

# Medicaid Advisory Committee Bylaws

## ARTICLE I. NAME AND LOCATION

- Section 1. The name of the committee is the Medicaid Advisory Committee (MAC), an advisory committee of the Nebraska Department of Health and Human Services (DHHS), Division of Medicaid & Long-Term Care (MLTC).
- Section 2. The mailing address of the MAC is as follows:  
Medicaid Advisory Committee  
DHHS, Division of Medicaid & Long-Term Care  
Nebraska State Office Building, Fifth Floor  
301 Centennial Mall South  
Lincoln, NE 68509

## ARTICLE II. LEGAL AUTHORITY

- Section 1. The MAC is [required by federal law](#), including [Section 1902\(a\)\(22\)](#) of the Social Security Act, as amended [codified at 42 USC 1396a(a)(4)], and 42 CFR 431.12. Nebraska law, specifically [Neb Rev Stat 68-906](#), adopts these federal provisions as a matter of state law.
- Section 2. Pursuant to this authority, the MLTC director shall appoint MAC voting members, including to fill any vacancies. The MLTC director shall create and administer an application process, and cause it to be made publicly available.

## ARTICLE III. PURPOSE

- Section 1. The purpose of the MAC is:
- (a) to formulate and recommend policies, analyze and recommend changes in programs, and review services provided to recipients;
  - (b) to interpret stakeholder opinions and needs regarding services;
  - (c) to provide a two-way channel of communication among the individuals, organizations, and facilities in Nebraska interested in care and services;
  - (d) to review health plan marketing materials, including but not limited to member handbooks and member information letters and notices;
  - (e) to facilitate the representative process, create public

- understanding, and ensure that services meet the needs of Nebraskans served at a reasonable cost to the taxpayers; and,
- (f) to review or act in accordance with any other applicable law or directive.

Section 2. The MAC is an advisory committee. Specifically, the MAC may advise and make recommendations regarding Nebraska Medicaid. The committee shall have the opportunity to participate in policy development and program administration; however, the MAC is not a policymaking body.

#### ARTICLE IV. COMMITTEE STRUCTURE

Section 1. It is important that the MAC include a diversity of interests, perspectives, and backgrounds, for both beneficiaries and providers. It is also important that the MAC include Nebraskans with a general understanding of DHHS programs as well as Nebraska Medicaid in particular.

Other characteristics to be considered include:

- (a) ability to place the interests of DHHS's total clientele above specific interests;
- (b) ability to service as an effective intermediary between DHHS and specific group(s) a member may represent;
- (c) interest, willingness, and time to contribute;
- (d) commitment to support the MAC;
- (e) receptivity to new ideas;
- (f) objectivity;
- (g) courage to express ideas and defend convictions;
- (h) ability to work cooperatively with others;
- (i) respect for the integrity and ability of others;
- (j) personal integrity;
- (k) ability to accept community pressures and criticisms; and,
- (l) ability to grow in knowledge and character.

All of these characteristics are rarely found in one individual. Therefore, voting members shall be selected to complement each other. If a committee has been chosen wisely, it will have the experience, wisdom, and potential to contribute.

Section 2. The MAC shall include seventeen (17) voting members and be comprised of the representative categories and interested parties as follows:

- (a) For the period from July 1, 2025 through July 1, 2026, at least ~~two (2)~~ 10% of MAC members of the MAC must also be a part of the Nebraska

Medicaid Beneficiary Advisory Council (BAC); for the period from July 2, 2026 through July 1, 2027, at least ~~3 members~~ 20% of the MAC must come from the BAC; and thereafter, ~~4 members~~ 25% of the MAC must come from the BAC. BAC members must be individuals who are currently or have been Medicaid beneficiaries and/or individuals with direct experience supporting Medicaid beneficiaries (family members and paid or unpaid caregivers of those enrolled in Medicaid).

The remaining MAC voting members must include representation of at least one from each of the following categories:

- (b) Clinical providers or administrators, such as physicians; hospitals; pharmacists; FQHCs/RHCs; IHS/Tribal/Urban Indian Organization providers, nursing facilities; behavioral health providers; dental providers; outpatient, physical, or speech therapy; and, long-term care providers, who are familiar with the health and social needs of Medicaid beneficiaries and with the resources available and required for their care.
- (c) State or local advocacy groups or other community-based organizations that represent the interests of, or provide direct service, to Medicaid beneficiaries.
- (d) Participating Medicaid Managed Care Organizations (MCOs), or a health plan association representing more than one such plans.

At the discretion of MLTC and the MAC, beneficiaries or advocates of beneficiaries, specifically families with children, persons receiving behavioral health services, persons receiving disability services, persons associated with a tribe or tribal community, and persons who live in a rural or frontier area may be included among the seventeen (17) voting members of the MAC in addition to those required voting member categories noted above.

Section 3. The following DHHS directors, or their designees, shall be non-voting members: MLTC, Division of Developmental Disabilities, Public Health, and Behavioral Health.

- Section 4. A voting member shall serve for a three-year term. Member terms will end on June 30<sup>th</sup> in the third calendar year after the calendar year in which they joined the MAC. At the initial commencement of these Bylaws (06.17.24), lots shall be drawn and one-third (1/3) of voting members shall be determined to serve a one-year term, one-third of voting members shall be determined to serve a two-year term, and one-third (1/3) of voting members shall be determined to serve a three-year term. Voting members may not serve consecutive terms but may serve multiple non-consecutive terms.

