utilization data for the prior year and quarterly data for the current year. The RWHAP Part A Recipient and Area 7 Lead Agency will also make available data provided partially or entirely by the Florida Department of Health, HIV Section, such as an epidemiologic profile, an estimate of unmet need for primary health care among people who know their status but are not in care, and HIV care continuum data by subpopulation. These data are provided annually, in time for use in the data presentation and in the priority setting and resource allocations process. This information will go first to PCS and then to the Service System and Quality Committee for analysis. In addition to providing the information in written form, the RWHAP Part A Recipient and Area 7 Lead Agency will attend annual data presentations with the Planning Council at mutually agreed upon dates and times.
5. Information requested as needed by the Planning Council to meet its responsibility for assessing the efficiency of the RWHAP Part A and RWHAP Part B administrative mechanism. The content and format for this information will be mutually agreed upon each year, but will typically include Allocations Reports from the RWHAP Part A Recipient and Area 7 Lead Agency on the procurement and grants award process, including statistics (such as number of applications received, total amount requested, number of awards made overall and by service category and amount of funds awarded, and number of new providers funded). This

information will be provided within 30 days after the close of each procurement process. The RWHAP Part A Recipient and Area 7 Lead Agency will also provide information on reimbursement procedures and actual final reimbursement timelines each year by the end of June.

6. RWHAP Part A carryover information as it becomes available. This includes the actual carryover from the Financial Status Report, and the approved carryover plan submitted to HRSA/HAB. Each document will be provided to the Planning Council at the next business meeting following submission or receipt.
7. The RWHAP Part A Final Allocations Report, as submitted to HRSA/HAB in the final progress report each year. The Planning Council will receive this information at the business meeting following submission. The Planning Council will also receive a copy of the RWHAP Part B/General Revenues Final Allocations Report after it has been submitted to the FDOH, HIV Section.
8. Special or additional data needed for decision making. When the Planning Council or a Committee requests special or additional information from the RWHAP Part A Recipient or Area 7 Lead Agency, the request will always be in writing to the PCS Manager, who will discuss with the RWHAP Part A Recipient or Area 7 Lead Agency the content, format, and timing for its receipt. If the request comes from a subcommittee of the Council, the request must come from the Chairperson of the committee.

D. Deliverables, Timelines and Responsible Party

Reports and materials will be shared based on the timeline below. Materials provided to the Planning Council for review monthly will be made available at least one week (five business days) before the committee or Planning Council meeting at which they will be reviewed, except for the Expenditure Report, which will be provided as soon as it is available. The RWHAP Part A Recipient, Area 7 Lead Agency, and Planning Council will work together to ensure that meeting schedules allow time for preparation of these monthly reports. Documents provided quarterly will be provided within two months after the end of the quarter. Documents provided annually will be made available based on the planning calendar.

Document/Deliverable	Timeline/Frequency	Responsible Entity(ies)
PC-related Conditions of Award	Annual – within one week (5 business days) following receipt of the Notice of Award (NOA)	RWHAP Part A Recipient
Planning Council Membership List	Annual and each time membership changes within one week after CEO appointments	Planning Council/PCS
Notification of PC and Committee Meetings and Other Events	At least one week before the event	Planning Council/PCS
PC Meeting Agenda and Materials	At least one week before the event	Planning Council/PCS

Expenditure Reports	Monthly – prior to the Needs Assessment and Planning Committee Meeting	RWHAP Part A Recipient; Area 7 Lead Agency
RWHAP Part A Reallocations Recommendations	As needed	RWHAP Part A Recipient
RWHAP Part B/GR Reallocations Report	At PC meeting following reallocations by the Lead Agency	Area 7 Lead Agency
RWHAP Part A Carryover Report	Annual – within one week after submission to HRSA/HAB	RWHAP Part A Recipient
Interim Utilization Reports	Quarterly – within 2 months after the end of the quarter	RWHAP Part A Recipient; Area 7 Lead Agency
Annual Utilization Reports	Annual – within 2 months after the end of the program year	RWHAP Part A Recipient; Area 7 Lead Agency
Final Financial/Allocations Reports (RWHAP Part A Report to HRSA/HAB, RWHAP Part B Report to Tallahassee)	Annual – within one week after submission to HRSA/HAB or the State	RWHAP Part A Recipient; Area 7 Lead Agency
RWHAP Part A Update on Ways to Best Meet Needs (WBMN)	Annual – end of July	RWHAP Part A Recipient
Epidemiologic Profile	Annual – usually by August 15	Florida Department of Health
HIV Care Continuum, including breakdowns by population	Annual – usually by August 15	Florida Department of Health
Estimate of Unmet Need	Annual – usually by August 15, in years when an estimate is required by HRSA/HAB	Florida Department of Health
Data Presentation/Needs Assessment Materials	Annual – August, at least one week before the Data Presentation	Planning Council/PCS
Other Planning Documents	Within one week after their approval by the Planning Council	Planning Council/PCS
Service Priorities	Annual – August, within one week after decisions are made	Planning Council/PCS
RWHAP Part A Resource Allocation Decisions including WBMN	Annual – within one week after decisions are made; in August if HIV Care Continuum and other state data are received by August 15; in September if they are received later than August 15	Planning Council/PCS
RWHAP Part B Resource Allocation and WBMN Recommendations	Annual – as above	Planning Council/PCS
Procurement and Subrecipient Awards Process and Statistics	Within 30 days after the close of each procurement process	RWHAP Part A Recipient; Area 7 Lead Agency
Reimbursement Procedures and Performance	Annual – by the end of June	RWHAP Part A Recipient; Area 7 Lead Agency
Assessment of the Administrative Mechanism (AAM) Report	Annual – within one week after July PC meeting	Planning Council/PCS
Recipient Response to AAM Findings	Annual – usually late August; within 30 days after receipt of AAM report	RWHAP Part A Recipient

