

**§3123. Advisory Council on Affordable Health Care**

The Advisory Council on Affordable Health Care, established in section 12004-I, subsection 31-B, is an advisory council to the office on matters affecting the cost of health care in this State. [PL 2021, c. 459, §3 (NEW).]

**1. Duties of advisory council.** The advisory council shall advise the office on matters affecting the cost of health care in this State. [PL 2021, c. 459, §3 (NEW).]

**2. Membership.** The advisory council consists of 13 members as follows:

A. Eleven members of the advisory council appointed as follows, subject to review by the legislative oversight committee and confirmation by the Senate:

(1) Six members appointed by the President of the Senate, including one member who represents hospital interests, one member who represents primary care provider interests, one member who represents behavioral health care provider interests, one member who represents the interests of older residents of this State, one member who is a health care consumer advocate and one member with expertise in health economics and research; and

(2) Five members appointed by the Speaker of the House, including one member who represents health insurance interests, one member who represents purchasers of health care, one member with demonstrated expertise in health care delivery, health care management at a senior level or health care finance and administration, one member who represents the health care workforce and one member with expertise in health economics and research; and [PL 2021, c. 459, §3 (NEW).]

B. Two ex officio nonvoting members:

(1) The Commissioner of Health and Human Services or the commissioner's designee; and

(2) The Commissioner of Administrative and Financial Services or the commissioner's designee. [PL 2021, c. 459, §3 (NEW).]

[PL 2021, c. 459, §3 (NEW).]

**3. Terms of office.** Appointed members of the advisory council serve 5-year terms and may be reappointed. A vacancy for an unexpired term must be filled in accordance with subsection 2, paragraph A or B. A member may serve until a replacement is appointed and qualified. [PL 2021, c. 459, §3 (NEW).]

**4. Chair; vice-chair.** The advisory council shall annually elect a chair and a vice-chair from among its members. [PL 2021, c. 459, §3 (NEW).]

**5. Quorum.** Seven voting members of the advisory council constitute a quorum. [PL 2021, c. 459, §3 (NEW).]

**6. Affirmative vote.** An affirmative vote of a majority of the voting members is required for any action taken by the advisory council. [PL 2021, c. 459, §3 (NEW).]

**7. Meetings.** The advisory council shall meet at least once every 2 months and may also meet at other times at the call of the chair. Meetings may be cancelled or postponed at the discretion of the chair. All meetings of the advisory council are public proceedings within the meaning of Title 1, chapter 13, subchapter 1. [PL 2021, c. 459, §3 (NEW).]

**8. Recusal.** A member of the advisory council with a conflict of interest shall elect to be recused. For purposes of this subsection, "conflict of interest" means any instance in which a member, staff member or contractor of the advisory council or an immediate family member of the member, staff member or contractor of the advisory council has received or could receive either of the following:

A. A direct financial benefit of any amount deriving from the results or findings of a study or determination by or for the advisory council; or [PL 2021, c. 459, §3 (NEW).]

B. A financial benefit from individuals or companies that own or manufacture prescription drugs or health care services or items to be studied by the advisory council that in the aggregate exceeds \$5,000 per year. For purposes of this paragraph, "financial benefit" includes honoraria, fees, stock or other financial benefit and the current value of already existing stock holdings, in addition to any direct financial benefit deriving from the results or findings of a study or determination by or for the advisory council. [PL 2021, c. 459, §3 (NEW).]

[PL 2021, c. 459, §3 (NEW).]

#### SECTION HISTORY

PL 2021, c. 459, §3 (NEW).

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