POLICIES & PROCEDURES MANUAL

**O**klahoma

**H**IV and

Hepatitis

**P**lanning

**C**ouncil



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**ARTICLE I**

**PURPOSE AND PARTIES**

The Oklahoma State Department of Health, HIV/STD Service, under the requirements of Cooperative Agreements with the Centers for Disease Control and Prevention (CDC) and the Health Resources and Services Administration (HRSA), has established the Oklahoma HIV and Hepatitis Planning Council (OHHPC). The OHHPC shall function as an advisory body to the Department’s HIV Prevention, Ryan White Part B, and Viral Hepatitis Programs. The following information shall be known as the Policy and Procedure Manual for the OHHPC and shall direct the operational aspects of the OHHPC.

**ARTICLE II**

**MEMBERSHIP**

1. **Composition of Membership.** The OHHPC shall be comprised of no less than fifteen (15) and no more than thirty (30) voting members. Membership shall contain a minimum of five (5) persons living with HIV/AIDS, five (5) representatives of HIV prevention, five (5) representatives HIV treatment and care, with fifteen (15) at-large members. Members may be included in one or more of the aforementioned categories. As required by HRSA, the representatives of HIV Treatment and Care shall include at least one member from each Ryan White-funded organization in Oklahoma. The HIV/STD Service Director may appoint other non-voting OHHPC advisory members. Members may include representatives from other state government/community agencies, subject matter experts, or HIV/STD Service employees.
	1. OSDH Membership. The Oklahoma State Department of Health (OSDH) is a permanent member of the OHHPC, by virtue of being the Ryan White Part B grantee and by designation by both the Health Resources and Services Administration (HRSA) HIV/AIDS Bureau and the Centers for Disease Control and Prevention (CDC). OSDH HIV/STD Service employees will be non-voting attendees at all OHHPC meetings and any meetings held by OHHPC committees, workgroups, or task forces. OSDH HIV/STD Service employees will have the following responsibilities:

		1. *Committee Meetings.* Serve on various Committees and attend Committee meetings.
		2. *Operational Support.* Provide administrative support necessary to facilitate the effective operation of the OHHPC. These responsibilities include, but are not limited to, working with the OSDH and Community Co-Chairs and other Committee Chairs to prepare meeting agendas; facilitating internal communication; developing action plans to address priorities; coordinating the Statewide Coordinated Statement of Need (SCSN), the Comprehensive HIV Plan, and the Hepatitis State Plan (HSP); and monitoring and tracking overall HIV prevention, linkage, and care activities.
		3. *Technical Support.* Provide and/or facilitate the provision of technical support for assessment, planning, SCSN and HSP implementation and evaluation. Facilitate updating plan data, content, goals, objectives and strategies as necessary.
2. **Considerations for Membership.** Considerations for membership include: race/ethnicity, gender, age, geographic area of residence and/or employment, HIV status, HIV risk status, occupation, area of expertise. The composition of the OHHPC will be representative of the current and projected HIV epidemic in Oklahoma. Vacancies shall not prevent the OHHPC from conducting business unless they exceed one-half (1/2) of membership. The Executive Committee will review the composition of the OHHPC members on an annual basis and make recommendations to the Membership Committee and the OHHPC on the priority characteristics needed when filling vacancies.
3. **Parity, Inclusion, and Representation.** The OHHPC strives to adhere to the principles of Parity, Inclusion, and Representation as required for HIV prevention community planning by the CDC. Definitions and purpose of these terms are as follows:
	1. Parity is defined as the ability of members to equally participate and carryout planning tasks/duties. To achieve parity, representatives should be provided with opportunities for orientation and skills building to participate in the planning process and to have equal voice in voting and other decision-making activities.
	2. Inclusion is defined as meaningful involvement of members in the process with an active voice in decision-making. An inclusive process assures that the views, perspectives, and needs of all affected communities are actively included.
	3. Representation is defined as the act of serving as an official member reflecting the perspective of a specific community. A representative should truly reflect that community’s values, norms, and behaviors (members should have expertise in understanding and addressing the specific HIV prevention needs of the populations they represent). Representatives must be able to participate as group members in objectively weighing the overall priority prevention needs of the jurisdiction.
4. **Conflicts of Interest and Disclosure.** The Oklahoma HIV and Hepatitis Planning Council (OHHPC) has members who are professionally or personally affiliated with organizations that have received, or may request to receive, funding for HIV/AIDS prevention, treatment, and care activities. Because of the potential for Conflict of Interest, the OHHPC has adopted a Conflict of Interest and Disclosure Statement (*see* Appendix C).

	1. Definition. A Conflict of Interest occurs when:
* A member (or their relative or partner) has a financial interest, or appears to have a financial interest, in the outcome of an OHHPC decision, or
* A member has an affiliation or other Conflict of Loyalties that may lead to, or suggest influence over, the outcome of an OHHPC decision.

In most instances, the term “Conflict of Interest” does not refer to persons living with HIV/AIDS (PLWHA) whose sole relationship to a Part B-funded provider is as a consumer who receives services. However, an action by a member who is also a consumer which attempts to influence the process for their own personal gain may be construed as a Conflict of Interest; that is, a Conflict of Interest would be construed if the PLWHA participated in the OHHPC decision-making process with a personal agenda or were manipulated by a particular service provider to advocate for that provider’s end.

OHHPC members who serve multiple roles in the HIV/AIDS community (e.g. someone who is HIV+ and is also a staff member at a Part B-funded agency) need to clearly identify the perspective that they are representing through their membership to the OHHPC.

