



BYLAWS

CHIPAC Bylaws

ARTICLE I – NAME

The name of the committee is the Children’s Health Insurance Program Advisory Committee, hereinafter known as the Committee.

ARTICLE II – MISSION OF THE COMMITTEE

The mission of the Committee is to advise the Director of the Department of Medical Assistance Services (DMAS) and the Secretary of Health and Human Resources on ways to optimize the efficiency and effectiveness of DMAS programs to address the health needs of children.

ARTICLE III – LEGAL BASE AND POWERS AND DUTIES OF THE COMMITTEE

Legal Base: Code of Virginia, § 32.1-351.2:

The Department of Medical Assistance Services shall maintain a Children’s Health Insurance Program Advisory Committee to assess the policies, operations, and outreach efforts for Family Access to Medical Insurance Security (FAMIS) and FAMIS Plus and to evaluate enrollment, utilization of services, and the health outcomes of children eligible for such programs. The Committee shall consist of no more than 20 members and shall include membership from appropriate entities, as follows: one representative of the Joint Commission on Health Care, the Department of Social Services, the Department of Health, the Department of Education, the Department of Behavioral Health and Developmental Services, the Virginia Health Care Foundation, various provider associations and children’s advocacy groups; and other individuals with significant knowledge of and interest in children’s health insurance. The Committee may report on the current status of FAMIS and FAMIS Plus and make recommendations as deemed necessary to the Director of the Department of Medical Assistance Services and the Secretary of Health and Human Resources.

ARTICLE IV – MEMBERSHIP OF THE COMMITTEE OF THE DEPARTMENT

Section 1. Composition (as stipulated in the Code of Virginia):

The Committee shall consist of no more than 20 members and shall include a member from each of the following appropriate entities:

- The Joint Commission on Health Care,
- The Department of Social Services,
- The Department of Health,
- The Department of Education,
- The Department of Behavioral Health and Developmental Services, and
- The Virginia Health Care Foundation.

Other members may come from various provider associations and children’s advocacy groups or may be individuals with significant knowledge of and interest in children’s health insurance issues.

Section 2. Terms:

A. Appointments

1. Organizational Members Mandated in the Code of Virginia
Membership from six organizations is mandated in the Code of Virginia. A representative of a mandated member organization shall serve a term of three years. After three years, that representative may be reappointed at the discretion of the organization, or the organization may appoint another representative to serve on the Committee. If the representative leaves his/her position or can no longer serve on the Committee, the mandated member organization shall appoint another representative to complete his/her term.
2. All Other Committee Members
The Committee will make recommendations to the Director of DMAS to fill the other fourteen membership positions. The Director of DMAS maintains final authority to invite individuals or groups to serve on the Committee.

Committee members other than representatives of the mandated member organizations shall serve for a term of two years. Members may serve no more than four consecutive two-year terms. A person appointed to fill a vacancy during a term may serve three additional consecutive terms. If a person cannot complete his/her term, the Committee will recommend appointment of a replacement to the Director of DMAS.

B. Absences

1. Organizational Members Mandated in the Code of Virginia
If a mandated member organization’s representative misses two consecutive meetings of the Committee (without providing a substitute), inquiry shall be made of the organization to ascertain whether they desire to appoint another representative.
2. All Other Committee Members

For all other Committee members who miss two consecutive meetings (without providing a substitute), the Committee may ask the member to resign and recommend a replacement to serve the remainder of the member's term. If a person misses three or more meetings without providing a substitute during his/her term, he/she may be asked to resign and the Committee would then recommend a replacement to serve the remainder of the member's term.

C. Substitutions

1. If a person is unable to attend a meeting, they may send an appropriate substitute in their place. The member is responsible for letting the Chairperson or appropriate DMAS staff know of such substitution, if possible, in a reasonable time frame.
2. The substitute will be understood to have the authority to vote on behalf of the person/organization they are representing on matters before the Committee on the day of the meeting.

Section 3. Authority of Individual Members:

No member of the Committee shall at any time act or purport to act on behalf of or in the name of the Department or the Committee without prior authority from the Committee and the Department.

ARTICLE V – ORGANIZATION

Section 1. Officers of the Committee:

The officers of the Committee shall be a Chairperson and a Vice-Chairperson.

Section 2. Selection of Officers:

A. The Chairperson shall be elected by the Committee from among its membership in odd-numbered years. The Chairperson shall serve for a term of two years. The incumbent shall be eligible to serve an additional consecutive term of two years.

B. The Vice-Chairperson shall be elected by the Committee from among its membership in even-numbered years. She/he shall serve for a two-year term. The Vice-Chairperson shall also be eligible to serve an additional consecutive term of two years.

C. Elections for Chairperson and Vice-Chairperson shall be held in the month of December, with the term of office beginning at the start of the new calendar year. In the case of the Chair being vacant, the Vice-Chairperson shall serve as the temporary Chairperson until the next Committee meeting, at which time a new election shall be held to fulfill the remainder of the original term.

Section 3. Duties of Officers:

A. The Chairperson shall preside at all meetings of the Committee, shall be a member ex officio of all standing subcommittees, and shall perform such other duties as may be imposed by action of the Committee or as set forth in other sections of these policies and procedures.

B. The Vice-Chairperson shall serve in the absence of the Chairperson of the Committee and shall perform such other duties as may be imposed by action of the Committee or as set forth in other sections of these regulations.

Section 4. Executive Subcommittee:

A. The Executive Subcommittee shall consist of the Chairperson, the Vice-Chairperson, Chairpersons of any existing subcommittees, and one or more at-large CHIPAC members appointed at the discretion of the CHIPAC Chair.

