

STATE OF COLORADO

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Executive Director and Chief Medical Officer

Dedicated to protecting and improving the health and environment of the people of Colorado

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Colorado Department
of Public Health
and Environment

May 16, 2014

Dianne E. Ray, CPA
State Auditor
Colorado Office of the State Auditor
1525 Sherman St., 7th Floor
Denver, CO 80203

Dear Ms. Ray:

In response to your request, we have prepared an updated status report regarding the implementation of audit recommendations contained in the Colorado HIV and AIDS Prevention Grant Program performance audit. The attached report provides a brief explanation of the actions taken by the Department of Public Health and Environment to implement each recommendation.

If you have any questions, please do not hesitate to contact me at 303-692-2012 or by email at Larry.Wolk@state.co.us.

Sincerely,



Larry Wolk, MD, MSPH
Executive Director and Chief Medical Officer

AUDIT RECOMMENDATION STATUS REPORT

AUDIT NAME: Colorado HIV and AIDS Prevention Grant Program

AUDIT NUMBER: Performance Audit #2201

DEPARTMENT/AGENCY/ENTITY: Colorado Department of Public Health and Environment

DATE: July 2013

SUMMARY INFORMATION

Please complete the table below with summary information for all audit recommendations. **For multi-part recommendations, list each part of the recommendation SEPARATELY.** (For example, if Recommendation 1 has three parts, list each part separately in the table.)

Recommendation Number <i>(e.g., 1a, 1b, 2, etc.)</i>	Agency's Response <i>(i.e., agree, partially agree, disagree)</i>	Original Implementation Date <i>(as listed in the audit report)</i>	Implementation Status <i>(Implemented, Implemented and Ongoing, Partially Implemented, Not Implemented, or No Longer Applicable)</i> <small>Please refer to the attached sheet for definitions of each implementation status option.</small>	Revised Implementation Date <i>(Complete only if agency is revising the original implementation date.)</i>
1a	Agree	December 2013	Implemented and Ongoing	
1b	Agree	January 2014	Implemented and Ongoing	December 2013
1c	Agree	October 2013	Implemented and Ongoing	
1d	Agree	October 2013	Implemented and Ongoing	December 2013
2a	Agree	December 2013	Implemented and Ongoing	
2b	Agree	December 2013	Implemented	
2c	Agree	December 2013	Implemented and Ongoing	
2d	Agree	December 2013	Implemented and Ongoing	
3a	Agree	August 2013	Implemented	
3b	Agree	November 2013	Implemented	June 2014
3c	Agree	November 2013	Implemented	December 2013
4a	Agree	October 2013	Implemented	March 2014

Recommendation Number <i>(e.g., 1a, 1b, 2, etc.)</i>	Agency's Response <i>(i.e., agree, partially agree, disagree)</i>	Original Implementation Date <i>(as listed in the audit report)</i>	Implementation Status <i>(Implemented, Implemented and Ongoing, Partially Implemented, Not Implemented, or No Longer Applicable)</i> Please refer to the attached sheet for definitions of each implementation status option.	Revised Implementation Date <i>(Complete only if agency is revising the original implementation date.)</i>
4b	Agree	November 2013	Implemented	January 2014
4c	Agree	December 2013	Implemented	October 2013
4d	Agree	December 2013	Partially Implemented	July 2014
5a	Agree	September 2013	Implemented	October 2013
5b	Agree	September 2013	Implemented	October 2013
5c	Agree	September 2013	Implemented	
5d	Agree	September 2013	Partially Implemented	October 2014
6a	Agree	November 2013	Implemented	February 2014
6b	Agree	November 2013	Partially Implemented	October 2014
6c	Agree	November 2013	Implemented	
7	Agree	April 2014	Partially Implemented	October 2014

DETAIL OF IMPLEMENTATION STATUS

Recommendation #: 1 a-d

Agency Addressed: Department of Public Health and Environment

Recommendation Text in Audit Report:

The Department of Public Health and Environment (the Department) should work with the HIV and AIDS Prevention Grant Program Advisory Committee to ensure that the State's HIV and AIDS prevention and education needs and other established priorities are being fully addressed by:

- a. Using the formal request for applications (RFA) to solicit applications for grant projects that provide more targeted coverage of rural areas of the state.
- b. Issuing out-of-cycle RFAs in response to emerging needs that cannot be incorporated and prioritized as part of the routine 3-year grant cycle.
- c. Budgeting and setting aside an amount from each year's Program revenue as a reserve for unexpected costs and contingencies, such as emerging needs or lower-than-anticipated funding levels.
- d. Specifying in the RFA the maximum amount of funding that has been allocated and will be made available for new grant awards.

