

Commonwealth of Kentucky Medicaid Advisory Committee Bylaws

Any previous bylaws are now repealed, and the bylaws in this document are approved by the Medicaid Advisory Committee (MAC) on February 5, 2026.

I. Purpose

- A. The MAC is established in accordance with 42 CFR 431.12 and pursuant to KRS 205.550 to advise the Department for Medicaid Services (DMS) on these subjects:
 1. New services or changes to current services,
 2. How people qualify, sign up and renew their Medicaid coverage,
 3. How DMS and any Medicaid managed care organization (MCO) communicate to members and providers,
 4. Respecting different cultures, using language that everyone understands, and making sure everyone is treated fairly in the Medicaid program,
 5. Access to quality services that give members the best care, and
 6. Other issues that affect the health care services in the Medicaid Program as determined by the MAC, the Beneficiary Advisory Council (BAC), the Technical Advisory Committees (TACs), or the Commonwealth of Kentucky (Commonwealth).

II. Duty of the MAC

- A. The duty of the MAC is to advise DMS on the topics above that are part of the Medicaid Program. This includes suggesting changes to programs and policies. The MAC will also work with other advisory groups, including the BAC and Technical Advisory Committees (TACs).
- B. The MAC is an advisory group, which means it does not have control over how the Medicaid program is run. However, DMS values the ideas and experiences of the MAC and will take their suggestions and concerns seriously.

III. Membership

- A. Membership Composition
 1. As of the effective date of these bylaws, the MAC will have thirty-one members:
 - a. Five (5) ex officio members, or their designee:
 - i. The Secretary of Health and Family Services
 - ii. The Commissioner of the Department for Medicaid Services
 - iii. The Commissioner of the Department of Public Health

- iv. The Commissioner for the Department of Behavioral Health, Intellectual and Developmental Disabilities
- v. The Commissioner for the Department of Community Based Services
- b. Fourteen (14) members who have been appointed by an organization listed below:
 - i. Kentucky Medical Association
 - ii. Kentucky Dental Association
 - iii. Kentucky Hospital Association
 - iv. Kentucky Medical Equipment Suppliers Association
 - v. Kentucky Pharmacists Association
 - vi. Kentucky Association of Health Care Facilities
 - vii. Kentucky Association of Hospice and Palliative Care
 - viii. Kentucky Nurses Association
 - ix. Kentucky Podiatry Medical Association
 - x. Kentucky Home Care Association
 - xi. Kentucky Optometric Association
 - xii. Kentucky Primary Care Association
 - xiii. Leading Age
 - xiv. Kentucky Association of Health Plans
- c. Five (5) healthcare advocates representing consumer advocacy groups
 - i. Disabled
 - ii. Elderly
 - iii. Incarcerated Persons Reentering Society
 - iv. Minorities
 - v. Women
- d. Seven (7) members from the BAC
 - i. Three (3) current Medical Assistance members referenced in KRS 205.550
 - ii. Two (2) current or former members
 - iii. Three (3) family, guardian or caregiver representatives

2. All members must be residents of the Commonwealth or licensed and practicing in the Commonwealth.

B. Application, Selection, and Appointment Process

1. Individuals representing nominating organizations will apply to the organization when there are open positions. The organization will review any applications and send up to three (3) nominees to DMS for consideration and selection.
2. Individuals interested in one of the five (5) healthcare advocate positions representing consumer advocacy groups will submit their application directly to DMS for review when there are open positions.
3. Former and current Medicaid members, guardians, family members, and caregivers should request consideration for the MAC when applying to the BAC.
4. For all positions, the Commissioner, working with other DMS leadership, will make the final appointments. In selecting the appointee, DMS aims to have members who represent the different Commonwealth Medicaid programs and populations.

C. Term Length

1. In the first year of the MAC, the Commissioner will decide if members will have a two-year, three-year, or four-year term to rotate appointments.
2. After the first rotation of members, all new appointments will be for four (4) years.
3. Members may not serve two terms in a row. However, they may serve again if they wait at least four (4) years after their last term ended.

D. Attendance

1. Members are expected to attend all scheduled meetings.
 - a. If a member misses at least fifty percent (50%) of the meetings in a calendar year or misses two (2) meetings in a row, the MAC Chair will:
 - i. Send a letter to the Commissioner recommending that the member be removed and someone else appointed,
 - ii. Notify the MAC members that a member has missed more than half of the meetings or two in a row, and
 - iii. After notifying the MAC, send a letter to the member saying that the MAC has recommended they be replaced. If the member is also a BAC member, the MAC Chair will notify the BAC Chair of the recommendation to remove the member.

2. In special cases, absences may be excused by either the Chair, Vice Chair, or Secretary. In these cases, no recommendation to remove the MAC member will be sent to the Commissioner.

E. Resignations

1. A member who wants to resign from the MAC must submit a written resignation to the Chair, the organization that nominated them (if any), and the Commissioner.

