

# HEALTH EVIDENCE REVIEW COMMISSION

## By-Laws

### ARTICLE I

#### *The Commission and its Members*

The Commission Health Evidence Review Commission (hereinafter “HERC” or “Commission”) is created pursuant to House Bill 2100 (2011 Oregon Legislative Assembly) within the Oregon Health Authority. The Commission’s function as outlined in HB 2100 is to:

- Develop and maintain a list of health services ranked by priority, from the most important to the least important, representing the comparative benefits of each service to the population to be served
- Develop or identify and shall disseminate evidence-based health care guidelines for use by providers, consumers and purchasers of health care in Oregon
- Conduct comparative effectiveness research of health technologies

The Office for Oregon Health Policy and Research (OHPR) and other state agencies will support the work of the Commission in a manner mutually agreed upon by the Director and the respective entity(ies).

The Members of the Commission shall be appointed by the Governor and confirmed by the Oregon State Senate in accordance with HB 2100. Commission Members shall serve four-year terms (initially staggered). A Member whose term has expired, but whose successor has not been appointed and confirmed, may continue to serve until replaced. A Member may serve a second four-year term assuming reappointment by the Governor and Senate confirmation.

Members of the Commission are not entitled to compensation for services as a Member, but are entitled to expenses as provided in ORS 292.495.

### ARTICLE II

#### *Commission Officers and Duties*

The Commission shall select a Chair and a Vice Chair from among its Members. The terms of office shall be 24 months.

- Duties of the Chair are:
  - Preside at all meetings of the Commission.
  - Coordinate meeting agendas after consultation with the Director.
  - Review all draft Commission meeting minutes prior to the meeting at which they are to be approved.
  - Be advised of all presentations or appearances of the Director or staff before the Legislature, Oregon Health Policy Board, or Executive committees or subcommittees within the Oregon Health Authority or other agencies that relate to the work of the Commission.
  - The Chair may designate, in the absence of the Vice-Chair or when expedient to Commission business, other Commission Members to perform duties related to Commission business such as, but not limited to, attending other agency or public meetings, representing the Commission at Legislative hearings or before the media, and approval and review of documents that require action of the Chair. In such cases, the Commission Member assigned the responsibility will be entitled to expenses as provided in ORS 292.495.

• Duties of the Vice Chair are:

- Perform all of the Chair's duties in his/her absence or inability to perform; and
- Perform any other duties assigned by the Chair after consultation with the Commission.

### **ARTICLE III**

#### **Commission Subcommittees**

The Commission may establish subcommittees to undertake work chartered by the Commission. The subcommittees may include Commission Members and other persons with particular expertise and interest in the work of the subcommittee. A subcommittee shall cease to exist upon a majority vote of the Commission to disband the subcommittee. Subcommittee membership and the designation of a chair shall be made by majority of Members of the Commission.

### **ARTICLE IV**

#### **Commission Meetings**

The Commission shall meet at the call of the Chair in consultation with the Commission Members and staff or at the call of the majority of the Members. The Commission shall meet at least quarterly.

The Commission and subcommittees established by the Commission shall conduct all business meetings in public and in conformity with Oregon Public Meetings Laws.

The preliminary agenda will be available from the Commission staff and posted on the Commission website [[www.oregon.gov/OHA/OHPR/HERC](http://www.oregon.gov/OHA/OHPR/HERC)] at least two working days prior to the meeting. The final agenda will be established at the beginning of each Commission meeting.

Seven (7) Commission Members shall constitute a quorum for the transaction of business.

All actions of the Commission shall be expressed by motion or resolution. Official action by the Commission requires the approval of a majority of the Members of the Commission present at the meeting.

On motions, resolutions, or other matters a voice vote may be used. At the discretion of the Chair, or upon the request of a Commission Member, a roll call vote may be conducted. Proxy votes are not permitted.

If a Commission Member is unable to attend a meeting in person, the Member may participate by conference telephone or internet conferencing provided that the absent Commission Member can be identified when speaking, all participants can hear each other and members of the public attending the meeting can hear any Member of the Commission who speaks during the meeting. A Commission Member participating by such electronic means shall be considered in constituting a quorum.

Commission Members shall inform the Director with as much notice as possible if unable to attend a scheduled Commission meeting. Commission staff preparing the minutes shall record the attendance of Commission Members at the meeting for the minutes.

The Commission will conduct its business through discussion, consensus building and informal meeting procedures. The Chair may, from time to time, establish procedural processes to assure the orderly, timely and fair conduct of business.

#### **ARTICLE V**

##### **Amendments to the By-Law and Rules of Construction**

These By-laws may be amended upon the affirmative vote of nine (9) Members of the Commission.

All rules and procedures in these By-laws shall be liberally construed so that the public's health, safety and welfare shall be secured in accordance with the intents and purposes of applicable State laws and regulations.