Agency's Response (i.e., Agree, Partially Agree, or Disagree): **Agree**

Agency's Written Response in Audit Report:

- a. The Department will develop an HIV prevention plan for rural counties, addressing the special considerations of rural settings, compatible with the current Colorado STI/HIV Epidemiologic profile. To address the needs in the rural areas, the Department will issue an out-of-cycle RFA to fund evidence-based HIV and AIDS prevention and education programs through a competitive grant process.
- b. The Department will issue out-of-cycle RFAs to fund targeted HIV prevention interventions if emerging needs arise that are not incorporated or prioritized as part of the routine 3-year grant.

- c. The Department will develop a process that establishes a minimum year-end uncommitted cash balance for the HIV and AIDS Prevention Fund as a reserve for unexpected costs and contingencies including emergent needs or funding cuts.
- d. The Department will create a Colorado HIV and AIDS Prevention Grant Program (CHAPP) Grant Planning Operating Procedure that will outline a formula to specify the maximum funding amount to be allocated in new RFAs and grant awards. This maximum funding amount will be included in the RFA announcement.

Current Implementation Status of Recommendation (i.e., Implemented, Implemented and Ongoing, Partially Implemented, Not Implemented, or No Longer Applicable): *a. Implemented and Ongoing December 2013 b. Implemented and Ongoing December 2013 c. Implemented and Ongoing October 2013 d. Implemented and Ongoing December 2014*

Agency's Current Comments on Implementation Status of Recommendation:

a. In December 2013, the department issued a formal request for applications (RFA) to solicit applications for grant projects to provide prevention services to all persons at risk for HIV in rural and urban settings. The Department worked with the CHAPP Advisory Committee to ensure adequate review of applications and to generate funding recommendations to the Board of Health. The RFA elicited 15 successful applications. While some of these serve rural areas, we believe that the pool of applicants was insufficient to fully serve the rural areas of the state. The HIV Prevention Program will reissue the RFA for rural areas for an amount not-to-exceed \$200,000.

The Department expects to re-announce the RFA for rural areas in October 2014 for a 2.5-year funding period beginning January, 2015.

b. The Department set aside 1.4% of the projected CHAPP funds (for year 1 of the 2014-2017 grant cycle) to issue out-of-cycle RFAs in response to emerging needs or unanticipated programmatic developments. The Department anticipates that 1.4% from each year's CHAPP funding allocation will constitute a reasonable reserve to support unforeseen costs as a contingency plan.

c. The Department has set aside 1.4% of CHAPP funding to issue out-of-cycle RFAs in the future should the need arise.

d. The Department specified the maximum funding amount to be allocated in grant awards in the new RFAs. Based on the estimated Tobacco Settlement funds to be allocated in FY 2014 to CHAPP; the Department projected funding for the program contracts,

evaluation, administration and set aside. The CHAPP RFA announcement issued in December 2013 specified the maximum amount of funding allocated for fiscal year 2015 excluding the set aside and the funding for the CHAPP evaluation. The distribution of grant awards was calculated per capita based on the projected number of persons at risk for HIV in all counties in Colorado.

Recommendation #: 2 a-d

Agency Addressed: Department of Public Health and Environment

Original Recommendation in Audit Report:

The Department of Public Health and Environment (the Department) should ensure the timely identification of grantee performance issues by:

- a. Using available data from grantees' monthly progress reports on individual project goals to measure and report on performance on a project-wide basis.
- b. Formally establishing a performance threshold in monitoring policies and procedures and in grant contracts.
- c. Establishing a risk-based monitoring approach that includes conducting a programmatic site visit to all grantees within the first year of the grant.
- d. Utilizing standard review tools, forms, and logs to guide and document routine monitoring activities.

Agency's Response (i.e., agree, partially agree, disagree): **Agree**

Agency's Written Response in Audit Report:

- a. The Department will ensure the timely identification of grantee fiscal and/or performance issues using the newly drafted HIV Prevention Grant Management Manual (the Manual). The Manual will provide the necessary steps for performance evaluation and continuing quality improvement, including: established standards for monitoring activities; the process to establish performance goals; forms, logs, and programmatic data to document grantee activities; a schedule of program monitoring for timely identification of performance issues; and the process for corrective actions.