* 1. Guidelines. The following guidelines are intended to help OHHPC members avoid Conflicts of Interest. These rules apply to all OHHPC members.
* No OHHPC member shall use his or her relationship with the OHHPC for personal or private gain.
* Whenever any matter arises in which an OHHPC member either has a Conflict of Interest or has any questions about the existence of a Conflict, he or she shall make full disclosure of such Conflict or possible Conflict before the matter in question is discussed.
* Persons who have Conflicts of Interest as defined herein may participate in the discussion of the matter in question, but shall not vote on the matter.
	1. Self-Identification and Assessment of a Conflict of Interest. Although the OHHPC considers determining a Conflict of Interest the individual responsibility of each member, it recognizes the possibility of a conflict of interest arising without a member disqualifying him or herself. If a member sees an apparent conflict of interest, the member will identify the conflict to the Co-chairs prior to a decision being made. The Co-Chairs will review the situation according to OHHPC policy and the OHHPC will vote on whether the conflict exists or not. A 2/3-majority vote is needed to disqualify the member from voting. The decision of the OHHPC is final.
	2. Investigation of Alleged Conflicts of Interest. The Executive Committee, upon request of the OHHPC, shall investigate and make recommendations to the OHHPC concerning members’ Conflicts of Interest or the appearance thereof. At the sole discretion of the Executive Committee, an ad hoc Guidelines Committee may be appointed to investigate the alleged Conflict. The OHHPC shall take whatever action it deems appropriate.
	3. Full Disclosure.Each member of the OHHPC is obligated to inform the OHHPC and its members of any position in which they and/or their family members and/or partners serve or have served in the past 12 months. Positions included are staff, consultant, officer, board member, advisor, volunteer, business investor, or any other position with an organization that received, may seek, and/or are eligible for HIV-related funding within the scope of OHHPC influence. Members shall disclose any and all activities and interests that may cause bias for or against a particular action or policy being considered by the OHHPC.
1. **Recruitment of Members.** The OHHPC and OSDH staff will use a variety of methods to publicize the nomination and selection process. A variety of outreach approaches will be used to target and recruit members. While all OHHPC members are encouraged to actively recruit candidates for membership, the Membership Committee is specifically charged with solicitation and recruitment of new members.
2. **Application Procedures and Confidentiality of Files.** Individuals desiring membership with the OHHPC shall complete and submit the OHHPC Application for Membership (*see* Appendix A). The application provides information about the nominee’s knowledge, experience, expertise, and personal and organizational affiliations of the nominee. All applications shall be submitted to the OSDH Co-Chair. The OSDH Co-Chair will maintain all original applications in a locked cabinet. The OSDH Co-Chair will confidentially distribute applications to the Membership Committee for review and consideration to fill vacancies as they occur.
3. **Selection Process.** The Membership Committee will screen applications for vacant positions. Applicants will be prioritized according to the membership characteristics identified by the Executive Committee as needed for OHHPC composition. The Membership Committee will present recommendations for membership to the OHHPC Co-Chairs. The Co-Chairs will review recommended selections for adherence to procedures. The recommendations may be returned to the Membership Committee as needed for clarification or reconsideration. Upon confirmation by the Co-Chairs that selection procedures have been followed, new members will be admitted to the OHHPC upon request of the Membership Committee and approval by majority vote of the OHHPC.
4. **Notification of New Members.** Within thirty (30) days after receipt of application, a letter will be sent to applicants indicating they will be placed in a pool of applicants to consider when vacancies occur. A letter of appointment will be sent to applicants who have been selected as new members. All new members shall complete and return the following forms to the OHHPC Co-Chairs at their first meeting: Member Letter of Commitment, Member Conflict of Interest Form, Confidentiality Statement, and General Attestation. (*See* Appendices B-E for copies of forms.)
5. **Orientation.** The OHHPC Co-Chairs, in collaboration with the Membership Committee Chair, shall arrange orientation of new members within two (2) months of acceptance. At minimum, orientation of new memberships shall include overview of this OHHPC Policy and Procedures Manual and general discussion of the purpose and operating procedures of the OHHPC.
6. **Mentoring**. New members may be mentored by a current OHHPC member. The mentor must have been a member of the OHHPC for at least one year. A mentor should assist the new member for a minimum of two meetings or as needed. New members who would like the assistance of a mentor shall request the assistance from the Chair of the Membership Committee who will select a mentor from the body of the OHHPC.
7. **Term Limits and Renewal of Membership.** OHHPC members are elected to two-year terms, with the exception of the OSDH-appointed Co-Chair, who are elected to three-year terms. The terms of all members shall begin on January 1 and end on December 31. Members who desire to remain on the OHHPC at the end of their term must re-apply during the November prior to the end of their term. Applications submitted by existing OHHPC members will be reviewed by the OHHPC Co-Chairs and a committee to be named by the Co-Chairs. This committee may include current OHHPC members but may also include community members and leaders not associated with the OHHPC. All selection committee members not affiliated with the OHHPC will be required to sign an OSDH Form 203 OSDH Confidentiality Agreement.
8. **OSDH-Appointed Co-Chair.** One OHHPC member is appointed by the OSDH HIV/STD Service Director to serve as co-chair to the OHHPC on an on-going basis. The OSDH-Appointed Co-Chair shall be responsible for coordinating with the Community Co-Chair in all matters pertaining to the OHHPC, and will be specifically responsible for ensuring that the notice of meetings, agendas, and minutes are recorded, filed, and distributed to all members. Notice of meetings and meeting agendas shall be prepared and distributed no less than fifteen (15) days prior to the meeting. Minutes from each meeting shall be distributed to members no later than thirty (30) days following the meeting.
9. **Community Co-Chair.** One OHHPC member is elected at the beginning of each two-year term period to serve as the Community Co-Chair. Nomination and election of the Community Co-Chair occurs during the first meeting of each two-year term period and follows the voting procedure enumerated in this Manual. The term of office for the Community Co-Chair is three (3) years, to provide additional continuity to the OHHPC. If the Community Co-Chair resigns or the position becomes vacant, the OHHPC may nominate and elect a replacement Co-Chair at the next meeting to serve out the remainder of the Co-Chair term.

