VIRGINIA DEPARTMENT OF MEDICAL ASSISTANCE SERVICES (DMAS) MAC BYLAWS

Article I. Name

The name of this committee shall be the DMAS Medicaid Advisory Committee, hereinafter referred to as the "MAC."

Article II. Authority

Title 42 CFR 431.12 requires the establishment of a MAC by the single State Medicaid agency. In Virginia, this agency is the Department of Medical Assistance Services (DMAS).

Article III. Purpose

The purpose of the MAC is to advise DMAS on matters of concern related to policy development and the effective administration of the Virginia Medicaid program. The MAC has no direct policy making authority, but its input is used by the DMAS Agency Director on matters within its purview.

Article IV. Activities

Section 1. Advising. Advise the DMAS Director on matters related to policy development and administration of the Medicaid program, at a minimum including:

(a) Additions and changes to services.
(b) Coordination of care.
(c) Quality of services.
(d) Eligibility, enrollment, and renewal processes.
(e) Beneficiary and provider communications.
(f) Cultural competency, language access, health equity, and disparities.
(g) Access to services.
(h) Other issues that impact the provision or outcomes of health and medical care services in the Medicaid program as determined by the MAC, BAC, or State such as

- reviewing the state's Medicaid managed care program report
- providing input on the state's managed care quality rating system
- drafting and revising the state's quality strategy
- public notice and hearing requirements for § 1115 demonstration projects.

Section 2. Consulting. The State will consult with the MAC in the review of marketing materials.

Section 3. Annual Report. The MAC, with support from DMAS, shall submit an annual report describing activities, topics discussed, and recommendations. DMAS will review the report and include responses to the recommended actions. Additionally, DMAS will:

a) Provide MAC members with final review of the report;
b) Ensure that the annual report of the MAC includes a section describing the activities, topics discussed, and recommendations of the Beneficiary Advisory Council (BAC), as well as the State's responses to the recommendations; and

c) Post the report to the DMAS website within 30 days of the annual report finalization.

Article V. Conduct of Business

To assist in addressing any situation that may arise which is not specifically covered by the Bylaws, the rules contained in the current edition of Robert's Rules of Order Newly Revised shall govern the MAC in all cases to which they are applicable, to the extent that they are not inconsistent with the laws of Virginia, these Bylaws, or any special rule the MAC may adopt.

Article VI. Membership

Section 1. Recruitment. DMAS will maintain an Expression of Interest form on its website and select members as outlined in the MAC Member Recruitment and Selection Policy and in accordance with requirements of 42 CFR 431.12.

Section 2. Appointment. Members shall be appointed by the DMAS Director.

Section 3. Composition.

(a) Membership shall include at least one person from each of the following categories:

1) State or local consumer advocacy groups or community-based organizations that represent the interests of, or provide direct service to, Medicaid beneficiaries;
2) Clinical providers or administrators who are familiar with the health and social needs of Medicaid beneficiaries and with the resources available and required for their care;
3) Representatives of participating Medicaid managed care organizations (MCOs), or a health plan association representing more than one such plan;
4) Other Virginia state agencies serving the Medicaid population (as ex officio, non-voting members).

(b) The MAC must also include the following percentages of members from the BAC:

1) For the period from July 9, 2025 through July 9, 2026, 10 percent of the MAC members must come from the BAC;
2) for the period from July 10, 2026 through July 9, 2027, 20 percent of MAC members must come from the BAC;
3) thereafter, 25 percent of MAC members must come from the BAC.

Section 4. Term of Service.

Members will serve a two (2) year term. Member terms shall be alternating such that approximately half of seats are vacated each year. To establish this staggered structure, during the initial year of Committee formation, approximately half of the members shall be appointed to an initial one (1) year term and the remaining members shall be appointed to an initial two (2) year term, as determined by the DMAS Director or designee.

The members described in Section 3 (a)1-3 above are each responsible for representing the broader stakeholder groups and gathering their feedback for meetings.

No member shall be eligible to serve on the Committee for consecutive terms but may be considered to serve on the Committee again after a 2-year absence. Should any Committee member be unable to complete their full term on the Committee, that member shall provide written notice to the DMAS Director or designee at least 30 days prior to resignation.

Section 5. Resignation. Members must submit written resignation to the DMAS Director or designee.

Section 6. Compensation. Committee members shall serve without compensation. However, the Department shall pay or reimburse such reasonable costs as necessary for the work of the Committee. Such reasonable costs may include travel, meals, lodging and parking. Such payments or reimbursements shall be consistent with the governing authorities of the Commonwealth of Virginia. DMAS shall pay the operating expenses of the Committee.