- b. The Department will formally establish a standard performance threshold in monitoring policies and procedures, documented in the Manual and in grant contracts.
- c. Any first-time grantee will receive a site visit within the first year of the grant. Thereafter, site visits will be conducted using a risk-based schedule.
- d. The Department will develop standardized review tools, forms, and logs to assist in the analysis and documentation of reviews conducted on a routine basis.

Current Implementation Status of Recommendation (i.e., Implemented, Implemented and Ongoing, Partially Implemented, Not Implemented, or No Longer Applicable): *a. Implemented and Ongoing December 2013; b. Implemented December 2013; c. Implemented and Ongoing December 2013; d. Implemented and Ongoing December 2013*

Agency's Comments on Implementation Status of Recommendation:

- a. *The Department is monitoring the timely identification of grantee fiscal and/or performance issues using the HIV Prevention Grant Management Manual (the Manual). The Manual provides the necessary steps for performance evaluation and continuing quality improvement, including: established standards for monitoring activities; the process to establish performance goals; forms, logs, and programmatic data to document grantee activities; a schedule of program monitoring for timely identification of performance issues; and the process for corrective action.*
- b. *The Department has established performance standards threshold in monitoring policies and procedures, documented in the Manual and in grant contracts. Performance goals, objectives and activities are established by contract during contract negotiations between program staff and contractors. The Department has revised the performance expectations to reach 100 percent of set goals identified in signed contracts. Such standards are codified in contract monitoring policy and procedures.*
- c. *Starting July 1, 2014 first-time grantees will receive a site visit within the first year of the grant. Site visits will be conducted according to a risk-based schedule. As established in the HIV Prevention Grant Management Manual, risk has been codified as high, medium and low. Risk assessment criteria include:*
 - *Status of set objectives and activities (e.g. the number of persons to be reached per quarter).*
 - *Quality of services/interventions (e.g. whether interventions are delivered with fidelity).*
 - *Timeliness of reports (e.g. timely data entry into the Evaluation Web System).*
 - *Communication with the Department (e.g. notification of substantial change or event that may affect project execution).*

- *Budget management (e.g. billing is in keeping with budgeted items) and;*
 - *Integrity of fiscal practices (e.g. ensuring absence of overlapping funding across contracts).*
- d. *The Department has developed standardized review tools, forms, and logs to assist in the analysis and documentation of reviews conducted on a routine basis.*

Recommendation #: 3 a-c

Agency Addressed: Department of Public Health and Environment

Original Recommendation in Audit Report:

The Department of Public Health and Environment (the Department) should work with the HIV and AIDS Prevention Grant Program Advisory Committee (the Advisory Committee) to ensure grantee performance by:

- a. Taking corrective action when the results of monitoring activities show substantial underperformance with respect to project goals established in the grant contract. Corrective action should include withholding payment, assigning a “below standard” rating in the State’s Contract Management System, not renewing the grant contract for subsequent years, and/or discontinuing the grant in progress, as appropriate.
- b. Amending Program rules and revising the grant application scoring sheet to include prior grant performance as a factor that must be considered by the Advisory Committee when reviewing grant applications and making funding recommendations.
- c. Establishing a formal process by which the results of the Department’s monitoring activities and assessment of grantee performance will be communicated to the Advisory Committee when reviewing and scoring grant applications. This process should include determining the content and format of the communication.

Agency’s Response (i.e., agree, partially agree, disagree): Agree

Agency’s Written Response in Audit Report:

- a. The Department will take corrective action as outlined in the HIV Prevention Grant Management Manual when the results of monitoring activities show substantial underperformance with respect to project goals established in grantees’ contracts. The

Department's monitoring activities and assessment of the Colorado HIV and AIDS Prevention Grant Program (CHAPP) grantee performance will be reported to the Advisory Committee in advance of scheduled quarterly meetings.

- b. The Department will amend program rules and revise the current grant application scoring sheet to include grantee performance and fiscal risk factors. The revised scoring sheet must be considered by the Advisory Committee when reviewing grant renewal applications and making funding recommendations. The Department will provide pertinent training and guidance to Advisory Committee members.
- c. The Department will establish a formal process by which the results of the Department's monitoring activities and assessment of grantee performance will be communicated to the Advisory Committee when reviewing and scoring grant applications. A staff communication specialist will provide guidance in the process to assure that the communication content and format is understandable and applicable to application review and funding recommendations.