	1. Duties. The Community Co-Chair works directly with the OSDH-appointed Co-Chair to facilitate and oversee the operations of the OHHPC, and as such also serves as a member of the OHHPC Executive Committee. Additional responsibilities inherent to the Community Co-Chair position are enumerated in this Manual.
10. **Attendance.** OHHPC members are expected to attend all meetings and document their attendance by signing in for both the morning and afternoon sessions. In the event of an absence, it is the responsibility of the member to notify the OHHPC co-chairs and their committee chair(s). Members are expected to attend at least 67% of scheduled meetings per year. Failure to attend at least 67% of scheduled meetings per year is grounds for removal from membership with the OHHPC. Member attendance is monitored and maintained by the Membership Committee.
11. **Member or member in good standing.** “Member” or “member in good standing” refers to any person who has fulfilled the requirements for membership of the OHHPC and is currently in compliance with all rules and bylaws contained in this manual.
12. **Resignation.** Any member in good standing who voluntarily leaves the OHHPC before the end of his/her term may reapply for membership twelve (12) months after his/her date of resignation, or in November before a new two-year term.
13. **Removal Policy.** A member may be removed upon recommendation of the Membership Committee with a majority vote of the OHHPC for any of the following reasons:
* Nondisclosure of a conflict of interest.
* Disclosure of confidential information.
* Misrepresentation or false claims.
* Lack of attendance, performance, or commitment.

Allegations regarding any of the above issues must be made in writing to the Membership Committee by a voting member of the OHHPC. The Membership Committee has sixty (60) days from the date of receipt of the written allegation to review and investigate the allegations, meet with the member in question, and submit a written recommendation to the Executive Committee. The Executive Committee will review the recommendation and place the recommendation on the agenda for the next scheduled OHHPC meeting. At the next scheduled meeting, OHHPC members will decide by vote to remove or not to remove the member in question. Members that are removed from the OHHPC for any reason will be notified in writing by the OHHPC Co-chairs. If removed, the member may reapply for membership to the OHHPC for the next year’s term twelve (12) months after his/her date of removal from the OHHPC. A member desiring to file a grievance regarding his/her removal from the OHHPC must follow the Grievance Policy found in this Manual.

**ARTICLE III**

**COMMITTEES**

1. **Designation.** The Executive Committee and/or the OSDH Co-Chair may, but shall not be required to, designate and appoint members to standing committees or special ad hoc committees for any useful or worthwhile purpose to function in an advisory capacity to the OHHPC. The Executive Committee or OSDH Co-Chair may establish rules for the conduct of these committees and may delegate responsibility to said committees.
2. **Committee Membership.** Each standing committee shall consist of two (2) or more persons appointed or elected to consider, investigate, recommend, and/or take action in regard to certain delegated matters or subjects. A committee must restrict itself to the purpose for which it was constituted and its scope is limited to its assignment. All OHHPC voting members shall serve on a committee, however, members are free to choose which committee(s) on which they would like to serve, unless the member is designated or appointed to a specific committee by the Executive Committee and/or OSDH Co-Chair. Members shall select the committee(s) on which they would like to serve during the last meeting of the calendar year. OHHPC members may serve on more than one committee concurrently.
3. **Standing Committees.** Standing committees exist to handle specific business delegated to them and report to the OHHPC. Standing committees perpetually exist and members serve on them for the term that is designated. OHHPC standing committees are listed and described below:
	1. Executive Committee. The Executive Committee shall consist of the two (2) OHHPC Co-Chairs (the Community Co-chair and the OSDH-appointed Co-Chair), the Chairs of the six (6) OHHPC standing committees (Prevention & Care Committee, Assessment & Evaluation Committee, Policy Committee, Hepatitis Committee, and Membership Committee), and two (2) ex-officio members from the OSDH HIV/STD Service staff (the Director of HIV Prevention and Intervention and the Director of the Division of Surveillance and Care Delivery). The Executive Committee shall have the responsibility of acting on behalf of the OHHPC between the meetings, set the agenda for all OHHPC meetings, oversee and delegate the work of the OHHPC, the OHHPC standing committees, and any OHHPC ad hoc committees, review and approve all forms and questionnaires related to OHHPC business, review OHHPC membership composition, receive, review, and take action on all complaints and grievances filed against the OHHPC or member(s) of the OHHPC, and review and take action on all conflict of interest matters.
	2. Removal of Executive Committee Members. Executive Committee members may be removed from office by a majority vote of the current OHHPC membership. Voting on motions to remove an Executive Committee member shall be by secret ballot conducted in person. OSDH Co-Chair and OSDH ex-officio committee members can only be removed from the executive committee by the OSDH HIV/STD Service Director.
	3. Membership Committee. The Membership Committee shall be responsible for processing vacancies in a timely fashion, screening potential members, and recruiting the necessary talent and leadership that is required to fill the voting seats of the OHHPC and presenting them for consideration to the body of the OHHPC for vote. They will also assist in the orientation of new members about OHHPC policy, procedures, HRSA and CDC guidelines, as well as monitor attendance of OHHPC voting members.
	4. Policy Committee. The Policy Committee shall develop, recommend, and review policies for the operation of the OHHPC. This includes, but it not limited to, conflict of interest policies, grievance procedures, confidentiality policies, operating procedures, and other policies and procedures.
	5. Assessment and Evaluation Committee. The Assessment and Evaluation Committee shall be responsible for evaluating the needs for HIV prevention in Oklahoma and for tracking current and future trends of HIV infection in Oklahoma, and is responsible for the evaluation of care-funded services as to cost effectiveness and efficacy of meeting client needs, and completes assessment and evaluation section (s) of the OHHPC Comprehensive HIV Prevention Plan. This committee works with such information as Part B client utilization, financial and statistical data, as well as health department funded HIV prevention services utilization. Evaluation staff of the HIV/STD Service will assist this committee.
	6. Prevention and Care Committee. The Prevention and Care Committee shall be responsible for assisting in planning and reviewing Ryan White funded services and assisting OSDH with the development of the Ryan White Strategic Plan and Statewide Coordinated Statement of Need, as well as for the prioritization of HIV prevention target populations and a set of prevention activities and interventions for each target population. The Prevention and Care Committee’s planning process considers many different perspectives, including consumer needs across diverse populations, expenditures and service data of Part B programs, and other resources and barriers. The Prevention and Care Committee also completes a portion of the OHHPC Comprehensive HIV Prevention plan pertaining to HIV prevention and treatment services, such as priority populations, suggested interventions, accessing care, and available services.
	7. Hepatitis Committee. The Hepatitis Committee shall be responsible for assisting OSDH with the development of the Viral Hepatitis Plan as well as for the prioritization of viral hepatitis prevention target populations and a set of prevention activities and interventions for each target population. The Hepatitis Committee’s planning process considers many different perspectives, including consumer needs across diverse populations, expenditures and service data of viral hepatitis programs, and other resources and barriers.
4. **Committee Chairs.** Each committee shall elect a committee chair during the first committee meeting of the term. The committee chair is responsible for calling committee meetings. Each committee chair will provide a brief report to the OHHPC on his/her committee’s activities since the last meeting. The OHHPC Co-Chairs shall approve the election of each committee chair.
5. **Ad Hoc (or Special) Committees.** Ad hoc committees are formed for a specific purpose and exist only until the task is completed. They automatically dissolve when their project is complete and/or their final report is made to the OHHPC.
6. **Guest Membership on Committees.** Guests and community members are encouraged to fully participate in committee discussions and projects. However, only official OHHPC voting members may vote in committee meetings.
7. **Rules and Voting.** All committee business shall follow the general rules of order described in this Manual. Likewise, any business requiring a vote shall follow the voting protocol outlined in this Manual. Committees may not adopt any rule or guideline that contradicts what is enumerated in this Manual unless explicit authorization is given by the Executive Committee or OHHPC Co-Chairs.
8. **Travel for Committee Business.** Requests for reimbursement of travel or other expenses related to conducting committee business require the committee member to submit OSF Form 19 (*see* Appendix G) along with a copy of the minutes from committee meeting or a report describing committee activity signed by the committee chair the to the OSDH Co-Chair. All other rules of travel contained in this Manual also apply.
9. **Resignation from Committees.** Members who desire to resign from a committee shall address and submit their resignation to the OHHPC Co-Chairs for consideration and approval.
10. **Committee Reports.** Standing Committees should report at every OHHPC meeting even if there is “no report; the committee did not meet this period.” Ad hoc committees should report at the OHHPC meeting following their appointment, unless otherwise instructed.