#### ARTICLE V. OFFICERS AND EXECUTIVE COMMITTEE

- Section 1. The chair and vice-chair shall be selected by the voting members at the first regular meeting of the calendar year, subject to the following: The chair and vice-chair must be voting members, each officer shall serve a one-year term (beginning the month following the first regular meeting of the calendar year), and the vice-chair becomes chair at the expiration of the one-year term as vice-chair or the vacancy of the chair. In cases of vacancy in the chair, the vice-chair may serve out the remainder of the chair's one-year term and shall serve one (1) additional year as chair; and, in cases of vacancy in the vice-chair, a voting member shall be selected to serve out the remainder of the vice-chair's one-year term. If a voting member is selected to serve as vice-chair in the third year of their term, their term on the Committee may be extended an additional calendar year to allow them to serve as the chair.
- Section 2. The chair, vice-chair, and MLTC director shall form an executive committee that shall set the agendas for meetings, including standing and other items. The executive committee shall meet between meetings and shall assist the chair in carrying out the day-to-day activities.
- Section 3. The chair may appoint subcommittee(s) to review or perform certain tasks and to report to the MAC. At least one (1) member of each subcommittee shall be a voting member other than the chair. The chair shall be a non-voting member of any subcommittee.
- Section 4. The chair (or in the absence of the chair, the vice-chair) shall preside over meetings. The presiding officer shall vote only in case of a tie.

#### ARTICLE VI. RESPONSIBILITIES

- Section 1. Responsibilities of MAC voting members include:
- (a) bringing concerns of the community to the attention of the chair;
  - (b) taking part in discussions;

- (c) helping the MAC analyze issues and develop recommendations;
- (d) completing assigned tasks or, if unable to do so, timely informing the chair;
- (e) suggesting agenda items or presentations to the chair;
- (f) review and provide any feedback regarding the MAC annual report; and,
- (g) attending meetings consistently and preparing for meetings in advance.

Section 2. Special responsibilities of MAC members who are beneficiaries or persons who represent beneficiaries include:

- (a) awareness of special problems confronting those seeking help;
- (b) awareness of community needs for which programs can be developed or improved;
- (c) knowledge of how to make programs widely known in the community;
- (d) knowledge of how to design outreach programs for potential beneficiaries who are unaware that they might be eligible for services;
- (e) knowledge of gaps in services;
- (f) knowledge of barriers to the use of services; and,
- (g) knowledge of how to help beneficiaries become informed.

Section 3. Responsibilities of MLTC to the MAC include:

- (a) clearly defining DHHS and MLTC expectations of MAC members;
- (b) providing opportunities and ample time to respond to and advise about programs, policies, regulations, and other priorities;
- (c) responding to MAC's advice and explaining why advice might not be taken;
- (d) understanding and accepting the MAC members and the public as partners in the decision making process;
- (e) providing staff and technical assistance to enable the MAC to make effective recommendations and function;
- (f) Assist in completing and submitting the MAC annual report; and,
- (g) giving assurance that MAC feedback is taken into consideration.

## ARTICLE VII. MEETINGS

Section 1. The MAC shall meet at least six (6) times per year for regular

meetings, reasonably spaced throughout the year, and the chair, vice-chair, or a majority of the voting members may call a special meeting.

Section 2. Notice, an agenda, and any materials must be provided no less than thirty (30) days prior to a regular meeting. Notice, an agenda, and any materials must be provided with as much notice as reasonably possible prior to a special meeting.

Section 3. A quorum for the transaction of business at any meeting is at least one voting member representing each of the required voting member categories outlined above in Article IV, Section 2 (a) – (d).

Section 4. MAC members who are current or former Medicaid beneficiaries or family members or caregivers of Medicaid beneficiaries may be compensated at the rate of \$25 per hour. MAC members are not eligible for compensation if they are being compensated for their time spent at MAC meetings by other organizations or entities. It is up to the MAC member to determine if compensation will impact their benefits. Members have the option to opt out of compensation at any time.

All other MAC members shall serve without compensation, except to the fullest extent permitted by applicable law. (a) Reasonable and necessary travel expenses may be reimbursed to voting members. MAC members may be reimbursed for mileage drive to and from MAC meetings and hotel and meal reimbursement at the discretion of Nebraska Medicaid. and (b) reasonable financial arrangements, if necessary, to make possible the participation of beneficiaries may be reimbursed

Section 5. Members who miss two (2) or more consecutive meetings are subject to being replaced.

Section 6. The current edition of *Robert's Rules of Order* shall govern procedural issues for which general consensus is not present.

#### ARTICLE VIII. REPORTS AND RECOMMENDATIONS

Section 1. The MAC generally strives for a consensus of opinion and reports that reflect the wishes of as many members as possible; however, the opinions of members who disagree must be recognized when they so choose. These members may prepare minority reports.

#### ARTICLE IX. RECORDS AND MINUTES

Section 1. Records of all official actions, minutes, reports, and otherwise shall be maintained by MLTC on behalf of the MAC.

## ARTICLE X. CONFLICT OF INTEREST

- Section 1. Members who have personal financial interests, other than fees for providing health services that would benefit from any actions or recommendations must declare the conflict and disqualify themselves from voting on topics that relate to such funds or services.

## ARTICLE XI. OPEN MEETINGS LAW

- Section 1. MAC meetings are open to the public, in compliance with Nebraska Revised Statutes 84-1407 through 84-1414.

## ARTICLE XII. AMENDMENTS

- Section 1. To the fullest extent permitted by applicable law, these Bylaws may be amended by (a) a simple majority of all voting members at each of two (2) consecutive regular members if notice of the suggested change is given to all committee members at least twenty-one (21) days prior to each regular meeting; or (b) a two-thirds (2/3rds) majority of all voting members at one (1) regular meeting if notice of the suggested change is given to all committee members at least twenty-one (21) days prior to the regular meeting and exigent circumstances exist and are reasonably described in the record.

Adopted: \_\_\_\_\_  
Effective: July 1, 2021  
Revised: June 17, 2024  
Revised: DATE