

Revised Draft - Illinois Health Benefits Exchange Advisory Committee Bylaws

2024-3-5

ARTICLE I – COMMITTEE NAME

The name of the Committee shall be the “Illinois Health Benefits Exchange Advisory Committee (IHBEAC).”

ARTICLE II – PURPOSE

The 2023 General Assembly established the Health Benefit Exchange Advisory Committee, set forth in [P.A. 103-0103](#) of the code of Illinois, as part of the legislation creating the Illinois Health Benefit Exchange. The IHBEAC shall be tasked with making recommendations to the Marketplace Director of the Illinois Health Benefits Exchange *concerning* the operation of the exchange. The Committee shall meet quarterly.

ARTICLE III – COMMITTEE MEMBERSHIP

Section A

The IHBEAC shall consist of ten (10) public members and three (3) ex-officio members. The ten (10) public members shall be residents of Illinois and appointed by the Governor of Illinois. They shall be confirmed with the advice and consent of the Illinois Senate.

The public members shall include:

- One (1) representative of a statewide organization representing a majority of Illinois hospitals
- One (1) representative of a statewide insurance produce professional trade association whose membership is primarily composed of individuals licensed under the Illinois Insurance code
- Two (2) representatives of a health insurance consumer advocacy group
- One (1) representative with expertise in enrollment and consumer assistance
- Two (2) representatives of health insurance issuers or issuer trade associations, at least one (1) of which represents a State-domiciled mutual health insurance company, with a demonstrated expertise in the business of health insurance or health benefits administration
- One (1) representative of a statewide organization representing physicians
- One (1) academic or research professional with expertise in health insurance

The three (3) Ex-Officio members shall include the following representatives:

- The Director of Insurance, or designee
- The Director of Healthcare and Family Services, or designee
- The Secretary of Human Services, or designee

Section B – Terms of Members

Public members of the Illinois Health Benefits Exchange Advisory Committee shall serve for a 2-year term.

Terms of ex-officio members and their designee will be satisfied by the designated state agencies.

Section C – Compensation

Members of the IHBEAC shall serve without compensation and shall not be entitled to reimbursement.

ARTICLE IV – OFFICERS

Section A – Co-Chairs

Officers of the IHBEAC shall consist of two (2) Co-Chairs. The following ex-officio members will serve as Co-Chairs:

- The Director of Insurance, or designee
- The Director of Healthcare and Family Services , or designee

Section B – Terms of Appointment of Officers

Officers serving as Co-Chairs shall serve indefinitely throughout the duration of the Committee’s statutory authority.

Section C – Operational Duties of Co-Chair(s)

The Co-Chairs of the IHBEAC shall perform the duties ordinarily ascribed to such office and shall preside at all meetings of the IHBEAC.

ARTICLE V – ELGIBILITY AND QUALIFICATIONS TO SERVE

Section A – Mandatory Trainings

All appointed members of the IHBEAC are required to participate in the following training programs:

1. The Open Meetings Act (OMA)
2. Ethics Training for State Employees and Appointees
3. Harassment and Discrimination Prevention Training
4. Security Awareness Training
5. Diversity, Equity, and Inclusion Training

The Open Meetings Act Training is taken only once upon being appointed and is required by the Open Meetings Act (OMA): [Office of the Attorney General – FOIA and PAC Site.](#)

The Ethics Training, Harassment and Discrimination Prevention Training, Security Awareness Training, and Diversity, Equity, and Inclusion Training are taken annually and are required by the State Officials and Employees Ethics Act and Data Security on State Computers Act.

All trainings are online and accessible via OneNet at <https://onenet.illinois.gov/page.aspx?item=116918> once registered with account.

Section B – Ineligibility

If a member does not complete the State of Illinois required trainings, the member shall not be eligible to sit on the IHBEAC until training requirements have been satisfied.

ARTICLE VI - MEETINGS

Section A – Meeting Frequency

All new IHBEAC members are required to attend -meetings when scheduled.

Regular meetings of the IHBEAC shall be held at least quarterly. Such meetings shall take place at locations, dates, and times specified by the Committee. The IHBEAC meetings are subject to the Open Meetings Act (5 ILCS 120/2).

Section B – Meeting Substitute

A member may send a substitute only after notifying the Chair in advance of the meeting. The substitute may participate in discussions on behalf of the member if a quorum of actual members is present at the meeting. A substitute will not count toward a quorum and will be unable to vote, make, or second any motion. A substitute cannot stand in the place of a member at a membership orientation meeting or for the purpose of completing any mandatory training.

Section C – Meeting Format

IHBEAC meetings may be held in person at a State of Illinois or other public facility in Chicago or Springfield and/or via electronic options (web-based, video conferencing, and/or telephonic) at the discretion of the Committee Co-Chairs.

Pursuant to Section 7(d) of the Open Meetings Act, the IHBEAC may conduct meetings without a quorum physically present at any designated location, including meetings wherein no location is designated for physical attendance, subject to the following mandatory conditions:

1. All members of the IHBEAC participating in the meeting, wherever their physical location, must be individually verified by name and must be able to hear one another and hear all discussion and testimony.
2. For open meetings, public notice must be provided pursuant to Section 2.02 of the Open Meetings Act, which must include arrangements to allow all members and any other interested person to contemporaneously hear all discussion, testimony, and roll call votes, such as by offering a telephone number or a web-based link. The arrangements must not deny non-members the opportunity to address public officials as provided in Section H of this Article and Section 2.06(g) of the Open Meetings Act.
3. For closed meetings, except in the case of a bona fide emergency, a telephone number or a web-based link to participate in the meeting must be provided to the members of the IHBEAC at least 48 hours in advance.
4. All votes must be conducted by roll call, so each member's vote can be identified and recorded.
5. Each member participating by audio or video conference must be considered present for purposes of determining a quorum and participating in all proceedings.

