

# MEDICAL CARE ADVISORY COMMITTEE BYLAWS

~~September 17, 2013~~

Amended: September 20, 2015

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## ARTICLE I - NAME AND MANDATE

### SECTION I

The Medical Care Advisory Committee, hereafter known as the Committee or MCAC, is created to advise the Florida Agency for Health Care Administration (the Agency), [Division of Medicaid Office](#) about health and medical care services pursuant to the requirements of 42 CFR 431.12 with respect to policy and planning for the delivery of these services.

### SECTION II

The Committee shall have the opportunity for participation in policy development and program administration, pursuant to 42 CFR 431.12(e). The Committee shall participate in policy development on the following issues: program cost containment, quality of care, [and](#) access to care. In addition, the MCAC shall also provide recommendations and suggestions to the Agency on the state's comprehensive quality strategy for the Florida Medicaid program, as described in [the](#) Special Terms and Conditions (STCs) [#4341 and #118](#) of the 1115 Managed Medical Assistance (MMA) Waiver.

Comment [BK1]: The STC numbers change over time, so I'd suggest just deleting the numbers.

## ARTICLE II - MEMBERSHIP

### SECTION I

The Committee shall consist of up to 15 voting members. All appointments of members shall be made in writing by the Secretary of the Agency. Committee membership shall include representation of at least four beneficiaries/[past beneficiaries](#) (including family and/or representatives of beneficiaries); physicians and representatives of other health professions who are familiar with the health needs of low income population groups and with the resources available and required for their care; members of consumers' groups and consumer organizations; and the Secretaries of the Florida Department of Health, [-Florida Department of Elder Affairs](#) and the Florida Department of Children and Families or his/her designee.

### SECTION II

Each member shall serve for a term of two years or until a successor is appointed in writing by the Secretary of the Agency.

### SECTION III

Committee members shall serve without compensation, but shall be reimbursed for allowable travel expenses. Such reimbursement shall be consistent with the statutory provisions of the State of Florida. Operating expenses of the Committee shall be borne by the Division of Medicaid Program.

**Comment [BK2]:** Changes are to use consistent references

### SECTION IV

If a member misses three consecutive regularly scheduled meetings in one year, his/her membership may be terminated at the discretion of the Deputy Secretary for Medicaid Director.

### SECTION V

The Agency shall ensure that the MCAC includes representation of at least four beneficiaries at all times and will report to the Centers for Medicare and Medicaid Services (Federal CMS) any vacant beneficiary slots that are not filled within 90 days of the date of this amendment or within 90 days of becoming vacant. The state may submit justification to Federal CMS for an unfilled beneficiary slot after 90 days and Federal CMS may grant an exception to this requirement at Federal CMS' discretion, as provided for in the STCs #4341 and #115109 of the 1115 MMA Waiver.

## ARTICLE III - MEETINGS

### SECTION I

Regular meetings of the Committee shall be held at least quarterly, unless suspended by action of the Committee. Meetings are subject to Chapter 119, F.S. and section 286.011, F.S. Meetings shall be facilitated by the Secretary of the Agency or his/her designee and will take place at the offices of the Agency in Tallahassee, Florida.

### SECTION II

Special meetings of the Committee may be called, provided that they are in compliance with Chapter 119, F.S. and section 286.011, F.S.

### SECTION III

An agenda shall be prepared and distributed to the members of the Committee at least five days prior to a scheduled meeting.

### SECTION IV

All decisions of the Committee require approval by a majority of the Committee's current membership.

**Comment [BK3]:** Does a majority of members constitute a quorum? What if there is a vacancy in a slot (e.g., a beneficiary slot)? Does the number for quorum become one less, or is it always 8 members because there are 15 slots? It would be helpful to clarify this in the bylaws, in my opinion.

## SECTION V

Participation in Committee meetings shall be limited to Committee members, Agency staff, and persons who have been invited by the Chair or the Agency to provide information on an agenda item. All deliberations of the Committee and its committees shall be governed by Robert's Rules of Order. Committee decisions are recommendations only and are not binding on the [Medicaid program](#) Agency.

## SECTION VI

Any member may add a topic to the agenda if it is submitted to the Agency prior to the date of the agenda deadline.

# ARTICLE IV – SUBPOPULATION ADVISORY COMMITTEES (SACs)

## SECTION I

In addition to the MCAC, smaller advisory committees shall be established to focus on subpopulations, including, but not limited to: beneficiaries/~~past beneficiaries or family members of beneficiaries~~ receiving managed long-term services and supports; beneficiaries/~~past beneficiaries or family members of beneficiaries~~ with HIV/AIDS; children, including safeguards and performance measures related to foster children and the provision of dental care to all children; and beneficiaries/~~past beneficiaries or family members of beneficiaries~~ receiving behavioral health/substance use disorder services.

Comment [BK4]: The subcommittees are set in the STCs

## SECTION II

Subpopulation Advisory Committee (SAC) meetings are subject to Chapter 119, F.S. and section 286.011, F.S., and shall be facilitated by a Chairperson appointed by the Agency. Regular meetings of each SAC shall be held at least quarterly, unless suspended by action of the Committee Chair.

## SECTION III

Each SAC shall include representation from relevant advocacy organizations, as well as beneficiaries. Each committee must present recommendations and suggestions ~~to the state~~ on the state's comprehensive [quality](#) strategy, as set forth in STCs ~~#4341 and #118112~~ of the 1115 MMA Waiver. In addition, each advisory committee must provide input ~~to the state~~ on the consumer report cards, as set forth in ~~the STCs #115109~~ of the 1115 MMA Waiver.

## SECTION IV

An agenda shall be prepared and distributed to the members of each SAC at least five days prior to a scheduled meeting.

#### SECTION V

Participation in Subpopulation Advisory Committee meetings shall be limited to SAC members, Agency staff, and persons who have been invited by the Chair or the Agency to provide information on an agenda item. All deliberations of the SAC shall be governed by Robert's Rules of Order. Committee decisions are recommendations only and are not binding on the ~~Medicaid program~~[Agency](#).

#### SECTION VI

Recommendations made by each SAC require approval by a majority of the Committee's current membership.

#### SECTION VII

Any member may add a topic to the agenda if it is submitted to the Chair prior to the date of the agenda deadline.

### **ARTICLE V – AGENCY ASSISTANCE**

#### SECTION I

The Secretary of the Agency shall designate an administrator for the Medical Care Advisory Committee who will work with Agency staff and committee members on meeting logistics. It shall be the responsibility of this individual to give notice of the location, date, and time of MCAC meetings at least ten days prior to each meeting. This individual will also assist the Chairperson of each Subpopulation Advisory Committee with meeting logistics and member notifications.

### **ARTICLE VI - AMENDMENT**

#### SECTION I

The bylaws may be amended by a simple majority of the members present at any regular or special meeting of the Committee if the proposed amendment is given in writing at least ten days before said meeting. Amendments must be consistent with federal codes and Florida statutes and must be approved by the Agency.