

COLORADO DEPARTMENT OF HEALTH CARE POLICY AND FINANCING

LONG TERM CARE ADVISORY COMMITTEE

OPERATIONAL PROCEDURES

March 2012

ARTICLE I - ORGANIZATION

A. OFFICERS

The Department Co-Chair of the Long Term Care Advisory Committee (LTCAC) shall be appointed by the Department of Health Care Policy and Financing (Department). The LTCAC shall elect from its members a Stakeholder Co-Chair to serve for one year. The Stakeholder Co-Chair shall be elected by the appointed LTCAC members on an annual basis. Each LTCAC member shall be eligible to be Stakeholder Co-Chair. A member may decline to serve as Stakeholder Co-Chair. Election of the Stakeholder Co-Chair shall take place each June with service beginning in July. In the event that the Stakeholder Co-Chair cannot complete their term of office, the LTCAC members shall elect an interim Stakeholder Co-Chair to fill the remainder of the term.

B. MEMBERSHIP

Membership on the LTCAC is application-based and term-limited. Memberships will be split between two-year and three-year memberships and will be staggered to minimize turnover. Applications received will be reviewed first by the Department and Stakeholder Co-Chairs and then presented to the LTCAC for consideration and discussion. Applications selected through majority vote of the LTCAC will be processed to the Department Executive Director for final consideration.

Membership shall reflect varied perspectives relevant to Medicaid Long Term Services and Supports.

Ad hoc membership for the purposes of securing representation of specific interests related to a project or interest will be managed by the LTCAC under the direction of the two Co-Chairs. In the event that a LTCAC member cannot complete their appointed term, they shall notify the Department Co-Chair immediately. The Department Co-Chair will bring this issue forward to the LTCAC for discussion. The Department Co-Chair will then seek consideration of potential replacements from the Department Executive Director.

C. MEETINGS

Regular meetings of the LTCAC shall be held at a place and time determined by the Colorado Department of Health Care Policy and Financing (the Department). The LTCAC will have input into the length of the meeting, dependent on the workload of the group, but meetings are expected to be no shorter than ninety minutes. The Department may also determine that a regular monthly meeting shall not be held. All meetings of the LTCAC shall be open to the public and will include a public comment period.

D. ATTENDANCE

Consistent attendance at all LTCAC meetings is expected. Attendance by telephone shall be an available option for those members who cannot attend in person.

Should a member be unable to attend LTCAC meetings in person or via telephone, the member may designate an alternative, temporary attendee. Such attendees shall not have voting rights. The LTCAC member shall be responsible for keeping abreast of the activity of the LTCAC. Three consecutive LTCAC absences or four or more absences over a twelve-month period will result in termination of a member's standing on the LTCAC.

E. QUORUM

The quorum of members necessary for the LTCAC to transact business shall be a simple majority of the entire membership. Recommendations and election of officers of the LTCAC shall be by a simple majority of the entire membership. Dissenting opinions shall be included in any written report of LTCAC recommendations to Department leadership.

F. SUB-COMMITTEES

The LTCAC, by resolution of a majority of the members, may designate and appoint one or more Subcommittees to serve in an advisory capacity to the LTCAC. No such Subcommittee shall have the authority of the LTCAC and shall perform only those functions and pursue only those objectives determined by the LTCAC. The LTCAC will allocate time at its regular meetings to receive, discuss and approve formal Subcommittee reports.

Each Subcommittee will be assigned a specific objective by the LTCAC, based on strategic priorities identified and approved by a simple majority of the entire LTCAC membership.

Each Subcommittee will be led by two Subcommittee Co-Chairs, a Subcommittee State Staff Co-Chair and a Subcommittee Stakeholder Co-Chair. The Subcommittee

Stakeholder Co-Chair shall be approved by a simple majority of the LTCAC and approval by the Department. The Subcommittee Co-Chairs shall be responsible for completion of the objectives assigned to their Subcommittee by the LTCAC. Their duties shall include, but not necessarily be limited to: convening Subcommittee meetings; developing and distributing Agendas; ensuring that meeting minutes are taken; recruiting, appointing, managing and discharging Subcommittee members; creating and disbanding Subcommittee work groups as needed; and, requesting and/or seeking necessary resources to accomplish Subcommittee objectives.

Each Subcommittee shall keep the LTCAC apprised of its work and progress through regular written and verbal reports to the LTCAC Co-Chairs. Status reports shall occur at least every other month.