**ARTICLE IV**

**CONDUCT, CONFIDENTIALITY, RULES OF ORDER**

1. **Member Conduct.** All individuals, be they members or guests, present for an OHHPC function shall behave in a manner of fairness and cooperation so that the democratic process is ensured and that the OHHPC maintains forward progress toward its goals. There are three basic principles of interaction upon which all the ground rules are based: business is taken up one item at a time, participants promote courtesy, justice, impartiality, and equality, and the majority prevails while protecting the rights of the individual, the minority, and absent members.
2. **Confidentiality.** Confidentiality with regard to the personal information of all individuals is of the utmost concern to the OHHPC. All members and guests shall sign a Confidentiality Statement (*see* Appendix D) at their first meeting which will remain valid and on file for a period of two (2) years or until the next election term begins.

	1. Confidentiality of Serostatus. The HIV status of all individuals (guest or member) at an OHHPC meeting is strictly guarded. Anyone who divulges his or her HIV status at a meeting has the right to expect that information will not be carried from the meeting.
	2. Breach of Confidentiality. Breaches of confidentiality are grounds for removal from membership of the OHHPC. Breaches shall be reported to the Co-Chairs by way of submitting a Grievance Form.
3. **Rules of Order.** Rules of order enable members to take care of business in an efficient manner and to maintain order while business is being conducted. The advantage of all participants understanding rules of order is that meetings run more smoothly, are more productive, and the rights of all members to have an impact on the decisions of the group are assured.
	1. Addressing the Group. One person shall speak at a time. When more than one person wants to speak to a topic, each person raises their hand and waits for recognition from the Co-Chairs before speaking. If anyone notices someone requesting the floor that is not recognized by the Co-Chairs they should bring it to the Co-Chairs’ attention.
	2. Opportunity to Speak. Give each speaker the opportunity to complete his or her thoughts without being interrupted.
	3. Repetition. Avoid repeating a point already made by someone else.
	4. Disagreements. It is certainly permissible to disagree, but do so with respect. Separate the disagreement from the person with whom you disagree.
	5. Topic At-Hand. Limit comments the topic or motion under discussion.
	6. Time Limits. The time limits of the agenda will be observed, within reason. If discussion beyond the limits of the agenda is desired, a 2/3 majority vote to extend debate will permit further discussion. If setting aside the agenda would compromise crucial OHHPC business (e.g. decision on prioritization), completion of the crucial business will take priority.
	7. Votes by Ballot. Members shall have the right to call for a vote by ballot to protect their privacy, if desired.
	8. Business Considered. Any OHHPC voting member has the right to bring business before the OHHPC. Issues brought to the OHHPC should be relevant to the mission of the group. Notification of the chair or secretary well in advance of a meeting will allow items to be included in the agenda. If an item is not on the agenda it is possible to bring it before the OHHPC at the same meeting only if time permits.
4. **Motions.** Many items of OHHPC business do not require a formal motion or vote. Examples of such issues include informational items, committee reports that don’t require a decision to be made, brainstorming sessions for the purpose of generating possible solutions to a problem, or a program presented by a guest speaker.

On the other hand, whenever a decision is to be made, it is brought before the OHHPC in the form of a motion, which is then discussed and voted on. Any member of the OHHPC has the right to bring a motion before the OHHPC. In addition, on occasion a committee will bring a motion before the OHHPC, usually at the end of its report.

When a member brings a motion, it is seconded (to ensure that more than one person is interested in discussing the issue) and then discussed and voted on. When a committee brings a motion, a second is not required because it is understood that a majority of the committee members wanted the issue discussed.