F. Vacancies

1. If a member resigns, is removed, or passes away before their term ends, a replacement will be chosen using the same process in Section B.
2. The term shall be for four (4) years.

G. MAC Member Support

1. All new members will be offered an orientation before they start attending meetings.
2. DMS staff, or others designated by DMS, will provide ongoing support between meetings to make sure members understand the information and can fully take part in the meeting.
3. Members can get extra support, like assistive devices or other technology, to help them participate. To get these supports, members must follow the process provided to them and outlined on the [DMS website](#).

H. Reimbursement for MAC-related Expenses

1. MAC members may be reimbursed for expenses they incur because of their participation on the MAC if those expenses are allowed by state law.

IV. Member Responsibilities

A. General Responsibilities

1. Members should attend all scheduled meetings or get an excused absence from the Chair, Vice Chair, and Secretary if they cannot attend, as outlined in Section III.D.
2. Members should take part in discussions without showing unfair favor or bias toward any special group.
3. Members should prepare for meetings by reading materials sent before the meetings.
4. Members should respect and listen to different opinions from others and work together to agree on issues.

5. All members, including the Chair, Vice Chair, and Secretary, should review the annual report and give feedback.
6. Members should stay informed about the Medicaid program. DMS will provide helpful materials.
7. Members should stay informed about the TACs that report to the MAC. Members will review TAC recommendations to understand them before voting on accepting the recommendations.
8. Members should not speak publicly for the MAC without permission from the Chair and a majority vote of the members at a MAC meeting.

B. Annual Reporting

1. The Annual Report will be made by the MAC with assistance from DMS and will include a summary of MAC and BAC activities, topics discussed, and recommendations made.
2. MAC members are expected to work with the BAC to help write the Annual Report.
3. MAC members, including the Chair, Vice Chair, and Secretary, are expected to review the Annual Report and give feedback.
4. Annual Report timelines will be shared with the MAC.

V. MAC Officers

A. General Responsibilities

1. Officers are expected to attend all scheduled meetings. If they cannot attend, they must get an excused absence from the other officers, as explained in Section III.D.
2. Officers should follow the same general responsibilities as members, which are listed in Section IV.A.

B. Nominations and Elections

1. The MAC will elect a Chair, Vice Chair, and Secretary from its members at the first meeting of each state fiscal year (July 1–June 30) that a quorum is present. A quorum means more than half of the total number of MAC voting members.
2. Nominations for officers will be requested ahead of the meeting where elections will take place. The nominations for officers that are received will be sent to all members before the meeting.
3. If the Chair resigns, the Vice Chair will take over the Chair's duties for the rest of the term. The MAC may, by a majority vote, hold a special election for a new Chair to be held at the next meeting with a quorum.

C. Role of the Chair

1. Lead the MAC meetings.
2. Speak for the MAC when needed.
3. Work with MAC members to create meeting agendas. Agendas should be sent to the DMS liaison at least two (2) weeks before the meeting date.
4. Work with the DMS liaison to finalize the agenda.
5. Understand and follow the MAC bylaws.
6. Keep communication open between the MAC, the BAC, TACs, and the Medicaid program leaders and staff.
7. Help recruit new MAC nominees when needed. The Chair may ask the Vice Chair and Secretary for help.
8. Check meeting attendance with the DMS liaison to see if any members are missing too many meetings and may need to be replaced.
9. Run discussions during the meeting, starting and ending conversations, and limit discussion if needed to stay on schedule.
10. Make sure conversations are respectful and on topic.
11. Call for votes and lead when a decision needs to be made.

D. Role of the Vice Chair

1. Take over the Chair's duties if the Chair is unable to attend a meeting, cannot finish their term, or resigns.
2. Understand and follow the bylaws.
3. Help the Chair when asked.

E. Role of the Secretary

1. Take attendance at meetings.
2. Contact members who are absent and encourage them to attend.
3. Write down minutes during meetings.
4. Record official votes during meetings, if there is a vote.
5. Understand and follow the bylaws.
6. Help the Chair and Vice Chair when asked.

VI. Role of Department for Medicaid Services (DMS)

- A. DMS will choose staff to be the main contact(s), also known as liaisons, to work with the MAC.
- B. DMS will help by providing administrative and technical support. This includes keeping track of members, taking meeting notes, sending meeting invitations, arranging meeting locations, setting up telephone and online options, recording meetings, tracking attendance, assisting members with completing reimbursement forms, and providing other support so members can participate.
- C. DMS will offer ways to attend meetings in person, by telephone, online, or a combination of these when available and possible.
- D. DMS will send out meeting agendas and materials at least ten (10) days before each meeting. If they are not received in that time, they will be sent to members as soon as they are available.
- E. DMS will respond to any approved recommendations within forty-five (45) days.
- F. DMS will provide any requested documents or reports, unless the information is private, protected by law, sensitive or unavailable as determined by the Commissioner.
- G. DMS will maintain a MAC website, which contains meeting materials, approved meeting notes, a list of members (only if they agree), meeting dates and times, and other helpful information. The website will follow all rules about being easy to use and accessible for everyone.
- H. DMS will provide information and the forms necessary to apply for open positions on the MAC.
- I. DMS will help members prepare an annual report to be posted on the DMS website and sent to the Centers for Medicare & Medicaid Services (CMS).
- J. DMS will provide an orientation for new members and help members to be able to fully participate.
- K. DMS will send a short survey to see if anything needs to be improved or addressed.

