Responsibilities of the Chief Elected Official (CEO)
in Planning Council Operations
Excerpts from the *Ryan White HIV/AIDS Program (RWHAP) Part A Manual, pp 80-89 and 104*

Responsibilities of the CEO: Planning

The CEO must establish a planning council and, once the planning council is established, appoint members through the planning council's nominations process. For the TGAs funded after 2006, the CEO has the option of establishing a planning council or a process for securing community input. Planning council membership must meet legislative requirements for representation and be selected through an open nominations process that has been approved by HRSA. Members must be trained to enable them to fulfill their responsibilities, in accordance with guidance from HAB/Division of Metropolitan HIV/AIDS Programs. CEOs must enable planning councils to carry out their legislatively mandated responsibilities:

- Conduct an assessment of local community needs.
- Develop a comprehensive service plan, compatible with existing State and local plans.
- Allocate funds according to service priorities set by the planning council.
- Participate along with other Ryan White partners in the development a Statewide Coordinated Statement of Need (SCSN) to enhance coordination among Ryan White. HIV/AIDS Program programs in addressing key HIV/AIDS care issues.
- Coordinate with Federal, State, and locally funded grantees providing HIV-related services.
- Assess the efficient administration of funds.

CEOs must assure that the designated planning body undertakes planning for the use of Ryan White funds. CEOs appoint planning council members who conduct needs assessments, set service priorities for the allocation of funds, and develop a comprehensive plan to guide them in managing the HIV service delivery system. The grantee contracts for services based on the planning council's allocation of funds to their established priorities.
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Planning Council Operations

CEOs must assure that planning councils have in place a variety of policies and procedures, including the following:

- Nominations for members based on an open process, with criteria clearly stated and publicized, including a conflict of interest standard.
- Training for planning council members so they are able to fully participate (Grantee applications need to include plans for training new members, including training timelines, goals, and budgets. The CEO and planning council chairs will need to submit signed assurances, along with the funding application, that such training will take place.
- Leadership procedures ensuring that the planning council is not chaired solely by an employee of the grantee.
- Planning council meetings that are open to the public and minutes that are publicly available and that protect the medical privacy of individuals.
- Bylaws that establish how the planning council will conduct business.

Grievance procedures with respect to funding, including procedures for submitting grievances that cannot be resolved informally or by mediation to binding arbitration." [p 81]

Separation of Planning Council and Recipient

While the CEO may designate a specific department within local government to administer the [RWHAP Part A] program, it is not appropriate for the recipient to perform duties related to the planning council's legislative responsibilities. A separation of grantee and planning council roles is necessary to avoid conflicts of interest. This is why the legislation prohibits the planning council from being "chaired solely by an employee of the grantee." The two entities must work closely together, however. [p 104]

Mutual Expectations of the Planning Council and CEO

CEO Expectations of the Planning Council	Planning Council Expectations of the CEO
Membership	
▪ An open nominations process for planning council membership. ▪ Membership that reflects the demographics of the local epidemic and includes representation from required categories.	▪ Timely appointment of planning council members from among nominees selected through the open nominations process. ▪ Not naming political appointees to the planning council. ▪ Not appointing a CEO employee as sole chair. However, an employee of the grantee may serve as co-chair, if bylaws permit.
Planning Body Operations	
▪ Bylaws or other procedures that govern member attendance. ▪ Timely communication concerning members who are not participating, prior to taking action to remove them.	▪ Support of planning council bylaws or other procedures that govern member attendance.
▪ Adoption and implementation of grievance procedures.	▪ Support of the grievance process and its results.
▪ Adoption and consistent implementation of conflict of interest policies, with binding arbitration as the final step in the grievance process.	▪ Support for conflict of interest policies and their consistent implementation.
▪ Regular communication regarding both successes and problems related to implementation of the planning council's assigned responsibilities.	▪ Regular communication about perceived successes and problems related to the implementation of the planning council's assigned responsibilities (including public and agency concerns).
▪ Intervention, as needed, to resolve problems with funds disbursal.	▪ Support of the evaluation of the EMA/TGA's administrative mechanism to ensure that funds are allocated in a timely manner, providers are reimbursed efficiently, and contracts are monitored properly.

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