



HIV Special Pharmaceutical Benefits Program  
HEALTH AND WELFARE BUILDING  
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HARRISBURG, PENNSYLVANIA 17120

OFFICE OF HEALTH PROMOTION  
AND DISEASE PREVENTION

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BUREAU OF COMMUNICABLE  
DISEASES

## HIV Special Pharmaceutical Benefits Program (SPBP) Advisory Council By-Laws

- 1) Background
  - a) The Ryan White HIV/AIDS Treatment Extension Act of 2009 provides funds to state AIDS Drug Assistance Programs (ADAP), such as SPBP, through Part B of the Act. SPBP provides coverage of medications and lab services to patients living with HIV in Pennsylvania. In addition to the Ryan White federal funds, Pennsylvania also contributes state funds for this program.
  
- 2) Purpose
  - a) The Health Resources and Services Administration (HRSA) HIV/AIDS Bureau requires ADAPs to engage in planning for key aspects of ADAP structure and operations. ADAP planning can occur through ADAP Advisory Committees and as such, the SPBP Advisory Council is utilized as a key component in the planning process. The SPBP Advisory Council will provide program guidance and recommendations to the Department of Health's SPBP in regard to the following: drug formulary, covered lab services, drug utilization review, clinical programs, eligibility, and program management.
  
- 3) Membership
  - a) Chairperson – Special Pharmaceutical Benefits Program Pharmacist
  - b) Appointment of members – Nominations shall be submitted in writing to the SPBP. Appointment of members shall be determined by the Chairperson and the Director of the Division of HIV Disease.
  - c) Members - SPBP will strive to appoint a diverse group of Council members that will include people who are familiar with the needs of individuals living with HIV and experience with HIV. The Council will consist of up to 25 members with at least four persons living with HIV. Membership of the Council may include:
    - i) Clinical Provider(s)
    - ii) Pharmacist(s)
    - iii) Nurse(s)
    - iv) Case Manager(s)
    - v) Persons Living With HIV
    - vi) Public Health Official(s)
    - vii) Other HIV Service Provider(s)
    - viii) Other Persons Knowledgeable about the Health Care Needs of Persons Living with HIV

- d) Term – Initial Council appointments will be for a one to two-year period, as determined by the Chairperson and the Director of the Division of HIV Disease. After the initial appointment, the term length will be two years. At the end of each term, re-appointment to the Council will be determined by the Chairperson and the Director of the Division of HIV Disease. Members may serve an unlimited number of terms if re-appointed.
  - e) Termination – The Chairperson may dismiss members of the Council. Termination may result due to missing Council meetings or for misconduct or inappropriate behavior during meetings.
  - f) Resignation – Council members may resign by submitting notice to the Chairperson.
- 4) Meetings
- a) Frequency – The Council will meet on a quarterly basis. Two of the Council meetings per year will be in Harrisburg and members must attend the meeting in person. The other two meetings will be held by teleconference. Ad hoc meetings may be called to session by teleconference if deemed necessary by the Chairperson.
  - b) Procedure – Agenda topics should be submitted to the Chairperson no later than 10 days prior to the scheduled meeting. The agenda will be sent out prior to the meeting.
  - c) Quorum – A quorum consists of 13 appointed members of the Council, and a simple majority must be present at the meeting.
  - d) Vote – A quorum is required to make a recommendation. A majority vote will be required by the quorum. All members will vote on the Council's recommendations to SPBP except for the Chairperson. In the event of a tie, the Chairperson will then be the tie-breaking vote.
  - e) The Council recommendations will go to the Deputy Secretary of the Department of Health, Office of Health Promotion and Disease Prevention for consideration.
  - f) The bi-annual in-person Council meetings will be open to the public. There will be no right to public comment. The Chairperson may, however, solicit public comment.
- 5) Sub-Committees – A Committee Chair shall be chosen by each subcommittee.
- a) Drug Formulary & Lab Services
  - b) Drug Utilization Review & Clinical Programs
  - c) Program Eligibility & Management
- 6) Amendment of By-Laws - Proposed amendments of the by-laws may be submitted to the Chairperson prior to the meeting and included in the agenda of the meeting to be voted upon. Amendment of the by-laws will be determined by a vote of at least 75 percent or more of members present at any Council meeting that meets a quorum. Changes to by-laws are subject to Department approval.