

Medicaid Long Term Care Quality and Reimbursement Advisory Council Bylaws

These bylaws supplement ORS 410.550 to 410.555 and administrative rules of Aging and People with Disabilities (APD).

MEMBERS AND OFFICERS

I. Members

A. Duties of Members: Members Shall:

1. Prepare for and participate in Council meetings regularly;
2. Assist in the analysis of data and the drafting of recommendations and reports as requested by Co-Chairs;
3. Report regularly to a constituency organization, if any, represented by the member particularly the Governor's Commission on Senior Services and the Oregon Disabilities Commission which also are statutory advisory bodies to APD; and
4. Notify staff of anticipated attendance or absence prior to Council meetings.

B. Nonperformance: The Council may recommend to the appointing authority removal of a nonperforming member. "Nonperforming" means two consecutive unexcused absences. Council Co-Chairs shall determine whether absence is excused or unexcused.

II. Officers

A. Offices:

1. The offices shall consist of two Co-Chairs and a Secretary.

2. One Co-Chair shall be a consumer or consumer advocate representative and the other Co-Chair shall be a provider representative.

B. Duties of Co-Chairs: Co-Chairs shall, with assistance from Aging and People with Disabilities (APD) Staff:

1. Prepare documents (or oversee preparation of documents when actual preparation is assigned to other members) including agenda, minutes, Council Recommendations and supporting documents;
2. Facilitate Council meetings; and
3. Present Council recommendations and reports to APD and to the Legislative Assembly.

C. Duties of Secretary: The purpose of the role of the Secretary is to be “in-training” for consideration when filling a future Co-Chair vacancy. Secretary shall also:

1. Review meeting minutes and recommend changes and approval to the Council and,
2. Ensure that appropriate records of the Council’s work are maintained by APD staff.
3. Officers elected at an Annual Meeting shall serve from July 1 following the date of election through June 30 of the following year. However, officers elected at other times shall serve from the date of election through the following June 30.
4. Officers shall serve no more than two consecutive terms in the same office.

MEETING AND MEETING PROCEDURES

I. Meetings

A. Regular Meetings: Council meetings shall be held 6 times per year at bi-monthly intervals unless changed by a vote of members.

B. Special Meetings:

1. Other meetings may be called at the written request of:
 - a. The Director or Deputy Director of APD;

- b. The Co-Chairs; or
 - c. Any three members.
2. The written request shall provide at least 24-hour notice and contain a plain and concise statement of the need for the special meeting.

C. Annual Meeting:

1. An annual report (as required by ORS 410.550 to 410.555) will be provided by the Council to the legislature prior to the beginning of each regular session and the Council may provide a report for special sessions.
2. The agenda for an annual meeting shall include, but not be limited to, election of officers and review of the Annual Report.

II. Quorum and Meeting Procedures

- A. Quorum: A quorum is present when 50 percent of the current Council members are participating in a meeting either in person or by teleconference.
- B. Council Action: Action of the Council requires the affirmative vote of a majority of the Council Quorum.
- C. Parliamentary Procedure: The Council shall use Robert's Rules of Order to facilitate efficient handling of Council business.
- D. Availability of Materials: Agenda and supporting material shall be prepared by APD staff, approved by the facilitating Co-Chair and distributed to members for review, whenever possible, at least one week prior to the regular meeting date.
- E. Availability of Minutes: Draft minutes shall be prepared by APD staff, reviewed by the Secretary, distributed to members.

STAFF

I. Duties of Staff: APD staff assigned to the Council shall:

- A. Provide information and assistance to Council members to facilitate the Council's evaluation of proposed changes and modifications in reimbursement policies and procedures of APD;

- B. Assist in the preparation and presentation of Council reports to APD, the Legislative Assembly and the public;
- C. Assist in resolving procedural issues; and
- D. Confirm attendance prior to Council meetings.

REPORTS AND RECOMMENDATIONS

- I. Contents of Reports and Recommendations: Co-Chairs shall prepare or oversee the preparation of the following recommendations and reports:
 - A. Recommendations required by ORS 410.550 to 410.555;
 - B. A minority recommendation supported by at least three members and the exact wording of which is approved formally and signed by those members; and
 - C. An Annual Report and other reports and recommendations as the Council deems appropriate.
- II. Availability of Reports and Recommendations: Recommendations and reports prepared by the Council shall be made available to the public within 15 days of adoption unless the Council determines otherwise.

AMENDMENTS

- I. Procedure: The Council may amend these bylaws at any regular Council meeting if the proposed amendment is distributed to members at least one week prior to the Council meeting. Distribution may be accomplished by presentation to APD staff for distribution with other meeting materials.