Area 7 Monitoring Report (from FDOH) and any corresponding corrective action plans	Annual – usually late August; within 30 days after receipt of AAM report	Area 7 Lead Agency
Updates to Integrated Plan	Every 6 months or more frequently as needed	Planning Council/PCS
PC Progress Reports	Monthly – prior to monthly call with HRSA/HAB Project Officer	Planning Council/PCS
RWHAP Part A Application Materials	Annual – as mutually agreed	Planning Council/PCS

E. Documents and information that will not be shared

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

1. The Council will not share information on the HIV status of members of the Council who are not publicly disclosed as people living with HIV/AIDS. Except for individuals who choose to disclose their status, the HIV status of Planning Council members will not be shared with the RWHAP Part A Recipient or Area 7 Lead Agency or with other Planning Council members except those involved in the Open Nominations Process.
2. The RWHAP Part A Recipient and Area 7 Lead Agency will not share information about individual applicants for service provider contracts or about the performance of individual contractors – information will be shared by service category only. If there is only one provider in a service category the information will be shared, but without identifying information.
3. Information about the individual salaries of RWHAP Part A Recipient, Area 7 Lead Agency, and PCS staff will not be shared. The Council will not have access to the RWHAP Part A Recipient’s or Area 7 Lead Agency’s detailed administrative budgets. The RWHAP Part A Administrator and Area 7 Lead Agency will have access to the Planning Council’s detailed budget.

V. Settling Disputes or Conflicts

- A. If conflicts or disputes arise with regard to the roles and responsibilities specified in Section III of this Memorandum of Understanding, the signatories will use the following procedures to resolve them:
1. Begin with a face-to-face meeting among the signatories to attempt to resolve the situation, within five working days after the issue or dispute arises.
 2. If the situation cannot be resolved, hold a meeting of representative signatories of the RWHAP Part A Recipients and Area 7 Lead Agency, Planning Council Support and Planning

Council with the Chief Elected Official (CEO) or his/her representative. The decision of the CEO will be final unless the conflict arises from legislative responsibility issues. In such situations, the HRSA/HAB Project Officer will be consulted.

VI. Responsible Parties and Contact Information

- A. Following are the responsible parties to this MOU, along with the names of the individuals in these positions at the time the MOU was adopted, and their contact information, including the individual within their office who should receive all communications related to this MOU and the RWHAP Part A program.
1. For the RWHAP Part A Recipient:
 - a) Recipient Representative
 2. For the RWHAP Part B Recipient:
 - a) Area 7 Lead Agency Director, Ryan White Program
 3. For the Central Florida HIV Planning Council:
 - a) Planning Council Co-Chairs
 - b) PCS Manager

VII. MOU Duration and Review

- A. **Effective Date:** The MOU will become effective once signed by all the authorized individuals representing the RWHAP Part A Recipient, Area 7 Lead Agency, and Planning Council.
- B. **Duration:** the MOU will remain in effect unless or until the parties take action to end it or the RWHAP Part A Recipient and/or Area 7 Lead Agency no longer receives RWHAP funding for the HIV program.
- C. **Process for reviewing and revising the MOU:** The MOU will be reviewed periodically, with the involvement and approval of all parties. Reviews will occur:
1. Following each reauthorization or legislative revision of the RWHAP legislation by the U.S. Congress, to ensure that the MOU remains fully appropriate, updated, and reflective of the Act.
 2. At least once every year at the first meeting of the parties to this MOU.
- D. When the MOU has been reviewed and revised, the amended version will be signed and dated by all parties. The revised version will become effective once signed.

VIII. Signatures

John Goodrich
RWHAP Part A Recipient Representative

3/1/2024
Date

Yasmin Arde
Area 7 Lead Agency

6/20/2023
Date

[Signature]
Planning Council Senior Co-Chair

05/31/2023
Date

[Signature]
Planning Council Junior Co-Chair

06/01/2023
Date

Mitzy Donald
Planning Council Support Manager

6/9/23
Date