Current Implementation Status of Recommendation (i.e., Implemented, Implemented and Ongoing, Partially Implemented, Not Implemented, or No Longer Applicable): *a. Implemented August 2013; b. Implemented June 2014; c. Implemented December 2013*

Agency's Comments on Implementation Status of Recommendation:

- a. The Department has a formal process to take corrective action as outlined in the HIV Prevention Grant Management Manual when the results of monitoring activities show substantial underperformance with respect to project goals established in the grantees' contract. Progressive actions include, withholding payment, assigning a "below standard" rating in the State's Contract Management System, not renewing the grant contract for subsequent years, and/or discontinuing the grant in progress, as appropriate. In FY 13-14, corrective actions of withheld payment and below standard CMS rating have been used. The Department's monitoring activities and assessment of the CHAPP grantee performance will be reported to the Advisory Committee in advance of scheduled quarterly meetings starting in October, 2014.*
- b. The Department, in collaboration with the CHAPP Advisory Committee, has proposed amendments to the Board of Health rules. The rule was amended to further clarify the appropriate authority roles of the Department and the Advisory Committee. Additionally, amendments were proposed to clarify and further define program goals and expectations, application selection criteria, and conflict of interest concerns. The Board of Health unanimously approved the amendments to the rule on June 18, 2014.*

The Department revised the grant application scoring sheet to include grantee performance and fiscal risk factors. The revised scoring sheet was used by the Advisory Committee when reviewing grant applications and making funding recommendations in April 2014. The Department provided training and guidance to Advisory Committee members prior to using the scoring sheet.

- c. The Department has established a logic model for all funded programs to monitor activities and assess the grantees performance. Starting 2014, regular updates on programmatic progress will be communicated to the Advisory Committee on a quarterly basis and when reviewing and scoring grant applications. A staff communication specialist will provide guidance in the process to assure that the communication content and format is understandable and applicable to application review and funding recommendations.*

Recommendation #: 4 a-d

Agency Addressed: Department of Public Health and Environment

Original Recommendation in Audit Report:

The Department of Public Health and Environment (the Department) should work with the HIV and AIDS Prevention Grant Program Advisory Committee (the Advisory Committee) to strengthen the overall conflict-of-interest framework established for the Colorado HIV and AIDS Prevention Grant Program by:

- a. Clarifying and simplifying the standard conflict-of-interest disclosure form used by Advisory Committee members when reviewing grant applications. The conflict-of-interest form should contain specific written instructions for the individual completing the form as well as the individual responsible for reviewing the disclosures made.
- b. Providing training or orientation on an annual basis to Advisory Committee members about conflict-of-interest policies and procedures and the standard conflict-of-interest disclosure form.
- c. Improving monitoring for compliance with established conflict-of-interest policies and procedures to ensure that all conflict-of-interest forms are completed, details about disclosed conflicts are obtained, and Advisory Committee members' grant review assignments and other activities are restricted appropriately.
- d. Formally adhering to Robert's Rules of Order during those Advisory Committee meetings in which grant applications and renewals are reviewed and discussed.

Agency's Response (i.e., agree, partially agree, disagree): **Agree**

Agency's Written Response in Audit Report:

- a. The Department will create a standard, simplified conflict-of-interest policy and corresponding procedures that provide a framework to address conflict-of-interest disclosures by Advisory Committee members. The policy and procedures will outline the process to complete and interpret the conflict-of-interest form.
- b. The Department will conduct annual training on the standard conflict-of-interest disclosure process based on the policy and procedures. The training will address the accurate completion of the conflict-of-interest form by Advisory Committee members.
- c. The Department will monitor the Advisory Committee with respect to the adherence to the conflict-of-interest policy and procedures as related to recommendations for funding.
- d. The Department will sponsor periodic webinars to familiarize new and existing Advisory Committee members with the Robert's Rules of Order. The Advisory Committee will be supported in implementing Robert's Rules of Order as a guide to running meetings effectively and fairly.

