

CHARTER OF THE MULTI-STATE PLAN (MSP) PROGRAM ADVISORY BOARD

1. AUTHORITY.

Section 1334(h) of the Patient Protection and Affordable Care Act (“Affordable Care Act”) provides: “The Director shall establish an advisory board to provide recommendations on the activities described in this section. A significant percentage of the members of such board shall be comprised of enrollees in a multi-State qualified health plan, or representatives of such enrollees.”

2. DURATION AND TERMINATION.

(a) Effective Date. This Charter of the Multi-State Plan Program Advisory Board (the “Board”) will be effective when signed by the Director (the “Director”) of the Office of Personnel Management (“OPM”).

(b) Termination. This Charter will terminate two years after the date of the first meeting of the Board conducted pursuant to this Charter (the “Charter Term”) or on such later date as the Director may provide through an Amendment to the Charter.

(c) Amendments. The Director may amend this Board Charter during the Charter Term as the Director deems necessary to accomplish the purpose of the Board. The Board shall be promptly notified of any amendment of this Charter.

3. PURPOSE, OBJECTIVES AND SCOPE OF ACTIVITIES.

(a) The purpose of the Board is broadly outlined in section 1334(h) of the Affordable Care Act, which states that the Board shall “provide recommendations on the activities described in this section.”

(b) To carry out the Board’s purpose, the scope of its activities shall include providing information, analysis, and feedback to OPM. Members of the Board shall exchange information, ideas, and recommendations regarding OPM’s administration of the MSP Program, including plan design, branding and marketing, network adequacy, and other topics assigned to it by the Director.

(c) The Board meetings will serve as a forum for interactive dialogue and

exchange of individual experiences and viewpoints among consumers, consumer representatives, and OPM staff. This forum will serve to better inform OPM's policy development, rulemaking, and outreach activities with regard to the MSP Program.

4. MEMBERS.

(a) Qualifications and Background. The Director shall appoint the members of the Board. Section 1334(h) of the Affordable Care Act provides: "A significant percentage of the members of such board shall be comprised of enrollees in a multi-State qualified health plan, or representatives of such enrollees."

(b) Number. The Board shall consist of no more than 15 members. It shall be comprised of MSP Program enrollees or enrollee representatives, public health and/or healthcare professionals (including providers and assisters), or representatives of other stakeholder groups. Health insurance issuers or representatives of health insurance issuers will not be considered for Board membership.

(c) Term. The term of office of each member of the Board shall be two years. Members may serve subsequent terms if appointed by the Director or the Director's designee.

(d) Resignation. Any member may resign at any time by giving notice to OPM. Any such resignation shall take effect upon its acceptance by the Director or the Director's designee. The Director shall have the authority to remove Board members and to appoint persons to fill vacancies on the Board as the vacancies occur.

(e) Compensation. Board members shall serve without compensation from OPM. Members shall be allowed travel expenses, including transportation and per diem expenses, as authorized by Federal travel regulations.

5. MEETINGS.

(a) Frequency. The Board shall meet in person at the call of the Director or the Director's designee, but at a minimum, shall meet at least two times each year.

(b) Agenda. Each meeting of the Board shall be conducted in accordance with an agenda formulated and approved by a Staff Director whose responsibilities are outlined below.

(c) Attendance. Attendance will include Board members and OPM staff, and may include invited speakers called on for the sole purpose of providing specific domain expertise.

(d) Public Nature.

(1) Each meeting of the Board shall be open to public observation, to the extent that a facility is available to accommodate the public, unless OPM, in accordance with paragraph (4) of this section, determines that the meeting shall be closed.

(2) Notice of the time, place and purpose of each meeting, as well as a summary of the proposed agenda, shall be published to the Federal Register not more than 45 or less than 15 days prior to the scheduled meeting date.

(3) Minutes of meetings, records, reports, and the agenda of the Board shall be posted on OPM's website (www.opm.gov/aca).

(4) OPM may close to the public a portion of any meeting for confidential discussion. If OPM closes a meeting or any portion of a meeting, OPM will issue, at least annually, a summary of the Board's activities during such closed meetings or portions of meetings.

6. COMMITTEES.

(a) The Board may establish and dissolve committees, in consultation with the Director or the Director's designee. Any committee shall report to the Board and not directly to the agency. Committees may include as participants individuals who are members of the Board and/or OPM staff. Committees may call on individuals who are not members of the Board or OPM staff for the sole purpose of providing specific domain expertise.

7. GOVERNANCE, STAFFING AND BUDGET.

(a) Staff Director. The Director shall designate a Staff Director, who shall be an employee of OPM, and who shall have the following responsibilities:

- (1) Exercise control and supervision over the establishment, procedures, and accomplishments of the Board, and direct OPM staff to perform such other necessary functions in order for the Board to accomplish its purpose and objectives;
- (2) Attend meetings of the Board and the committees of the Board;
- (3) Assemble and maintain the reports, records, and other papers of the Board and its committees;
- (4) Carry out, on behalf of OPM, the provisions of the Federal Records Act and the Freedom of Information Act, 5 U.S.C. 552, as amended, with respect to such reports, records, and other papers of the Board;
- (5) Other responsibilities as further delegated by the Director.

(b) Staff Secretary. The Staff Director shall designate a member of OPM's staff to act as a secretary of the Board. The Staff Secretary shall record and maintain minutes of the meetings of the Board and shall certify to the accuracy of the minutes of the meetings.

(c) Staffing the Board. The Staff Director, in coordination with OPM's Chief Financial Officer and other OPM staff as appropriate, is responsible for providing adequate support to the Board, including the performance of the following functions:

- (1) Notifying members of the time and place for each meeting;
- (2) Maintaining records of all meetings, including committee activities;
- (3) Maintaining a record of meeting attendance;
- (4) Attending to official correspondence;
- (5) Maintaining official Board records; and
- (6) Facilitating the activities of committees.

(d) Co-chairpersons. The Board will be co-chaired by the Director, or the Director's designee, and an MSP Program enrollee.

(e) Budget. To the extent permitted by law, OPM shall provide the funding and administrative support necessary, as determined by the Director, to operate the Board for the Charter Term.

8. REPORTING REQUIREMENTS.

(a) OPM staff will provide the Director with an annual report that summarizes the activities and progress of the Board and its committees during the prior period.

(b) OPM staff may include recommendations to the Director gathered from information and ideas exchanged during the meetings and activities of the Board.

9. EFFECTIVE DATE: **DEC - 2 2014**

APPROVED:

A handwritten signature in blue ink, appearing to read "Katherine Archuleta", followed by a horizontal line.

Katherine Archuleta, Director

Office of Personnel Management