

PERSONAL ASSISTANCE OVERSIGHT (PAO) COMMITTEE

Bylaws

Article I - Name and Location

The name and location of this sub-committee will be the Personal Assistance Oversight (PAO) Committee, a sub-committee of the Idaho Medical Care Advisory Committee (MCAC). Its principal office and address will be the Idaho Department of Health and Welfare, Division of Medicaid, 3232 Elder Street, Boise, Idaho 83705.

Article II - Legal Authority

Statutory authority for creation and organization of the sub committee is granted pursuant to Title 39 - Chapter 56 Personal Assistance Services (39-5609) Idaho Code.

Article III - Purpose

The purpose of the PAO Committee is planning, monitoring, and recommending changes to the Medicaid waiver and personal assistance programs to the MCAC.

Article IV - Membership and Composition

Composition: It is mandated by Idaho Statute, that at least 51% of the PAO Committee membership be participants or their representatives.

Number of Members and Representation: The total number of members shall be nineteen (19) and consist of two (2) Advocates, six (6) Providers, ten (10) Participants or their representatives and one (1) Personal Assistant.

Membership Recruitment: The Department of Health and Welfare may contact providers, consumers and community organizations for potential appointees. Potential appointees and specific recommendations shall also be solicited from PAO Committee members.

Appointment and Term: The Facilitator in consultation with the committee members shall appoint Members to the PAO Committee. Members whose term expires may reapply to serve additional terms. (Amended 3-14-12)

- (A) During the first year of implementation of these bylaws, one (1) Advocate, three (3) Providers and five (5) Participants shall be appointed for a full three (3) year term. Also, the first year of implementation of these bylaws one (1) Advocate, three (3) Providers and five (5) Participants shall be appointed for a full two (2) year term. Upon conclusion of their respective two (2) year term, new individuals will be appointed for a full three (3) year term.

Article V – Qualifications and Responsibilities

Qualifications: Members shall be chosen for the following:

- (A) Demonstrated interest in the health care of Idahoans; and
- (B) Commitment and ability to place interests of the Department's total clientele above special interests; and
- (C) Interest, willingness, and time to work in the program area of concern to the PAO; and
- (D) Impartiality and ability to judge and act objectively; and
- (E) Current or recent experience in the profession or group to be represented; and

- (F) Ability to analyze problems and to express ideas clearly; and
- (G) Ability to explore and incorporate new and varied points of view.

Responsibilities:

- (A) Review PAO agenda and information prior to meetings and be prepared to discuss and make recommendations for improvements and changes.
- (B) Confer with providers, advocates, interest groups, and others as necessary to explore Medicaid Waiver and Personal Assistance issues and bring pertinent information/issues to the attention of the PAO Committee.
- (C) Sign and agree to abide by the Code of Ethics.
- (D) Attendance at each meeting of the PAO Committee.

Facilitator: The Bureau Chief, Long Term Care (BCLTC) shall act as Facilitator for the PAO Committee.

Duties of the Facilitator:

- (A) Act as a liaison between the PAO and the Medical Care Advisory Committee (MCAC); and
- (B) Develop the agenda for each meeting in consultation with the committee members; and
- (C) Preside over and conduct all meetings; and
- (D) Prepare and report to the MCAC

Attendance at Meetings: To maintain the continuity, integrity and consistency of work performed by the PAO Committee, every member is expected to attend every meeting. It is recognized that circumstances may prevent a member from attending. Therefore, alternates will be allowed for up to two meetings per year.

Alternates: Each member may designate an alternate who, in the absence of the member shall have the same rights, privileges and obligations as the member. As a courtesy, the facilitator should be notified as early as possible that an alternate will attend the meeting. Alternates have full participation and voting privileges. Alternates must meet the same membership criteria as the existing member.

Vacancies: A vacancy shall be filled for the remainder of the unexpired term from the same class of persons represented by the outgoing member.

Replacement of a Member: In the event of death or resignation, or failure of a member to attend or designate a substitute to attend two (2) consecutive meetings, the facilitator may appoint a replacement representing the same or a different category/organization or the vacating person's substitute, to complete the term of office consistent with the requirements set forth.

Removal from Committee: Committee members will be required to sign a Code of Ethics and be held accountable to that Code of Ethics. Any allegations brought to the Committee will be investigated. Committee member will be suspended from privileges until completion of investigation that has to be completed before the next regular meeting of the Committee. Any member in a Committee appointed position who misses two consecutive meetings without an alternate will be automatically considered resigned from the Committee and a new member will be sought who meets the same membership criteria as the member being replaced. Exceptions can be granted upon request and vote of the Committee.

Article VI – Meeting Agenda and Materials

Notice of Meetings and Materials: Date, time and location of each meeting of the PAO, and the

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agenda with supporting material will be sent to members for their review two (2) weeks prior to the scheduled meeting time so that members may be better informed.

Meeting Frequency: The PAO Committee will be convened quarterly as necessary.

The Department will provide:

- (A) Staff necessary to assist the Committee in performing its duties.
- (B) Space for meetings of the Committee.

Agenda: PAO members may request to add items to the agenda prior to the scheduled meeting by contacting the Facilitator in advance of the meeting. The Facilitator shall determine if time permits to add the item to the agenda.

Minutes: Meeting minutes of immediate, past meetings shall be mailed to all PAO Committee members at least two (2) weeks prior to the next scheduled meeting.

Materials: Materials supporting the agenda for any meeting shall be compiled and distributed to members at least two (2) weeks prior to the next scheduled meeting. The BCLTC will determine the detail of the material that must be prepared for the purpose of informing PAO members.

Notice: Written notice of meetings shall be provided to all Committee members and shall include time and place of meetings.

Article VIII – Amendments

Any modification of these Bylaws shall be reviewed by the facilitator and presented to the full Committee within a reasonable time prior to a meeting in which action on the Bylaws shall be taken. All amendments must be approved by at least two-thirds of the current Committee membership.

Article VIII – Severability

These Bylaws are severable and if any Bylaw, or part thereof, or the application of such Bylaw to any members or circumstance is declared invalid, then it does not affect the validity of the rest of the Bylaws.