B. The Executive Subcommittee shall carry out functions as assigned by the Committee in keeping with the purposes of the Committee. The Executive Subcommittee may assist Department staff in problem solving and decisions.

C. The Executive Subcommittee may be called to meet as needed and at the request of the Chairperson.

Section 5. All other subcommittees:

A. Subcommittees shall be appointed by the Chairperson whenever they are deemed necessary by the Committee. A subcommittee shall be restricted to its assigned task, shall report its recommendations to the Committee, and shall be dissolved when its report is complete and accepted by the Committee unless otherwise provided by the Committee.

B. Subcommittees may invite others with topic expertise who are not serving on the full Committee to participate as advisors or consultants in subcommittees. Only full Committee members or their substitutes will be counted in the quorum and can vote.

C. The chair of any subcommittee must be a member of the full Committee.

ARTICLE VI – MEETINGS OF THE COMMITTEE

Section 1. Regular Committee Meetings:

A. A gathering, whether physical or by electronic means, of three or more Committee members discussing or transacting Committee business is considered a meeting.

B. The Committee shall meet at the call of the Chairperson, but no less than four times a year.

C. Meetings will be held quarterly in December, March, June, and September.

D. The time and place of any scheduled meeting may be changed if notification is given to Committee members at least 10 working days prior to the meeting.

Section 2. Special Meetings:

A. Special meetings may be called by the Chairperson, upon the written request of any three members of the Committee, or by the Director of the Department of Medical Assistance Services.

B. Notice to all Committee members stating the time, place and purpose of the special meeting shall be e-mailed as early as possible, but in no case less than five working days prior to the meeting.

Section 4. Agendas:

A. The agenda for all meetings of the Committee shall be prepared by the Department in consultation with the Chairperson. Copies of the tentative agenda shall be provided in hard copy or electronically to each member at least three working days prior to each regular meeting.

B. Copies of the agenda and materials provided to the Committee members shall be available to the public at the same time they are made available to the Committee members.

Section 5. Meetings to be Public:

A. All regular and special meetings of the Committee shall be open to the public, provided that the Committee may meet in Closed Meeting to consider matters as permitted by the Freedom of Information Act (Va. Code §2.2-3711). Such Closed Meetings shall be held when feasible after all items of business on the agenda have been conducted.

B. Notice of a regular Committee meeting shall be posted publicly at least three working days prior to the meeting.

Section 6. Citizen Participation:

A. Individuals or representatives of groups may speak on agenda topics at a publicly announced time on the agenda during each meeting, provided they have notified the Chairperson of their desire to do so prior to the meeting being called to order. Such individuals or group representatives will be allotted up to ten minutes to present their information to the Committee. The Committee may, by majority vote, extend such time limit as it deems appropriate.

B. After the Committee has dispensed with items on the agenda, members of the public will be permitted ten minutes to speak on non-agenda matters. The Committee may, by majority vote, extend or further limit time on such appearance if it seems appropriate.

C. Except in emergencies, the Committee shall not attempt to decide upon any question before examining and evaluating the information any person requests the Committee to consider. The appropriate subcommittee of the Committee shall be given an opportunity to examine and to evaluate all such information and to recommend action before the Committee makes a decision.

Section 7. Quorum:

A majority of the filled Committee member positions shall constitute a quorum for the transaction of business at a full Committee meeting. For a subcommittee meeting, a quorum shall consist of at least half of the subcommittee membership.

Section 8. Voting:

If a quorum exists, an affirmative vote of a majority of the Committee members present is required for the Committee to act. All votes must be recorded and take place in an open meeting.

Section 9. Closed Meetings:

A. A closed meeting may be held within an open meeting under certain conditions. There must be an affirmative vote during an open meeting to hold a closed meeting. The motion to approve the closed meeting must include the following: (1) the subject of the closed meeting, (2) the purpose of the closed meeting, and (3) the reference to the applicable exemption from the open meeting requirements.

B. Following the closed meeting, the Committee must reconvene an open meeting and take a vote to affirm that they restricted their discussion during the closed meeting to only those items specifically mentioned in the closed meeting motion. A decision made during a closed meeting only becomes official once the Committee reconvenes an open meeting and votes on the decision.

Section 10. Electronic Meetings:

A. When a quorum is physically present at the primary meeting location, other members may participate in the meeting via electronic means (i.e., telephone or video conference) from remote sites. These remote sites must be open to the public and notice for the electronic meeting must be posted at least seven working days prior to the meeting.

B. Votes can be taken during an electronic meeting if votes are recorded by name in the minutes.

Section 11. Recordings of the Meeting:

A. Typed minutes of each meeting shall be maintained as a public record in the custody of the Department of Medical Assistance Services. These minutes shall be sent to each Committee member and approved at the next full Committee meeting.

B. Draft minutes will be posted on the Commonwealth of Virginia web site (www.virginia.gov) within ten days of the meeting. Approved minutes will be posted on the Commonwealth of Virginia web site within three days of the meeting at which they were approved.

Section 12. Adjourned Meetings:

Meetings may be adjourned as the business of the Committee requires. At the time of adjournment, the time, date and place of the continuation of the meeting or next meeting shall be determined and announced.

Section 13. Parliamentary Procedure:

Robert's Rules of Order shall prevail except as otherwise provided herein.

ARTICLE VII – REPORTING

The Committee shall, at its discretion, report on the current status of the FAMIS programs and submit recommendations to the Director of the Department of Medical Assistance Services and the Secretary of Health and Human Resources.

ARTICLE VIII – AMENDMENTS

These regulations, except those quoted from the enabling statute, may be amended at any meeting of the Committee by a simple majority.

ADOPTED by the Committee December 5, 2019.