VII. Operating Procedures

- A. Participation
 - 1. Members can join meetings in person, by telephone, or online, as those options may be available.
- B. Quorum and Voting
 - 1. A quorum must be present for any official votes.
 - 2. A quorum is met when a majority (50% + 1) of the 26 voting members of the MAC are present (14 members), either in-person or online.

3. A decision passes if 14 voting members of the MAC vote for the same option.
4. The MAC may ask questions or get information or clarification from DMS without a quorum.

C. Public Meetings and Public Comment

1. All meetings must comply with the Kentucky Open Meetings Act.
2. All meetings must have an opportunity for public comment. The public comment period will be for fifteen minutes at the end of the meeting agenda, with each person given up to three minutes to provide their comment.

D. Meeting Frequency and Times

1. The MAC will meet at least quarterly.
2. MAC meetings will only happen after a BAC meeting.
3. Meeting dates can change with notice if the Chair and DMS agree.
4. Meetings will be scheduled at times that help the most members attend.
5. Special meetings or date changes can happen if the Chair or three (3) or more members ask. The Chair will discuss with DMS before setting extra meetings or changing dates. Any special meeting or date change must make sure that the MAC only meets after the BAC.
6. The DMS Commissioner may also ask for special meetings.

E. Agenda and Minutes

1. Meeting agendas will support the goals of the MAC.
2. The Chair will ask members for agenda items at least two (2) weeks before each meeting.
3. DMS will help plan the agenda to make sure there is enough time to discuss each item.
4. Final agendas will be shared no later than 10 days before each meeting or, if not received in that time, as soon as they are available.
5. New items may be added to the agenda during the meeting, if time allows.
6. Each agenda must include time for members to share any conflicts of interest, either by speaking or in writing.
7. Meetings will be recorded, and minutes will be sent electronically unless a member requests a hard copy.
8. Agendas, minutes, and meeting materials will be posted on the DMS website.

9. Members of the MAC who are also BAC members may ask to have their names removed from agendas, minutes, membership lists, or any other information posted online.

F. Notice of Meetings

1. Meeting dates for the next year will be chosen at the last meeting of the current year. Invitations for the new meeting dates will be sent to the members.
2. The schedule of meetings will be posted on the MAC website.

G. Bylaws

1. The MAC will create and follow its own bylaws.
2. Any changes and amendments must be approved by a majority of the members.
3. The Chair will create a small group of members to review the bylaws every two years, or as needed, and recommend any changes.
4. Meetings will follow the rules in the bylaws.
5. DMS will review the bylaws to make sure they follow federal and state laws and regulations.

H. Workgroups

1. Workgroups may be formed by a majority vote of the MAC, as needed, to address Medicaid, Medicaid-related, or MAC matters.
2. Members may request the formation of a workgroup at a meeting and choose the workgroup lead.
3. The workgroup lead member is responsible for organizing workgroup meetings and other activities and may request DMS attendance.
4. If a quorum of MAC members is present, workgroup meetings must comply with the Kentucky Open Meetings Act.
5. The workgroup lead will report recommendations to the MAC for their information and action.

VIII. Technical Advisory Committees

- A. Pursuant to KRS 205.590, Technical Advisory Committees (TACs) were established for the purpose of acting in an advisory capacity to the MAC with respect to the administration of the medical assistance program and in performing the function of peer review.
- B. The TAC may make recommendations to the MAC at any regularly scheduled meeting. The MAC shall accept the TAC recommendations for action by DMS. The MAC will not be

required to have a quorum in order to accept TAC recommendations, if the TAC recommendations were approved at a TAC meeting with a quorum.

- C. TACs shall submit the recommendation in writing to the MAC chair and DMS liaison within 7 days following a TAC meeting in which a recommendation was made by a quorum. For TACs that meet less than 7 days before the MAC meeting, the recommendation must still be submitted in writing prior to the MAC meeting to be considered.
- D. In the event the TAC chair, or a member of the TAC appointed by the chair, is unavailable to present TAC recommendation(s) to the MAC, a MAC member appointed by the TAC may present recommendations on their behalf.
- E. TAC members may not speak publicly on behalf of the MAC.

IX. Effective Date and Conflicts with the law

- A. These bylaws start on the date a majority of the members vote to approve them during a meeting when a quorum is present. If any state or federal law or regulation conflicts with these bylaws, the federal law comes first, then the state law, and then these bylaws.