The following is a list of types of motions that can be brought before the OHHPC for consideration:

1. Main motion. The item of business to be discussed.
2. Amend. Used to change the wording of a motion. Usually changes the meaning of the motion, but must be related to the motion.
3. Postpone Indefinitely. Kills the main motion for the remainder of the meeting. (The main motion can be brought again at a future meeting.)
4. Refer to a committee. Allows for a committee to investigate the issue further and report back at a later time.
5. Limit debate. To limit the time for discussion or the number of times any one person can speak to the issue.
6. Extend the limits of debate. To allow further discussion when the time allotted for the issue on the agenda has expired.
7. Close debate. Stops discussion and requires an immediate vote.
8. Lay on the table. Also called “table the motion”. Temporarily sets aside the discussion to take up something of immediate urgency. The intent is not to kill a motion (for that, postpone indefinitely is used). If adopted, someone must remember to make a motion to take from the table after the urgent issue is dispensed with.
9. Raise a question of privilege. Allows a member to make a request regarding the rights of the group. Usually used to request to go into “executive session” (ask guests to leave).
10. Recess. To allow for a short break.
11. Adjourn. To end the meeting.
12. Point of order. To correct a breach in the rules.
13. Appeal from the decision of the chair. To disagree with a “ruling” from the chair (for example, that comment is “out of order” or that time has expired for discussion, or a ruling on a point of order).
14. Withdraw a motion. Must be made by the person who originally made the motion: When adopted, it is as if the motion never existed (it is not entered in the minutes).
15. Parliamentary inquiry. Brings up a question about the rules. Sometimes a genuine question, sometimes used as a polite way of pointing out a mistake. This motion only solicits the opinion of the chair, whereas a point of order requires a ruling by the chair (which can be appealed).
16. Object to consideration of a question. Prevents the main motion from being considered. The objection must be made before any discussion has begun on the motion. This makes it different from “postpone indefinitely” which kills a motion after discussion has begun. Once discussion has begun, “object to consideration” is out of order.
17. Division (of the assembly) – requires a recount of a vote by a different method when someone thinks the vote was too close to call.
18. Suspend the rules . Sets aside the rules temporarily. Allows the rules to be changed (or ignored) for the specific issue under consideration. Very useful when strict parliamentary procedure either gets in the way of efficiency or makes the process unfair.
19. Reconsider. Allows a motion that was already voted on to be brought back up at the same meeting. Can only be brought by a member who previously voted on the prevailing side. Any motion can be brought back up at a separate meeting as a “new” motion by any member.
20. Rescind. To amend something previously adopted or reverses or change a decision made at a previous time (same meeting or previous meeting). This motion typically requires previous notice (announced at one meeting and discussed and voted at the next meeting).
21. Discharge a committee. To take an issue that was previously referred to a committee out of the hands of the committee before their report is given so that the group can again discuss it (this doesn’t disband the committee). This is a useful way of preventing something from dying in committee (if the committee) just doesn’t ever act on the issue.
22. **Voting.** OHHPC motions are open for discussion and debate prior to being decided, enacted, or implemented. One or both of the OHHPC Co-Chairs announce and tally votes. Votes are cast by OHHPC voting members, typically by the voice or by “show of hands.” OHHPC action, i.e. voting, can only occur when a quorum is present. A quorum is defined as the presence of a majority of the OHHPC voting members.

	1. Majority Vote. Any legitimate motion requires for its adoption a majority vote; that is, more than half the votes cast, ignoring blanks and abstentions, at a legal meeting where a quorum is present, except where OHHPC policy requires a larger vote, which are included below.
	2. General Consent or Unanimous Vote*.* The procedure of debate and voting is designed to protect the interests of the minority. In situations when there is evidently no minority or opposition to a motion, the formality of voting can be avoided by one of the OHHPC Co-Chairs asking if there is any objection to the proposed action, and if there is none, announcing the result. This is considered to be unanimous, or silent, consent.
	3. Two-Thirds Vote*.* Some situations and motions require a two-thirds vote. A two-thirds vote means two-thirds of the votes cast, ignoring blanks and abstentions, where a quorum is present. This is different from two-thirds of the members present or two-thirds of the members. A two-thirds vote is required in any situation in which the rights of a member or members may be limited or taken away, including:
* Limiting or ending discussion.
* Suspending the rules.
* Amending or rescinding any OHHPC policy.
* Amending or rescinding a previous decision.
* Removing an officer from his/her position.
* Removing a member from membership.

Absentee Voting. In accordance with the policy contained in this Manual and agreed to by all members, OHHPC members are expected to attend all formal and announced OHHPC meetings. Should a member be unable to be present for a vote, the vote can commence in their absence, provided a quorum is present. To protect the rights of all members, the following issues will be presented at one meeting but not voted on until the following meeting:

* Removing an officer from his/her position.
* Removing a member from their position on an OHHPC committee.
* Removing a member from membership to the OHHPC general body.
1. **Changes to Policy.** When addendums or amendments of these Policies and Procedures of the OHHPC arise, the following protocol shall be followed:

	1. Formal Proposal. A formal proposal may be introduced to the Policy Committee by a Policy Committee member, an OHHPC voting member, an Executive Committee member, another OHHPC committee, or an assembly of voting OHHPC members and non-voting guests. The proposal must include, but is not limited to, the following:
* Date of the Proposal
* Author(s) names and signatures
* Description of the addendum or amendment proposed
* Justification for the proposal
	1. Submission. The proposal may be hand-written or typed, and shall be submitted to a member or members of the Policy Committee.
	2. Review by Committee. The Policy Committee will review the proposal and take a vote to ensure that the proposal is valid and proper; such that, no proposal to policy or procedure change will be redundant or unreasonable.
	3. Presentation & Review by OHHPC. The Policy Committee will assign a member to prepare the proposal into a document to be presented at the following OHHPC meeting for review and to be voted upon. The proposal will be introduced by the policy committee according to the meeting agenda, and the author(s) will speak on behalf of the proposal. The OHHPC voting members will then vote upon the bill, following proper voting procedure.
	4. Debate. Should a proposal come to debate, addendums or deletions may be made to the proposal before final voting occurs.
	5. Acceptance. Should a proposal be ratified and accepted by the OHHPC, the addendum or amendment is immediately effective, unless otherwise state in the proposal, and added to this OHHPC Policy & Procedures Manual.
	6. Failure.Should a proposal fail to be ratified and accepted, the author(s) may make changes to the proposal and resubmit it to the Policy Committee; otherwise, the proposal is considered dead.
1. **Public Comment.** Input from the public is essential to the work of the OHHPC. Public comments should be brief and informative. Guests shall adhere to the same conduct expectations and guidelines as members.

