

# **MEDICAL CARE ADVISORY COMMITTEE BYLAWS**

Amended: January 1, 2020

## **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 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) of the 1115 Managed Medical Assistance (MMA) Waiver.

## **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/former 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 Agency for Persons with Disabilities, Florida Department of Health, Florida Department of Elder Affairs and the Florida Department of Children and Families or their designees.

### **SECTION II**

Each member shall serve for a term of three years or until a successor is appointed in writing by the Secretary of the Agency. Term limits will be staggered to ensure continuity in Committee processes. Membership by former beneficiaries or their

representatives is limited to those who received Medicaid benefits within the previous three years.

### SECTION III

Committee members shall serve without compensation, however, beneficiary members 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.

### 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.

### SECTION V

The Agency shall ensure that the MCAC includes representation of at least four beneficiaries/former 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 of the 1115 MMA Waiver.

## **ARTICLE III - MEETINGS**

### SECTION I

Regular meetings of the Committee shall be held 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, by webinar, or via teleconference.

### 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.

## 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. Committee decisions are recommendations only and are not binding on the 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 receiving managed long-term services and supports; 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 receiving behavioral health/substance use disorder services.

## 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 on the state's comprehensive quality strategy, as set forth in STCs of the 1115 MMA Waiver. In addition, each advisory committee must provide input on the consumer report cards, as set forth in the STCs 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. Committee decisions are recommendations only and are not binding on the 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 or the Committee Chairperson 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 2/3 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.