

**BYLAWS FOR THE
A.H.C.C.C.S
STATE MEDICAID ADVISORY COMMITTEE (SMAC)**

MISSION

The SMAC will participate in the development of policy and program administration for the Arizona Health Care Cost Containment System (AHCCCS). Participation will include review of policy, rules and administrative issues for applicable AHCCCS programs. The SMAC will advise the Director of AHCCCS on policy and administrative issues of concern to the SMAC member constituency.

To facilitate accomplishing its mission, the SMAC will, whenever practicable, recommend issues and/or policies for inclusion on the SMAC agenda in order to allow for consideration prior to implementation. SMAC membership may also request background information and/or policy papers in advance of SMAC meetings, allowing for a deliberative discussion of the issues with AHCCCS Senior Management during the SMAC meeting.

AUTHORITY

The SMAC operates in accordance with 42 CFR 431.12 and the State Medicaid Plan.

DEFINITIONS

“AHCCCS” or “Administration” means the Arizona Health Care Cost Containment System defined in Arizona Revised Statutes (A.R.S.) §§ 36-2901, -2931, -2971 and -2981.

“SMAC” means the State Medicaid Advisory Committee, as appointed by the Director. “AHCCCS Director” means the Director of AHCCCS as specified in A.R.S. §§ 36-2901, -2931, -2971 and -2981.

SMAC COMPOSITION

The SMAC shall include the AHCCCS Director or designee, the Director of the Arizona Department of Health Services (ADHS) or a designee, and the Director of the Department of Economic Security (DES) or a designee. The remaining authorized members shall be no less than seventeen (17), as follows: eight (8) health care providers or professionals with a direct interest in the AHCCCS program; and nine (9) members of the public, (e.g. a Medicaid recipient, a consumer advocate, a representative of a tribal community, or a representative of the educational community, etc.).

APPOINTMENT PROCESS AND LENGTH OF TERM

The AHCCCS Director or a designee, the ADHS Director or a designee, and the DES Director or a designee positions are ex-officio (i.e. permanent position by virtue of the position with their respective State agency). The remaining seventeen (17) committee members shall be appointed by the AHCCCS Director. A term shall last for two years from the date of appointment and no member shall serve more than three consecutive terms. After serving as a member for three consecutive terms, a member may be appointed again after a waiting period of 24 months.

The AHCCCS Director or a designee is the SMAC chairperson and is responsible for setting meeting agendas. Special meetings of the SMAC may be called by the chairperson. Written notice of a special meeting shall be given at least five (5) days before the meeting, specifying the date, time and purpose of the meeting. The chairperson shall preside at all meetings, and shall facilitate discussion by the members.

All vacancies shall be filled by a majority vote of the SMAC. The appointment process will occur annually in October. Prior to the October meeting the SMAC shall submit to the Director a list of nominees for expiring terms. The Director may solicit or receive nominations for new members from other sources. A subcommittee of the SMAC will review all new applications. The SMAC Liaison will distribute applications to the SMAC application review subcommittee. A spokesperson for the subcommittee will present all final nominations to the SMAC during

the October meeting for an official vote. All newly appointed members will receive an appointment letter from the Director after the October meeting.

Any appointed member of the SMAC may resign by giving written notice to the SMAC, SMAC chairperson or SMAC Liaison. Any such resignation shall take effect at the time specified therein, or, if not specified therein, upon its receipt.

Any SMAC member appointed by the Director may be removed by the SMAC, upon majority vote, or the Director whenever it is deemed to be in the best interest of the SMAC and AHCCCS.

STAFF ASSISTANCE

Staff assistance from the Administration shall be available to the SMAC at the request of the chairperson or the committee as a whole. The designated SMAC Liaison shall provide staff assistance and as needed conduct a needs assessment wherein the SMAC members suggest new membership based on the committee's needs. Independent technical assistance shall be available at the request of the SMAC, if determined necessary by the Director and appropriate funds are available.

MEETINGS

SMAC meetings are open to the public. The meetings shall be held quarterly on the 2nd Wednesday of the January, April, July and October or otherwise as the Director deems appropriate.

A member may participate in a meeting by tele-conference or online, so long as that method does not detract from other participants' ability to communicate with one another. Participating in this manner shall constitute a person's attendance. If a SMAC member is unable to attend a meeting, that member is requested to notify the SMAC Liaison of their absence prior to the date of the meeting. Members are encouraged to send a representative to meetings they are unable to attend. Members are requested to notify the SMAC Liaison with the name of the individual who will be attending on their behalf.

MEETING MATERIALS

When available, handouts for the current agenda will be mailed two weeks in advance of the meeting. Members shall bring all mailed handouts to the meeting to facilitate discussion.

If a member is unable to attend the meeting and is sending a representative, please forward the handouts to the representative to bring to the meeting.

FEDERAL FINANCIAL PARTICIPATION

Medicaid recipient members shall be reimbursed for necessary costs, such as transportation and childcare, to facilitate their attendance at committee meetings.

If determined necessary and available by the AHCCCS Director, Federal financial participation at 50 percent shall be secured for expenditures for the participation of the Medicaid recipient members and for committee activities, including independent technical assistance costs.

AMENDMENT

These Bylaws may be altered, amended or repealed and new or revised bylaws may be adopted by a majority of the SMAC at any regular meeting or special meeting, provided that at least ten (10) days written notice is given of intention to alter, amend, or repeal or to adopt new Bylaws at such meeting.

42 Code of Federal Regulations (CFR)

Part 431-State Administration

Subpart A-Single State Medicaid Agency

42 CFR 431.12 § 431.12 Medical care advisory committee

(a) Basis and purpose. This section, based on section 1902(a) (4) of the Act, prescribes State plan requirements for establishment of a committee to advise the Medicaid agency about health and medical care services.

(b) State plan requirement. A State plan must provide for a medical care advisory committee meeting the requirements of this section to advise the Medicaid agency director about health and medical care services.

(c) Appointment of members. The agency director, or a higher State authority, must appoint members to the advisory committee on a rotating and continuous basis.

(d) Committee membership. The committee must include;

(1) Board-certified physicians and other representatives of the health professions who are familiar with the medical needs of low-income population groups and with the resources available and required for their care;

(2) Members of consumers' groups, including Medicaid recipients, and consumer organizations such as labor unions, cooperatives, consumer-sponsored prepaid group practice plans, and others; and

(3) The director of the public welfare department or the public health department; whichever does not head the Medicaid agency.

(e) Committee participation. The committee must have opportunity for participation in policy development and program administration, including furthering the participation of recipient members in the agency program.

(f) Committee staff assistance and financial help. The agency must provide the committee with –

(1) Staff assistance from the agency and independent technical assistance as needed to enable it to make effective recommendations; and

(2) Financial arrangements, if necessary, to make possible the participation of recipient members.

(g) Federal financial participation. FFP is available at 50 percent in expenditures for the committee's activities.

2020 SMAC Meetings

Per SMAC Bylaws, meetings are to be held the 2nd Wednesday of January, April, July and October.

All meetings will be held from 1 p.m. - 3 p.m. unless otherwise announced at the AHCCCS Administration.

701 E. Jefferson, Phoenix, AZ 85034, 3rd Floor in the Gold Room:

January 8, 2020

April 8, 2020

July 8, 2020

October 14, 2020