	1. Priority and Order. OHHPC members requesting the floor will be recognized for comment before guests. The Co-Chairs reserve the right to rule “out of order” discussion with non-members that involves extensive reiteration of previously conducted business.
	2. New Business. Only a member can bring business before the OHHPC that requires action (such as OHHPC discussion of an issue or fact-finding and reporting on an issue). If a member wishes to respond to public comments they may do so, but are not required to do so. If a member wants the OHHPC to act based on public comments (respond to, investigate, or report on an issue) that should be brought up during the regular business of a meeting.
	3. Formal Presentations to the OHHPC. Guests who wish to make an informative presentation of more than a couple of minutes can ask to be placed on the agenda as a guest speaker with previous notice.
	4. Public Grievances. Public complaints about the OHHPC should be forwarded to the chair in accordance with the OHHPC grievance procedure. Public complaints about CARE-act or funded HIV Prevention agencies should first be addressed via the agency’s grievance procedure.
2. **Social Media.** The prevalence of Social Media has blurred the lines between public and private, personal and professional. By identifying yourself as having an affiliation with OHHPC, members create perceptions about OHHPC and the respective member’s expertise. All who participate in social media on behalf of OHHPC, or whose participation in a social media activity might reasonably be interpreted as representing or reflecting upon OHHPC, to understand and follow these policies.
	1. Personally responsible for content – Members are personally responsible for the content they publish online. While, in general, what a member does outside of work is his or her affair, activities in or outside of work that affect the performance or interests of OHHPC, OSDH, or other associated organizations do fall within the focus of this policy. Do not post anything that could compromise your professional image, along with your colleagues or OHHPC.
	2. Proprietary or confidential information – If an individual publishes content related to work or subjects associated with the Organization online, the individual needs to ensure that the content is not proprietary or confidential to the Organization. Members should ask permission to publish or report on conversations that are meant to be private or internal to the Organization.
	3. Participant – Although not as an official representative of the Organization, participation in blogs, discussion forums, etc. is encouraged. Members should bring value when commenting, provided they stick to their respective area(s) of expertise and provide unique, individual perspectives.
	4. Social networks and company affiliation – Members should always be aware of their association with OHHPC while online. If a member identifies themselves as an OHHPC member, they should ensure their profile and related content is consistent with how they wish to present themselves with colleagues and members. Members should be mindful of the forum/venue in which they are participating in as well, ensuring it is consistent with the values and business conduct guidelines of the OHHPC.
	5. Use a disclaimer – When publishing to Facebook, Twitter, a blog, or some other form of social media, members should make it clear that their statements reflect their personal views and opinions and not necessarily the views and opinions of OHHPC. For example, members could include the following standard disclaimer: "The postings on this site are my own and don't necessarily represent the positions, strategies or opinions of the Oklahoma HIV and Hepatitis Planning Council.”
	6. References to members – Members should not cite or reference other members without their approval. Members should link back to the original source, when possible, if a reference is necessary.
	7. Inaccurate information – If a member sees misrepresentations made about OHHPC online, they should contact the OSDH Co-Chair. The Co-Chair will work with OHHPC and OSDH leadership to get inaccurate content about the Organization corrected.
	8. Copyright – Members should accurately attribute material that is not their own. Respect copyright, fair use and financial disclosure laws.
	9. Acceptable conduct – Members should respect the audience. Members should not engage in any conduct that would not be acceptable in an OHHPC meeting or a professional workplace. Members should also show proper consideration for others' privacy and for topics that may be considered sensitive, such as politics and religion. Consider the audience. It can include current or potential members, and current/past/future staff. Use privacy settings to restrict personal information on otherwise public sites.
	10. Professional commitments – Members should ensure that their online activities do not interfere with their job, position on the OHHPC, or commitments to other members.
	11. Violation of this policy - Violation of this policy and any related procedures may result in disciplinary action, up to and including removal from membership, as defined in this manual.

**ARTICLE V**

**GRIEVANCES**

1. **Definition.** A grievance is a formal or informal expression of dissatisfaction regarding some aspect of implementation of HIV Prevention Cooperative Agreements, the Ryan White CARE Act, activities of a Part B grantee, or activities the OHHPC itself that is brought to the attention of the OHHPC leadership, a Part B grantee, or both. The procedure of filing a grievance is designed to be a fair and systematic process that enables individuals or agencies to express dissatisfaction to a responsible and responsive group within the grantee organization or the OHHPC, and to obtain fair and impartial assessment of the dissatisfaction and a decision regarding its resolution.
2. **Types of Grievances.** Grievance complaints fall into four (4) categories:
* Complaints about access to or quality of services.
* Complaints about OHHPC processes or decisions.
* Complaints about an OHHPC member’s conduct.
* Appeals regarding OSDH HIV/STD Service funding decisions.

1. **Matters Which Should Be Grieved to the OHHPC.** The OHHPC will hear only grievances concerning OHHPC-related processes or funding recommendations made to the Oklahoma State Department of Health by the OHHPC.
2. **Matters Which Should Be Grieved to OSDH.** Consumer/client complaints concerning access to services or quality of services regarding a community-based organization that receives Part B or HIV Prevention funding should be addressed to the grantee. Prior to filing a grievance with the grantee, the client/consumer should pursue the funded organization's grievance policy and procedures.
3. **Matters Which Should be Grieved to the Oklahoma Department of Central Services (ODCS).** Agency appeals concerning funding decisions should be made to the Oklahoma Department of Central Services.
4. **Filing**. Filing of all grievances shall occur by the grievant completing the OHHPC Grievance Form (*see* Appendix F) and submitting it to the OHHPC Co-Chairs. Upon receipt of the written complaint, the co-chairs of the executive committee will contact the grievant within five (5) business days and request a full explanation of the problem.
5. **Resolution by Co-Chairs**. Issues which the Co-Chairs are able to mediate and resolve the complaint within ten (10) business days, such action shall be noted in writing and the case will be closed.
6. **Resolution by Executive Committee**. Issues which the Co-Chairs are unable mediate and resolve the within ten (10) business days shall be brought before a meeting of the Executive Committee. This meeting shall occur within ten (10) business days of the date of receipt of the grievance. If the Executive Committee is able to mediate and resolve the grievance, such action shall be noted in writing and the case will be closed.
7. **Resolution by Third Party**. Issues which neither the Co-Chairs nor the Executive Committee are able to resolve within ten (10) business days shall be submitted, in writing, to a third party by the OHHPC Co-Chairs. Decisions by third party mediators will be considered binding. Such actions shall be noted in writing and the case will be closed.