Subcommittee Co-Chairs shall work with the LTCAC Co-Chairs, and a project management consultant as supplied by the Department, to ensure that Subcommittee work proceeds according to a written, updated work plan, including deliverables, timelines and responsible parties. The LTCAC Co-Chairs or the Department consultant shall supply each Subcommittee with the assistance it needs to develop work plans, stay on schedule, and to meet its objectives.

ARTICLE II - PROCEDURES AND RULES OF ORDER

A. MEETINGS

Meetings of the LTCAC shall be as informal as circumstances permit.

B. LTCAC CO-CHAIRs

The LTCAC Co-Chairs shall preside at all meetings. Whenever a Co-Chair is absent, the other Co-Chair shall perform all the duties of the Chair. In the absence of both Co-Chairs, the Department shall supply a temporary LTCAC Department Co-Chair and the member present shall, by simple majority of members present, select a temporary LTCAC Stakeholder Co-Chair to serve at that meeting.

C. AGENDA

The LTCAC Co-Chairs shall develop an Agenda for each LTCAC meeting, based on LTCAC strategic priorities and member suggestions. The Agenda will be distributed electronically to members, posted on the Department website, and distributed to the Department LTSS Stakeholder email list at least ten days prior to each LTCAC meeting. The Agenda may be changed by the Co-Chairs during a meeting or by a majority vote of the members present.

D. MINUTES

Minutes shall be taken of all meetings of the LTCAC, distributed to members

electronically and posted to the Department's website. Correction and approval of minutes shall be made by motion and a simple majority vote of the members present. Minutes of a given LTCAC meeting shall be approved by members at the meeting following, by a simple majority of the entire LTCAC membership.

E. VOTING

When appropriate, the LTCAC Co-Chairs or members shall offer a measure, issue or recommendation to the LTCAC for a vote. The measure, issue or recommendation requires a motion with a second by another member. Members shall cast votes verbally and a tally shall be taken for the record. Should a member not be present, their vote may be offered by telephone during the time of voting at the meeting.

ARTICLE III - GENERAL POLICIES

A. AUTHORITY

No individual member of the LTCAC shall exercise any individual administrative authority with respect to the Department.

B. STATEMENTS / COMMENTS

No individual member of the LTCAC shall make a statement that purports to be that of the LTCAC unless the LTCAC shall have adopted such statement, but no one shall be prohibited from stating their personal opinions or the opinions of the stakeholders they represent, provided they are clearly identified as such.

C. PERSPECTIVE

The LTCAC shall define the Medicaid LTSS stakeholder perspectives necessary to ensure effective debate and development of recommendations. All members of the LTCAC, its Subcommittees and work groups are responsible to attend meetings on a regular basis and to serve as representatives of their respective organizations and stakeholder groups, rather than providing purely personal or individual views. The Department requires LTCAC members to communicate back to their organizations / stakeholders through their respective associations or constituencies to ensure maximum transparency across the state regarding the policy direction of the Department. Additional responsibilities of members include active participation and respectful debate, and adherence to the Operating Values agreed upon by the members. Should an active member's perspective change for any reason, their continued participation on the LTCAC is subject to approval by a simple majority of members and the Department Executive Director's approval.

D. CONFLICTS OF INTEREST

For purposes of LTCAC activity, conflict of interest is considered to exist when an LTCAC member might experience a direct personal or business interest gain, in the outcome of a particular resolution or recommendation being considered by the LTCAC. Receipt of Medicaid or other health care services provided by the Department, or receipt of payment for services as a provider, shall not necessarily be considered a conflict of interest for members.

LTCAC members may participate in discussions regarding topics on which they may have a conflict of interest, but shall disclose any potential conflict prior to the discussion. LTCAC members may not participate in the formal voting process when a conflict is determined to exist.

ARTICLE IV - ADMINISTRATIVE DIRECTIVES

A. AGENDA

The Department shall be responsible for the distribution of the Agenda for all LTCAC meetings, within the time parameters specified above in Article II, Section C.

B. MINUTES

The Department shall be responsible for the distribution of the LTCAC meeting minutes, within the time parameters specified above in Article II, Section D.

C. DOCUMENT DISTRIBUTION

Copies of documents that require LTCAC member action or consideration shall be distributed to all members to assure access at least ten days prior to each meeting.

D. WEBSITE

The Department shall keep current all posted agendas, minutes, committee membership rolls, operational procedures, etc. found on the Department's LTCAC webpage.

ARTICLE V – OPERATIONAL PROCEDURES

These Operational Procedures may be amended or repealed and new Operational Procedures adopted by Department approval and a simple majority vote of LTCAC members at any regular meeting of the LTCAC.

The Department shall provide a copy of these Operational Procedures to all members of the committee and to any other person who requests a copy.