Current Implementation Status of Recommendation (i.e., Implemented, Implemented and Ongoing, Partially Implemented, Not Implemented, or No Longer Applicable): *a. Implemented March 2014; b. Implemented January 2014; c. Implemented October 2013; d. Partially Implemented with expected completion in July 2014*

Agency's Comments on Implementation Status of Recommendation:

- a. *The Department created a standard, simplified conflict-of-interest policy and procedures that provide a framework to address conflict-of-interest disclosures by Advisory Committee members and to guide the completion and interpretation of the new and simplified conflict-of-interest form. The policy and procedures were reviewed and implemented in March, 2014 when the CHAPP applications were reviewed by the advisory committee members. Conflict of interest review will be conducted at each CHAPP application review and selection process as a standard operating procedure.*
- b. *The Department conducted a conflict-of-interest training to sitting Committee members during the CHAPP Advisory Committee Orientation, January 17, 2014. The Orientation is now a Webinar posted on the CHAPP website. Staff will assure that new CHAPP advisory members view the Orientation. The Orientation will be updated and presented annually. During the March 2014 CHAPP*

Application Review and Selection Process, the committee members identified any associated conflicts of interest for each CHAPP RFA applicant. In the CHAPP Advisory Committee review process, the discussion of each application began with a reiteration of the conflicts associated with the application. CHAPP Advisory Committee members were excluded from discussion and from voting when conflicts of interest dictated. The Department monitored and addressed the Advisory Committee adherence to the conflict-of-interest policy and procedures throughout their deliberation.

- c. The Department simplified the form for easy interpretation and monitoring. The Advisory Committee was briefed on adherence to the new conflict-of-interest policy and procedures as well as the related form in October 2013. The conflict-of-interest form was completed by all Advisory Committee members and other reviewers. Information was transferred to a color coded spread sheet to minimize any chance of a person with a conflict being incorrectly assigned to a review panel.*
- d. The Department conducted an orientation for all CHAPP Advisory Committee members on January 27, 2014 and recorded the orientation for use with new members. The orientation included training in managing conflicts of interest, using Robert's Rules of Order and implementing the state's ethics standards and statutes. The CHAPP Advisory Committee will revisit the orientation materials as a refresher in July, 2014.*

Recommendation #: 5 a-d

Agency Addressed: Department of Public Health and Environment

Original Recommendation in Audit Report:

The Department of Public Health and Environment (the Department) should work with the HIV and AIDS Prevention Grant Program Advisory Committee (the Advisory Committee) to ensure compliance with Colorado's open meetings law by:

- a. Taking and publicly posting minutes for all Advisory Committee activities that constitute a public meeting, including ad hoc meetings, conference calls, electronic meetings via email correspondence, and regular meetings during which review of grant applications and renewals occurs and grant funding recommendations are made and voted upon.
- b. Ensuring that proper notice of the meeting and details about the meeting agenda are publicly posted in advance of any Advisory Committee activities that meet the definition of a public meeting.

- c. Utilizing conference calls instead of email correspondence whenever possible in those circumstances in which two or more Advisory Committee members are discussing public business or any formal action may be taken and an in-person meeting cannot be held.
- d. Amending the Advisory Committee's bylaws to include specific procedural guidance about the requirements of Colorado's open meetings law.

Agency's Response (i.e., agree, partially agree, disagree): **Agree**

Agency's Written Response in Audit Report:

- a. The Department will create a single location on the Advisory Committee website to post minutes for all Advisory Committee activities that constitute a public meeting. Minutes from all Advisory Committee meetings will be taken and posted for public review.
- b. The Department will post proper notice of the meetings and details about the meeting agenda on the Advisory Committee website in advance of any Advisory Committee activities that meet the definition of a public meeting.
- c. The Department will arrange for either in-person meetings or conference calls when two or more members of the Advisory Committee are conducting public business or taking formal action, and will discourage the use of email correspondence.
- d. The Department will conduct a working forum with the Advisory Committee members to amend the Advisory Committee bylaws to comply with Colorado's open meetings law. The Department will monitor the Advisory Committee with respect to adherence to state statute and the Advisory Committee bylaws regarding open meetings.

Current Implementation Status of Recommendation (i.e., Implemented, Implemented and Ongoing, Partially Implemented, Not Implemented, or No Longer Applicable): a. *Implemented October 2013;* b. *Implemented October 2013;* c. *Implemented September 2013;* d. *Partially Implemented October 2014;*

Agency's Comments on Implementation Status of Recommendation:

- a. *The Department created a website to post all CHAPP notice of meeting, meeting agendas and minutes for all Advisory Committee activities that constitute a public meeting including the CHAPP application and selection process. All Advisory Committee meetings*

during which review of grant applications, renewals, or funding recommendations are scheduled to occur are recorded and posted for public review.

