



Medicaid Member Advisory Committee (MAC) Electronic Meetings - Remote Participation and All-Virtual Meetings

A. Remote Participation of Individual Members

Consistent with [§ 2.2-3708.3](#) of the Code of Virginia, effective September 1, 2022, an individual member of the Committee may participate remotely instead of attending a meeting in person if, in advance of the public meeting, the member notifies the DMAS Outreach and Community Engagement Manager and DMAS Staff via email at mac@dmas.virginia.gov of the following:

1. The member has a temporary or permanent disability or other medical condition that prevents the member's physical attendance;
2. A family member's medical condition requires the member to provide care for such family member, thereby preventing the member's physical attendance; or
3. The member's principal residence is more than 60 miles from the meeting location identified in the required notice for the meeting.
4. The member is unable to attend the meeting due to a personal matter and identifies with specificity the nature of the personal matter.

The member and the Committee must follow the Procedure for Remote Participation Approval outlined below. Members participating remotely may participate in discussions, make motions, vote, join in closed meetings, and otherwise participate fully as if they were physically present. A separate set of requirements apply to all-virtual meetings, described below under "All-Virtual Meetings Policy."

B. Procedure for Remote Participation Approval

1. **Request:** The member requesting to participate remotely must notify the Outreach and Community Engagement Manager and DMAS staff on or before the day of the meeting. The member must include the reason for the request for remote participation, citing one of the specific reasons listed above. A member seeking to participate remotely must request approval to participate remotely from the applicable DMAS Community Outreach and Member Engagement Manager via email to the mac@dmas.virginia.gov inbox. The DMAS Community Outreach and Member Engagement Manager will approve or disapprove each such request using the mac@dmas.virginia.gov inbox. The email exchange shall constitute the record for each request and corresponding approval or disapproval.

2. Limitation on Personal Matter Basis: No member may use remote participation due to personal matters more than two meetings per calendar year or 25 percent of the meetings (inclusive of committee and subcommittee meetings) held per calendar year rounded up to the next whole number, whichever is greater.
3. Approval: Approval shall be granted unless a member's participation would violate this policy or the provisions of § 2.2-3708.3. If a member's participation from a remote location is challenged, then the Committee shall vote whether to allow such participation.
4. Documentation: The following information must be included in the meeting minutes:
 - a. The fact that the member participated through electronic communication means and the reason as listed in A.1, 2, 3, or 4 above.
 - b. Notwithstanding the disclosure requirement, the specific medical condition(s) or related clinical information affecting the member requesting remote participation shall not be publicly disclosed.
 - c. If a member's participation from a remote location is disapproved because such participation would violate this policy, such disapproval shall be recorded in the minutes with specificity.
 - d. If participation is approved pursuant to section A.4 of this policy, the specific nature of the personal matter cited by the member.
5. Limitation: There is no limit on the number of times per calendar year an individual member may participate remotely.
6. Consistent Application of Policy: In accordance with § 2.2-3708.3 of the Code of Virginia, this policy shall be applied strictly and uniformly, without exception, to the entire membership and without regard to the identity of the member requesting remote participation or the matters that will be considered or voted on at the meeting.

The policy for remote participation and procedures for approval shall also apply to meetings of any subcommittee designated by the Committee to perform delegated functions or to advise the Committee.

C. All-Virtual Meetings Policy

Consistent with § 2.2-3708.3 of the Code of Virginia, effective September 1, 2022, the following policy defines the circumstances under which an all-virtual public meeting of the MAC will be allowed. All-virtual meetings may be held at the option of the Outreach and Community Engagement Manager, Deputy of Administration, or DMAS Director. No more than two (2) all-virtual meetings shall be held per calendar year, such meetings must be non-consecutive, and the following requirements must be met.

1. An indication of whether the meeting will be in-person or all-virtual shall be included in the required meeting notice along with a statement notifying the public that the method by which the Committee chooses to meet shall not be changed unless the Committee provides a new meeting notice in accordance with the provisions of § 2.2-3707.
2. Public access to the all-virtual public meeting shall be provided via electronic communication means.
3. The electronic communication means used shall allow the public to hear all members of the Committee participating in the all-virtual meeting and, when audio-visual technology is available, to see the members as well.

4. A phone number or other live contact information shall be provided to alert the Committee if the audio or video transmission of the meeting provided fails. Committee staff shall monitor such designated means of communication during the meeting, and the Committee shall take a recess until public access is restored if the transmission fails for the public.
5. A copy of the proposed agenda and all agenda packets and, unless exempt, all materials furnished to members shall be made available to the public in electronic format at the same time that such materials are provided to members.
6. The public shall be afforded the opportunity to comment through electronic means, including by way of written comments, when public comment is customarily received.
7. Minutes shall be taken as required by § 2.2-3707 and shall include the fact that the meeting was held by electronic communication means and the type of electronic communication means by which the meeting was held.