**ARTICLE VI**

**TRAVEL**

1. **Reimbursement and Approval**. OHHPC members are reimbursed for all legitimate travel expenses incurred while engaged in the transaction of official OHHPC business. All travel reimbursement requests must be approved by OSDH HIV/STD Service Director.
2. **Qualified Expenses and Recipients**. Officials, employees, and qualified non-employees of the state, traveling on authorized state business, may be reimbursed for expenses incurred in such travel in accordance with the provisions of Sections 500.2-500.20 of Part 74 of Oklahoma Statutes. Persons who are qualified non-employees must also abide by the same laws and policies as OSDH employees. OHHPC members are considered qualified non-employees.

OHHPC members authorized to travel are responsible for planning in such a way that expenses for transportation and subsistence are kept to a minimum. Excess costs, circuitous routes, luxury accommodations and services unnecessary or unjustified in the performance of official business are not acceptable and should be avoided. OHHPC members are responsible for making maximum use of all travel time. This means that travel is planned and work is organized in a manner that produces the greatest possible benefit to the State for the travel time involved.

1. **Submission Deadline**. Travel vouchers must be filed within 60 days from the end of the month in which travel occurred. Travel vouchers not filed within this period will not be paid.
2. **Payment**. Per Section 840.14 of Part 74 of the Oklahoma Statutes, members shall allow at least forty-five (45) days for reimbursement from OSDH for a correct travel voucher.
3. **Documentation**. Travelers shall be reimbursed for their actual and necessary expenses. Receipts are required for lodging or registration expenses, regardless of the amount, as well as for each miscellaneous expense of $25.00 or more. Examples of miscellaneous expenses are: parking and toll fees, and registration fees.

	1. Assistance with Documentation. The OSDH secretary assigned to the OHHPC will assist members in the preparation and submission of all travel reimbursements. For regular OHHPC meetings, the OSDH secretary assigned to the group will prepare an OSF Form 19 and have the member eligible for reimbursement sign the voucher. The secretary will mail reimbursements to members upon receipt. It is the responsibility of OHHPC members to keep their mailing address up to date with the OSDH-assigned secretary. It is the responsibility of the OHHPC member to provide any receipts or required paperwork.

It is the responsibility of the OHHPC member to assure travel documents are processed by the OHHPC secretary.

APPENDIX

A

**MEMBERSHIP LETTER OF COMMITTMENT**

I, \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, do hereby pledge my commitment to follow the rules and

 (PRINT NAME)

responsibilities of membership to the Oklahoma HIV and Hepatitis Planning Council (OHHPC), which are as follows:

* Prepare for and attend all OHHPC meetings and committee meetings.
* Participate as an active member on at least one committee.
* Participate in all OHHPC discussions.
* Participate in activities related to the evaluation and planning processes.
* Participate in skill-building and technical assistance opportunities.
* Promote the mission of the OHHPC and the process by which it operates.
* Work to accomplish and support parity, inclusion, and representation within the OHHPC.
* Accept, endorse, and commit to the OHHPC Policies and Procedures Manual as adopted by the OHHPC.
* Serve as a liaison to disseminate information about OHHPC activities to interested parties.
* Recruit advisors, stakeholders, and members of the public to participate on committees or in the planning process.
* Undertake special tasks as requested by the OHHPC and/or the OHHPC Co-Chairs.
* Commit adequate personal and/or professional time to fulfill the above.

By signing below, I am indicating that I understand the requirement of OHHPC membership and pledge my commitment to be an active member of the Oklahoma HIV and Hepatitis Planning Council.

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ \_\_\_\_\_\_\_\_\_\_\_\_\_\_

Signature Date

APPENDIX

B

**CONFLICT OF INTEREST AND DISCLOSURE STATEMENT**

**PURPOSE**

The Oklahoma HIV and Hepatitis Planning Council (OHHPC) has members who are professionally or personally affiliated with organizations that have received, or may request to receive, funding for HIV/AIDS prevention, treatment, and care activities. Because of the potential for Conflict of Interest, the OHHPC has adopted this Conflict of Interest and Disclosure Statement. All OHHPC members must complete and sign this form by their first OHHPC meeting prior to participating in any OHHPC vote and a copy of this disclosure statement will be filed with OHHPC secretary and/or support staff.

The purpose of this form is to give members an opportunity to disclose any individual or organizational conflicts of interest, or potential for conflicts of interest that exist. The member is not required to explain the reason for the conflict, however it is helpful. **A disclosure does not automatically result in the member being removed from the OHHPC.** Please read the descriptions below and mark the appropriate boxes that pertain to you and your organization.

**CONFLICTS OF INTEREST**

A conflict of interest occurs when someone in a position of trust has competing professional and personal interests and these competing interests make it difficult to fulfill their professional duties impartially. A conflict of interest exists even if no unethical or improper act results from it.

Conflicts of interest may be ***actual*** or ***perceived***. An actual conflict of interest occurs when a decision or action would be compromised without taking immediate appropriate action to eliminate the conflict. A perceived conflict of interest is any situation in which a reasonable person would conclude that conflicting duties or loyalties exists.

In most instances, the term “conflict of interest” does not refer to persons living with HIV/AIDS (PLWHA) whose sole relationship to a Part B-funded provider is as a consumer who receives services. However, an action by a member who is also a consumer which attempts to influence the process for their own personal gain may be construed as a conflict of interest; that is, a conflict of interest would be construed if the PLWHA participated in the OHHPC decision-making process with a personal agenda or were manipulated by a particular service provider to advocate for that provider’s end.

