



## CARE Act Reauthorization Watch

Volume 11, June 28, 2006

The Reauthorization Watch, produced by NASTAD, provides monthly updates on activities related to the reauthorization of the Ryan White Comprehensive AIDS Resources Emergency (CARE) Act. Please see NASTAD's [website](#) for more information.

### **Congressional Activities**

Negotiations continue between the four principal Members of Congress – Mike Enzi (R-WY), Ted Kennedy (D-MA), Joe Barton (R-TX) and John Dingell (D-MI) – and the Administration in an effort to reach consensus on changes to S 2823. New number runs reflecting the changes are also in the works. Once consensus is reached, the bill will be marked up in the House Energy and Commerce Committee (E&C) and then sent onto the House and Senate floors for passage. The bill that is brought to the House and Senate floors will be identical to avoid a conference committee process. Once agreement on the remaining issues is reached, the bill is expected to move quickly.

On May 31, Senator Hillary Clinton (D-NY) issued a [press release](#) requesting that Senate Leadership postpone consideration of S 2823 until changes are made to the bill that reverse the large funding cuts to New York.

On June 1, Senator Chuck Schumer (D-NY) and Representative Jerry Nadler (D-NY) issued a joint [press release](#) expressing concern for the proposed changes in S 2823 that result in large funding cuts to New York.

On June 16, Representative Artur Davis (D-AL) sent a [letter](#) to the E&C Chair and Ranking Member to share his concern regarding the incorporation of HIV cases into distribution formulas and providing funds to southern states to address the growing epidemic.

On June 26, Representative Ed Towns (D-NY) introduced H Res 893, “expressing the sense of the House of Representatives that any reauthorization of the Ryan White CARE Act of 1990 should not impose catastrophic losses in funding for states with the highest prevalence of HIV/AIDS, and for other purposes.”

### **The Administration**

During the June 19 meeting of the [Presidential Advisory Committee on HIV/AIDS](#) (PACHA), Marty McGeein, Deputy Assistant Secretary for Disability Aging and Long Term Care Policy, provided an update on reauthorization. McGeein outlined the major provisions of the Senate bill and noted that final negotiations are still underway. She noted that the Department will be running numbers to reflect needed changes to the bill, which will commence once the appropriate data is collected. She predicted that a markup in the House Energy and Commerce Committee would occur in the next week or two. She also noted that if reauthorization does not occur before the 109<sup>th</sup> Congress adjourns, that in the start of the new year there likely would be three separate reauthorization proposals – one from the Administration, one from the Congressional Republicans and one from the Congressional Democrats. PACHA members voiced support for the proposed reauthorization legislation and would like to see the bill passed in an expeditious manner. Public comment related to reauthorization included testimony from [the AIDS Institute](#) and the National Association of Social Workers.

## **Updates**

On May 31, New York Governor Pataki sent a [letter](#) to the four principals expressing his concern for the large funding cuts to New York that result from changes to the CARE Act in S 2823, including the use of an HIV case proxy in formula distributions.

On June 5, the United States Conference of Mayors adopted a [resolution](#) in support of the reauthorization of the CARE Act, including recommendations on select provisions.

On June 7, the Council of State and Territorial Epidemiologists sent a [letter](#) to the four principals calling for a delay in reauthorization until researchers and practitioners in the science of public health surveillance can assess the way the bill proposes to utilize surveillance data. CSTE also expressed concern for the use of a proxy for HIV cases that has no basis in science, opposed the use of living AIDS cases alone as an alternative to the proxy and urged the Members to consult surveillance experts to ensure a science-based approach to the use of HIV and AIDS case data for funding distribution.

On June 14, New York City Mayor Mike Bloomberg sent a [letter](#) to the four principals expressing his concern regarding the impact of S 2823 on New York City and state funding.

On June 14, the National Alliance of State and Territorial AIDS Directors (NASTAD) sent a letter to Senator Coburn providing NASTAD's [response](#) to the Government Accountability Office report "Ryan White CARE Act: Improved Oversight Needed to Ensure AIDS Drug Assistance Programs Obtain Best Prices for Drugs (GAO-06-646)." The report was released at an April 26 [hearing](#) of the Federal Financial Management, Government Information, and International Security Subcommittee of the Homeland Security and Government Affairs Committee.

The University of California San Francisco AIDS Policy Research Center (APRC) has produced a [spreadsheet](#) that is designed to model initial year allocations under different policy options for a reauthorized CARE Act.

On June 16, the HIV Medicine Association sent a [letter](#) to Members of the House E&C and Senate HELP Committees to urge inclusion of HIV case data in the funding formulas for Titles I and II.

On June 20, the Kaiser Family Foundation released a [side-by-side comparison](#) of the current Ryan White CARE Act with the [President's principles](#) for reauthorization, [S 2339](#) authored by Senator Tom Coburn (R-OK) and the Senate HELP Committee passed bill [S 2823](#).

### **Community Activities**

Additional statements submitted by stakeholders at the May 24 E&C Committee Ryan White stakeholder meeting include the [Association of Nutrition Services Agencies](#) and the [Title II Community AIDS National Network](#).

On June 5, a sign-on [letter](#) with 55 organizations was sent to the four principals expressing concern that the authorization levels included in S 2823 for the titles of the CARE Act are insufficient to meet the need for services. On June 7, Jeanne White-Ginder, mother of Ryan White, sent a [letter](#) to the four principals expressing the same concern.

On June 5, seven members of the ADAP Coalition sent a [letter](#) to the four principals expressing concern over the low authorizing level for ADAP, the one-time only funding of the \$40 million booster pot, and the need to delink the Title II hold harmless from the ADAP Supplemental funding pot.

On June 9, the Southern AIDS Coalition issued a [press release](#) urging that HIV cases be incorporated in CARE Act funding distribution formulas and expressing concern at the prospect of funding being based solely on reported AIDS cases.

On June 13, 230 organizations, state AIDS directors and individuals sent a [letter](#) to the four principals requesting they delay further action on reauthorization until the full impact of the legislation is analyzed and understood and changes to address major concerns are made.

On June 14, the Federal AIDS Policy Partnership's Reauthorization Work Group issued a revised version of their [fact sheet](#) providing a status update on reauthorization.

Please forward the *Reauthorization Watch* to interested colleagues. To be added or removed from our email distribution list, please email [Ann Lefert](#).

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