

# Beneficiary Advisory Council (BAC) Bylaws

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*Drafted by the Rhode Island Executive Office of Health and Human Services (EOHHS) on January 30, 2025*

## **Article 1**

### *The Council and its Members*

Rhode Island is required by federal law (42 CFR 431.12) to establish a council comprised of current and former Medicaid members, their families, and caregivers. This council will fulfill the federal requirement for members to advise the State on their experience with the Medicaid program, and/or issues or concerns on policy development and administration of the Medicaid benefit. This shall include, but not be limited to, the following:

- Additions and changes to services.
- Coordination of care.
- Quality of services.
- Access to services.
- Eligibility, enrollment, and renewal processes.
- Member and provider communications by the Medicaid program and its contracted vendors such as Medicaid managed care organizations (MCOs).
- Cultural competency, language access, health equity, and disparities and biases in the Medicaid program.
- Other issues that impact health outcomes and delivery of medical care services in the Medicaid program.

This Council will be made up of no more than 10-15 members who reflect a diverse constituency of current and former Medicaid members, their families, and caregivers. The State Medicaid Program Director will select individuals to serve on the BAC. All selected members will serve a two-year term unless or until they resign or fail to meet attendance requirements. Members cannot serve consecutive terms. Council vacancies will be filled by the Medicaid Program Director's established selection process. Members shall include individuals who are enrolled in or have been enrolled in Rhode Island Medicaid as a:

- Parent on Rite Care
- Adult without children
- Adult with a disability
- Parent of a child with special needs
- Adult with an intellectual disability

- Adult receiving Long Term Services and Supports
- Adult over 65 on Medicaid and Medicare
- Member of a Rhode Island Tribe

The BAC will have one chairperson and one vice chairperson who are elected by the council through a majority vote. This council will have the authority, with approval by the membership, to create subcommittees as needed.

## **Article 2**

### *Council Structure and Meetings*

The BAC will follow set bylaws to govern the structure and operations of the council. A quorum is not needed for the BAC to meet and conduct business.

The BAC will meet quarterly (four times a year), and meetings can be held in convenient and accessible locations throughout the Rhode Island community with in-person, virtual and hybrid options available. The location and forum for the meetings are at the discretion of the BAC. The BAC meetings are not required to be open to the public unless the BAC decides otherwise. Written notices and reminders shall be sent to all members at least 30 calendar days in advance of the meeting via email and posted to the EOHHS Department's website.

Attendance is a requirement of council membership, unless excused, and is key for the committee to conduct business.

**Excused absence:** An excused absence is that in which the EOHHS staff person received notification at least two (2) days in advance of the absence. Qualified excused absences shall be determined by the BAC and include reasons such as unexpected personal or family emergencies, planned travel, or personal or family illness. Members who have more than two excused absences will receive a letter from the committee to gauge his or her interest in continued membership. The response may be provided either in writing or verbally and will be discussed at the next committee meeting, at which time a decision will be made.

**Unexcused absence:** Committee members must contact the EOHHS staff person when they will be absent. Failure to provide advance notice of an absence will be considered "unexcused." Members who have more than two unexcused absences in the same calendar year will be in jeopardy of being terminated from the committee and have their continued membership voted on by the remaining committee members.

Members who miss a combined total of four meetings during either their one-year or two-year term shall be dismissed from the committee.

## **Article 3**

### *Council Responsibilities and Expectations*

The BAC is responsible for the following:

- Advising EOHHS on issues brought forth by the Medicaid Program Director.
- Solicit input from other community members and consumers.
- Monitor and provide feedback on access, quality, and equity of health and social services.
- Inform and provide guidance on the Medicaid Quality Strategy and quality related initiatives and programs.
- Review and provide input on issues raised through grievances and appeals and other ombudsman reports.
- Support the promotion of accountability and transparency and development of public education and outreach campaigns.

Recommendations can be recorded and made to EOHHS/Medicaid via meeting minutes and/or reports.

In addition to regular BAC meetings, the BAC may hold “town hall” public meetings to allow for consumers to share experience and concerns regarding the Medicaid program.

The BAC can—with approval by majority vote of committee members—designate sub-committees as necessary to its scope of function and responsibilities.

- Standing sub-committees may be established for relevant topics addressed by BAC.
- Temporary sub-committees may be established for short term topics.
- Subcommittees may vary by size.
- The subcommittee chairperson must be a council member and will be responsible for reporting all activities and updates to the BAC.

## **Article 4**

### *Council Representation in Medicaid Advisory Committee (MAC)*

Per 42 CFR 431.12 (D) the members of the BAC will represent the council at Medicaid Advisory Committee (MAC) meetings as follows:

- From the period of July 9, 2025-July 9, 2026, 10% of MAC membership shall be composed from members of the BAC.
- From the period of July 10, 2026-July 10, 2027, 20% of the MAC membership shall be composed from members of the BAC, and thereafter 25% of MAC members must come from the BAC.

## **Article 5**

### *Council Member Compensation*

BAC members will receive a \$75 stipend for each meeting attended. As well as reasonable accommodations to assist them in participating fully in the BAC. These can include language interpretation (including American Sign Language (ASL)), material translation, closed captioning, or other needs.

### *Stipend Reporting Responsibilities*

Due to the stipend being considered taxable income, individual BAC members are responsible for reporting that income when filing their taxes. In addition, BAC members are also responsible for determining if the stipend impacts their eligibility for Medicaid and other means tested programs.

## **Article 6**

### *Amendments to the BAC bylaws*

These bylaws may be amended through a formal vote of BAC members.