**INDIVIDUAL CONFLICTS OF INTEREST**

An individual conflict of interest occurs when any of the following conditions is present:

* A member has a financial interest, or appears to have a financial interest, in the outcome of an OHHPC decision.
* A member has an affiliation or other conflict of loyalties that may lead to, or suggest influence over, the outcome of an OHHPC decision.
* A member’s family member or partner meets the criteria of either (a) or (b), above.

Instances in which the member worked in a volunteer capacity for the OHHPC or a Part B-funded agency or organization should be evaluated on a case by case basis. Volunteer status has the potential to, but does not necessarily create a conflict of interest, depending on the nature of the relationship between the two parties.

**ORGANIZATIONAL CONFLICTS OF INTEREST**

An organizational conflict of interest occurs when: a member is unable or potentially unable to render impartial assistance or advice to the State due to competing duties or loyalties; a member’s objectivity in carrying out the grant is or might be otherwise impaired due to competing duties or loyalties; or a member has an unfair competitive advantage through being furnished unauthorized information that is not available to all other agencies and organizations. Each member of the OHHPC is obligated to inform the OHHPC and its members of any position in which they and/or their family members and/or partners serve or have served in the past 12 months. Positions included are staff, consultant, officer, board member, advisor, volunteer, business investor, or any other position with an organization that received, may seek, and/or are eligible for HIV-related funding within the scope of OHHPC influence.

**GUIDELINES**

The following guidelines are intended to help OHHPC members avoid Conflicts of Interest. These rules apply to all OHHPC members.

* No OHHPC member shall use his or her relationship with the OHHPC for personal or private gain.
* Whenever any matter arises in which an OHHPC member either has a Conflict of Interest or has any questions about the existence of a Conflict, he or she shall make full disclosure of such Conflict or possible Conflict before the matter in question is discussed.
* Persons who have Conflicts of Interest as defined herein may participate in the discussion of the matter in question, but shall not vote on the matter.

**FULL DISCLOSURE**

All applicants must provide a list of all entities with which it has relationships that creates, or appears to create, a conflict of interest with the work of the OHHPC and the recommendations it provides to Oklahoma State Department of Health. Members shall disclose any and all activities and interests that may cause bias for or against a particular action or policy being considered by the OHHPC.

I certify that I have read and understand the descriptions of individual and organizational conflicts of interest above and *(check one of the following two boxes)*:

Based on the criteria and description above, I do not have any conflicts of interest.

Based on the criteria and description above, I have an actual or potential conflict of interest, or the appearance of a conflict of interest, which I am listing immediately below (attached additional page if needed):

 Organization:\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

 Title/Role in Organization:\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

 Date(s) of Affliation: \_\_\_\_\_\_\_\_\_\_\_\_\_\_ to \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

**CERTIFICATION**

The member warrants that, to the best of his or her knowledge and belief, and except as otherwise disclosed, there are no relevant facts or circumstances which could give rise to individual or organizational conflicts of interest. The member agrees that if at any time during their membership a conflict of interest is discovered, and immediate and full disclosure in writing shall be made to the OHHPC which shall include a description of the action which the member has taken or proposes to take to avoid or mitigate such conflicts. If a conflict of interest is determined to exist, the OHHPC Executive Committee will conduct an investigation and may, at its discretion and with a 2/3 majority vote of the OHHPC, remove the member from the OHHPC. In the event the member was aware of an organizational conflict of interest prior to membership and did not disclose the conflict to the Co-Chairs during application, the OHHPC may remove the member for default.

**Member Name (please print): \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

**Member Signature:** \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ **Date**: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

APPENDIX

C

**CONFIDENTIALITY AGREEMENT**

I understand that in the course of my duties as a member of the Oklahoma HIV and Hepatitis Planning Council (OHHPC), I may learn information which identifies an individual as positive for HIV or AIDS. I understand that such information must be treated as complete confidential.

I will not reveal to any person, except those authorized by the OHHPC, any information of any kind that may identify a person infected with HIV or who otherwise becomes known to me.

I understand that access to confidential information is based on my need to know. I agree to avoid gaining access to any information, incidental to my designated responsibilities, and will treat any such knowledge with the same levels of confidentiality as any other confidential information.

I understand that I may encounter persons identified through my responsibilities to the OHHPC in settings other than in its body. In such case, I will not acknowledge any acquaintance through my duties with the OHHPC. This does not apply to people who are incidentally known to me.

I understand and agree that my promise of confidentiality is not limited by time. I will maintain confidentiality regardless of my affiliation with OHHPC.

I understand that any violation of confidentiality will result in my immediate dismissal as a member of the OHHPC. I further understand that negligently, knowingly, or intentionally disclosing or failing to protect this information classified as confidential pursuant to Oklahoma Statute Title 63 O.S. Section 1-502.2 shall make me civilly liable to the person who is the subject of the disclosure for court costs, attorney fees, exemplary damages, and all other damages. In the event such a situation would occur, I agree to assume all responsibility and will not hold the OHHPC liable for my actions.

Signature: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Date: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Witness: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Date: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

APPENDIX

D

**OKLAHOMA HIV AND HEPATITIS PLANNING COUNCIL**

**GRIEVANCE FORM**

**Please complete provide all information requested.**

(Please Print Legibly)

|  |
| --- |
| Name of Person Filing Grievance: |
| Agency Affiliation (if applicable): |
| Mailing Address: |
| Daytime Phone: | Alternative Phone: |
| Pleas state the issue, recommendation, or decision of the OHHPC which you are grieving and thoroughly explain how you or your agency are directly affected. Any supporting documents or materials related to this grievance must be attached to this form. |
| Please state the specific remedy or solution you or your agency is seeking. |
| Signature: | Date: |

**Submit this form to:**

Oklahoma State Department of Health, HIV/STD Service

*Attention: Executive Committee, Oklahoma HIV and Hepatitis Planning Council (OHHPC)* 1000 NE 10th Street (Mail Drop 0308)

 Oklahoma City, OK 73117-1299