

Medicaid Advisory Committee

Bylaws

Drafted by the Oregon Health Authority and approved by the Medicaid Advisory Committee on October 28, 2020.

ARTICLE I

The Committee and its Members

Oregon is required by federal law (42 CFR 431.12) to have a committee that advises the Oregon Health Authority (OHA) about the health and services offered through Oregon's Medicaid program. The Medicaid Advisory Committee (MAC) fulfills the federal requirement and is mandated by state statute ORS 414 to advise OHA on the policies and procedures of the Oregon Health Plan (OHP) that affect OHP enrollees and their families, including:

- Medical care, including mental health and alcohol and drug treatment and remedial care.
- Operation and administration of programs provided through Medicaid; and
- Determination of health care and services covered; quality and costs; affordability; and consumer engagement.

In accordance with ORS 414.211, the MAC shall consist of no more than 15 members appointed by the Governor. The term of office for each member is two years with the option to be reappointed for a second term; each member shall serve at the pleasure of the Governor. Membership shall include the following:

- A physician licensed under ORS chapter 677
- Health care providers and allied health care professionals
- Two members of health care consumer groups that include Medicaid recipients
- Two OHP members, one of whom shall be a person with a disability
- Directors of the Oregon Health Authority and Department of Human Services or designee(s)
- Persons associated with health care organizations, including but not limited to coordinated care organizations
- Members of the general public

All MAC members are voting members.

Members are entitled to reimbursement for actual and necessary travel expenses incurred due to attendance at committee meetings, in the manner and amount specified by ORS 292.492.

ARTICLE II

Leadership Structure: Committee Officers and Duties

The Committee shall elect two of its members to serve as co-chairs. The co-chair term is 2 years, with staggered starting years to ensure continuity. Election of a new co-chair shall occur no later than December each year, starting in 2021. Duties of the co-chairs are to:

- Preside at all meetings of the Committee.
- Coordinate meeting agendas through collaboration with Committee staff.
- Facilitate MAC meetings and guide Committee contributions to MAC work plans and deliverables.
- Sign MAC-approved documents, letters of support, and other correspondence on behalf of the MAC.
- Review draft Committee meeting minutes prior to the meeting at which they are to be approved; and
- Serve as MAC spokespersons at OHPB and/or OHA meetings.

The Co-chairs may designate, when expedient to Committee business, other Committee Members to perform duties related to Committee business such as, but not limited to, attending other agency or public meetings, meetings of the Board, training programs, and approval and review of documents that require action of the Co-chair.

ARTICLE III

Committee Members and Duties

MAC members are expected to:

- Attend in-person or by phone at least 80% of committee meetings scheduled annually; excess absences not related to family medical leave may be reviewed.
- Prepare for and set aside time for meetings and related committee work
- Participate fully, respectfully, and constructively

Regular meeting participation (either virtual or in-person) is vital to the work of the Committee. Members who miss more than two consecutive meetings or 20% of meetings over the course of a year may be asked to resign. If a MAC member finds it necessary to resign from the Committee, the member is encouraged to remain until a replacement can be selected and to provide as much notice as possible.

If there is a vacancy for any of the statutorily defined membership criteria, the Governor shall make an appointment to become immediately effective for the unexpired term.

Conflict of interest policy:

To maintain objectivity, transparency, and integrity, MAC members must:

- Complete and sign a **conflict of interest disclosure form** at the time of committee appointment regarding any **relevant financial relationships or commercial interests** which would pose an actual or potential conflict of interest before participating in any committee activities.
- Update disclosures annually or whenever there are any relevant changes (such as a new financial relationship).

ARTICLE IV

Committee Meetings

All MAC meetings shall comply with Oregon's Public Meetings Law, ORS 192.610-192.690. All meetings will be available by livestream and will include time for public comment.

MAC meetings are called to order and facilitated by the co-chairs; this function may be delegated to other MAC members as needed. A majority of MAC members constitutes a quorum for the conduct of business. Members participating by phone or electronically are included in constituting a quorum.

Voting Process:

1. All official actions of the committee must be taken by a public vote.
2. The results of all votes shall be recorded in meeting notes.
3. When there is a quorum present at a meeting, a simple majority of the committee members in attendance is sufficient to pass motions or take action during a meeting.
4. Abstaining votes shall be recorded as abstentions.
5. Proxy votes are not permitted.

Votes may be made by voice or electronically during the meeting. Votes cannot be made by proxy, mail, nor email, between meetings. Those in the minority opinion may prepare a brief statement. All official MAC action is recorded in meeting minutes.

Meeting agendas and materials will be distributed in advance of meetings by OHA staff through email and will be posted online on the MAC webpage.

ARTICLE V

Amendments to the MAC By-Laws

These by-laws may be amended through a formal vote of MAC members.

Acting and Speaking Publicly on Behalf of OHA, OHP, MAC, or OHPB

Members are not allowed to use their MAC role nor act/speak on behalf of OHA, when partnering with other organizations, unless authorized and voted on at a MAC meeting.