- b. The Department has developed protocols to post proper notice of meetings and details about the meeting agenda in advance of any Advisory Committee activities that meet the definition of a public meeting. Although not yet codified in the CHAPP Bylaws, the Advisory Committee decided not to conduct meeting by conference call if at all possible. Members and the public can attend meeting by phone. In addition to posting notices, the Department uses an e-mail distribution list of approximately 145 names to announce CHAPP Advisory Committee meetings. For the rule change, the Department augmented the e-mail distribution with a blog post and with messages to the community on Twitter.*
- c. The Department conducted training on the Colorado Open meeting to sitting Committee members during the CHAPP Advisory Committee Orientation, January 17, 2014. The Orientation is now a Webinar posted on the CHAPP website. Staff will assure that new members view the Orientation. Throughout the CHAPP RFA funding process no deliberation took place by e-mail; all substantive discussion took place in publically announced open meetings.*
- d. The Department has conducted a working forum with the Advisory Committee members to amend the Advisory Committee bylaws to comply with Colorado's open meetings law. Members of the CHAPP Advisory Committee reviewed the CHAPP Audit report, identified those recommendations that would impact the bylaws, reviewed the bylaws line by line and made change recommendations. Because the majority of the Advisory Committee members involved in the forum were leaving the Committee, it was decided to place the revision of the CHAPP bylaw on hold until the CHAPP Rules were amended and all members of the CHAPP Advisory Committee are appointed. With those accomplished, the revision process has been restarted. Following discussion and public input, the Advisory Committee is expected to adopt the new bylaws by October 2014. The Department is monitoring the Advisory Committee with respect to adherence to state statute and the Advisory Committee bylaws regarding open meetings.*

Recommendation #: 6 a-c

Agency Addressed: Department of Public Health and Environment

Original Recommendation in Audit Report:

The Department of Public Health and Environment (the Department) should work with the HIV and AIDS Prevention Grant Program Advisory Committee (the Advisory Committee) to ensure the Advisory Committee's ability to effectively carry out its statutory responsibilities with respect to the competitive grant process by:

- a. Holding Advisory Committee members accountable for attending scheduled meetings and completing advance review and scoring of assigned grant applications. Members should not be allowed to participate in grant award recommendations when they have not completed their assigned advance review and scoring, and members should be removed from the Advisory Committee for excessive absences.
- b. Amending the Advisory Committee's bylaws to adjust the length and/or staggering of members' terms to align better with the overall 3-year grant cycle and eliminate the requirement that sitting members rotate off the Advisory Committee for 1 year before being reappointed.
- c. Increasing efforts to recruit and build a pool of candidates who are willing and able to serve on the Advisory Committee when vacancies occur, including making more use of the Department's website to advertise vacancies on the Advisory Committee and provide more information to interested candidates about serving on the Advisory Committee and the time commitment required.

Agency's Response (*i.e., agree, partially agree, disagree*): **Agree**

Agency's Written Response in Audit Report:

- a. The Department will create an Advisory Committee Operations Manual that provides policy and procedures for optimal observance of bylaws relative to scheduled meetings and the completion of advance review and scoring of assigned grant applications.
- b. The Department will provide technical assistance to the Advisory Committee in an effort to revise the Committee's bylaws to adjust the length and/or staggering of members' terms to better align with the overall 3-year grant cycle, and to eliminate the requirement that sitting members rotate off the Advisory Committee for 1 year before being reappointed.
- c. The Department will devise a strategy to recruit and build a pool of candidates to serve on the Advisory Committee when vacancies occur. This strategy may include the use of the Advisory Committee website and creation of press releases to advertise vacancies and to provide targeted information to interested candidates about serving on the Advisory Committee and the time commitment required.