Article VII. MAC Leadership positions

The DMAS Director or designee shall select a Chair and Vice Chair from among the MAC's voting members at the first meeting of each calendar year. Officers shall serve a term of one (1) year, or until the completion of their membership term, whichever occurs first. Nominations, including self-nominations, may be submitted to the DMAS Director or designee by any voting member. In the event of a vacancy of the Chair position, the Vice Chair shall assume the duties of the Chair until a successor is selected. Officers may be removed from the position by the DMAS Director or designee for reasons including, but not limited to, failure to fulfill duties, excessive absences, or conflict of interest.

Article VIII. Meetings

Section 1. Frequency. Meetings shall be held at least quarterly and shall be open to the public. MAC will coordinate with the BAC in scheduling meetings so that the BAC can meet in advance of the MAC as required per 42 CFR 431.12e2.

Section 2. Format and Electronic Participation. Meetings shall be conducted in accordance with the Virginia Freedom of Information Act (FOIA), including §§ 2.2-3707, 2.2-3708.2, and 2.2-3708.3 of the Code of Virginia, as amended.

Meetings may be held:

1. In person;
2. In a hybrid format that includes both in-person attendance and electronic access for the public; or
3. Through electronic communication means only when authorized by applicable Virginia law.

Any participation by Committee members through electronic communication means shall be conducted in compliance with Virginia FOIA requirements governing electronic meetings and remote participation.

Section 2A**.** Remote Participation by Members. A member may participate in a meeting through electronic communication means only as permitted by Virginia FOIA and any policy adopted by DMAS governing

remote participation. Prior to participating remotely, the reason for remote participation shall be disclosed and recorded in the meeting minutes as required by law. A member participating remotely pursuant to Virginia FOIA shall be counted as present for purposes authorized by law and may vote as permitted under applicable law. The Committee shall maintain records of remote participation sufficient to satisfy Virginia FOIA requirements.

Section 3. Accessibility. DMAS shall facilitate participation of beneficiaries by ensuring that meetings are accessible to people with disabilities, that reasonable modifications are provided when necessary to ensure access and enable meaningful participation, and communications with individuals with disabilities are as effective as with others. DMAS shall take reasonable steps to provide meaningful access to individuals with Limited English Proficiency, and shall ensure that meetings comply with ADA, Title VI of the Civil Rights Act of 1964, section 504 of the Rehabilitation Act, and section 1557 of the Affordable Care Act at 28 CFR part 35 and 45 CFR parts 80, 84 and 92, respectively.

Section 4. Notice.

Notice of all regular meetings will be announced at least 30 calendar days in advance of the date of the meeting by publication on Virginia Regulatory Town Hall (http://townhall.virginia.gov/) and the DMAS website (www.DMAS.Virginia.Gov). Meeting materials will be posted publicly in advance of the meeting.

Section 5. Quorum.

Presence at a public meeting of at least fifty-one percent (51%) of the voting members of the Committee shall constitute a quorum; for in-person meetings, members must be physically present to count towards the quorum. All decisions of the Committee require approval by a majority of the virtually or physically assembled quorum. In the event that a quorum is not established, Committee members may still meet, but shall not take votes on any issue.

Committee Member Attendance – If a Committee member misses two consecutive regularly scheduled meetings in one year, their membership may be terminated at the discretion of the director.

Section 6. Special and Emergency Meetings.

Notice of special, emergency, or continued meetings shall be provided in accordance with Virginia FOIA and contemporaneously with notice provided to Committee members.

Article IX. Role of DMAS

Section 1. Consideration. The DMAS Director shall review and consider MAC recommendations.

Section 2. Support. DMAS shall provide staffing and operational support to the Committee.

Section 3. Public Documentation. DMAS shall make publicly available on its website the following documents of the MAC:
(a) Bylaws

(b) Member recruitment and selection process
(c) Member list
(d) Meeting schedule
(e) Meeting minutes
(f) Annual report

Section 3A. Minutes of meetings conducted with electronic participation shall include:

(a) The identity of members physically present;
(b) The identity of members participating electronically;
(c) The identity of members monitoring electronically without voting, if applicable;
(d) Any FOIA-required disclosures regarding remote participation;
(e) All votes taken and the manner in which votes were cast.

Section 4. Annual Report. DMAS shall assist in preparation, review, and publication of the Annual Report described in Article IV, Section 2.

Section 5. Effective Date. These Policies and Procedures shall take effect immediately upon approval by the Director or their designee. The policies and procedures will be presented to the Committee at the next scheduled meeting for a vote.