Current Implementation Status of Recommendation (i.e., Implemented, Implemented and Ongoing, Partially Implemented, Not Implemented, or No Longer Applicable): *a. Implemented February 2014; b. Partially Implemented with expected completion in October 2014; c. Implemented November 2013;*

Agency's Comments on Implementation Status of Recommendation:

- a. An Advisory Committee Operations Manual (Draft) has been created. This document will be periodically revised based of the input and feedback of the Advisory Committee. Attendance at CHAPP Advisory Committee meetings has improved significantly. For two of the three funding meetings, all six appointment members attended (one vacancy existed during the time of the RFA deliberation and was filled in April, 2014. In its only meeting since the Board of Health approved CHAPP funding, all seven members attended. All seven are committed to attend the July 8, 2014 meeting.*
- b. The Department has provided technical assistance to the Advisory Committee in an effort to revise the bylaws.. While the former Advisory Committee did begin this process, it was determined that a majority of these committee members would no longer serve in this capacity, as their terms were expiring. Therefore, a decision was made to suspend the final revision of the by-laws until the full committee was appointed and the amended rule was adopted by the Board of Health. With these two objectives accomplished as of June 18, 2014, the Department has continued its work with the Advisory Committee to thoroughly review the recommendations of the CHAPP Audit Report, and ensure that the amended by-laws address the concerns of the performance audit, including revising advisory committee members' terms. It is anticipated that the amended by-laws will be approved by October 2014.*
- c. The Department implemented strategies to recruit and build a pool of candidates to serve on the Advisory Committee when vacancies occur. This strategy has included the use of the Advisory Committee website and to advertise vacancies and to provide targeted information to interested candidates about serving on the Advisory Committee and the time commitment required.*

The Department worked with the Health Equity Commission to increase outreach and increase the diversity of the membership. The Commission recommended a new member and she began her term as a member of the Advisory Committee at the May, 2014 meeting. All seven members of the CHAPP Advisory Committee have now been appointed.

Recommendation #: 7

Agency Addressed: Department of Public Health and Environment

Original Recommendation in Audit Report:

The Department of Public Health and Environment (the Department) should clarify that the scope of the HIV and AIDS Prevention Grant Program Advisory Committee's (the Advisory Committee) authority and responsibility with respect to the Colorado HIV and AIDS Prevention Grant Program is advisory in nature. The Department should work with the Board of Health and the Advisory Committee to revise Program rules and Advisory Committee bylaws accordingly.

Agency's Response (*i.e., agree, partially agree, disagree*): **Agree**

Agency's Written Response in Audit Report:

The Department will clarify that the scope of the Advisory Committee's authority is advisory in nature. The Department will provide technical assistance to the Advisory Committee in an effort to revise the Advisory Committee bylaws to accurately reflect its authority and responsibility.

The Department will review and propose any necessary modifications to the Board of Health rules for the Colorado HIV and AIDS Prevention Grant Program.

Current Implementation Status of Recommendation (i.e., Implemented, Implemented and Ongoing, Partially Implemented, Not Implemented, or No Longer Applicable): *Partially Implemented with expected completion in October 2014*

Agency's Comments on Implementation Status of Recommendation:

The Department has communicated to the Advisory Committee's that its scope of authority is advisory in nature. The Department has provided technical assistance to the Advisory Committee in an effort to revise the Advisory Committee bylaws to accurately reflect its authority and responsibility. The Department has conducted a working forum with the Advisory Committee members to amend the Advisory Committee bylaws to comply with Colorado's open meetings law. The forum reviewed the CHAPP Audit report, identified those recommendations that would impact the bylaws, reviewed the bylaws line by line and made change recommendation. Because the majority of the Advisory Committee members involved in the forum were leaving the Committee, it was decided to place the bylaw changes on hold until the CHAPP Rules were amended and all members of the CHAPP Advisory Committee had been appointed. With those accomplished, the revision process has been restarted. Following discussion and public input, the Advisory Committee is expected to adopt the new bylaws by October 2014.

The Department has reviewed and proposed the necessary modifications to the Board of Health rules for the CHAPP. The Department went before the Board of Health to request a rule making hearing on April 16, 2014. A robust stakeholder process was conducted to review the proposed changes to the rule and receive feedback and changes. The majority of the changes were introduced to clarify or better define the

appropriate authority roles of the Department and the Advisory Committee. Additionally, amendments were proposed to clarify and further define program goal and expectations, application selection criteria and conflict of interest concerns. Termination language was deleted because it was determined that this exceeded the authority of the Advisory Committee. There was no opposition to the rule changes at the rule making hearing on June 18, 2014 and the changes were adopted unanimously by the Board of Health.

The clarification of the scope of the Advisory Committee's authority and responsibility being advisory will include a multifaceted approach. Progress has been made through discussion, training and the rule changes. Further progress will be made through the revision of the CHAPP Advisory Committee by-laws, and the joint commitment to adequately address the concerns raised by the performance audit.