6. Open meetings held under this paragraph must have a verbatim record maintained in the form of an audio or video recording. Verbatim records made under this paragraph must be made available to interested persons upon request and are otherwise subject to the provisions of Section 2.06 of the Open Meetings Act.

Section D – Meeting Notice

The scheduled dates, times, and locations of all regular quarterly meetings will be provided at the start of the calendar year on the Department of Insurance (“DOI”) public website. The Committee also will give notice via email and the DOI website of the location, date, and time of said regular meetings to each member of the IHBEAC at least ten (10) calendar days prior to each of the said meetings.

An agenda of business scheduled for deliberation shall be prepared and distributed to the members of the IHBEAC and posted on the DOI Website and at meeting locations at least 48 hours prior to a regular or special meeting of the IHBEAC.

Meetings of the committee shall be announced to the general public at least ten (10) calendar days prior to the date of the scheduled meeting. The meeting announcement shall be in the form of a public meeting notice and shall be posted on display on the [DOI website](#). The public meeting notice shall be open to the public and shall include the following meeting details, as applicable: time, location, registration login directives including dial by phone and virtual options, and the corresponding meeting agenda.

Section E – Quorum

A quorum shall consist of at least seven (7) members, including at least one (1) Co-Chair.

If it is determined before the start of a scheduled meeting that there will not be a quorum, a notice of cancellation will be sent to all members of the IHBEAC. If non-members have electronically registered to attend the meeting, a notice of cancellation also will be sent to all meeting registrants. Upon confirmation of rescheduled meeting, the members of the IHBEAC along with the general public will be notified as described in Article VI, Section C.

Section F – New Business

Under the New Business portion of a IHBEAC meeting, any committee members may add an item for consideration to the agenda of a future meeting for discussion and action with approval from a simple majority of IHBEAC members present. Nothing in this Section prevents a Co-Chair from including items on a meeting’s written agenda that were not specifically added by vote of the IHBEAC at a prior meeting.

Section G – Special Meeting

A special meeting of the IHBEAC may be called to discuss and consider only a special item identified at the time in that notice, provided it complies with the Open Meetings Act, which requires at least a 48-hour advance posting of the notice and agenda.

Section H – Committee and Public Comments

The Co-Chairs of the IHBEAC may request committee members to limit their comments to conform to the posted agenda. The Co-Chairs of the IHBEAC have the right to limit public comments to fit the allotted time on the agenda. All deliberations of the IHBEAC shall be governed by Robert's Rules of Order to the extent not inconsistent with the IHBEAC Bylaws. Any member of the general public that wishes to provide public comments during a scheduled IHBEAC meeting will be directed to the public meeting notice for detailed instructions.

ARTICLE VII – VACANCY

Vacancies for the IHBEAC members are filled by the Governor of Illinois. Once a member steps down from their position, the Committee will notify the Governor's Office of Executive Appointments to inform them of the vacancy and need for appointment. Members stepping down from their position on the committee must notify the committee in writing of the intent to do as soon as possible to allow for smooth transition to a new member. Notifications can be sent to DOI.HBEAC@illinois.gov.

ARTICLE VIII — PROFESSIONAL STAFF AND ADMINISTRATIVE SUPPORT

DOI shall provide administrative and operational support to the IHBEAC. The Director of DOI will designate a member of their agency staff to serve as the IHBEAC administrative coordinator.

ARTICLE IX — COMMUNICATION AMONG CO-CHAIRS AND COMMITTEE MEMBERS

To prevent inadvertent violations of the Open Meetings Act, any communication that a member wishes to convey to more than two (2) other members related to the committee's business must be directed to the designated IHBEAC administrative coordinator for distribution among the members.

ARTICLE X – MANNER OF ACTING

Except as otherwise provided in these Bylaws, the act of a majority of the members who are present at a meeting where a quorum is present constitutes the action of the IHBEAC.

ARTICLE XI – AMENDMENT TO THE BYLAWS

The Bylaws may be amended by two-thirds majority of the members present at a regular or special meeting of the IHBEAC where a quorum is present if the proposed amendment is distributed in writing at least seven (7) calendar days before said meeting.

ARTICLE XII – PUBLIC COMMENT

The meetings of the Illinois Health Benefits Exchange Advisory Committee ("Committee") are subject to the Open Meetings Act (5 ILCS 120/1, *et seq.*) ("Act") and are open to the public. These rules are generated under the authority of section 2.06(g) of the Act and become effective once approved by the Committee.

Section A – Request to Speak

For a public attendee to speak during the meeting, interested parties must email DOI.HBEAC@illinois.gov no later than 5 days before the scheduled meeting. The public attendee should title their email "*Request to Provide Public Comment during IHBEAC Meeting:*

Date of Meeting". All public speakers must provide their name, title, organization name, email address and contact number when signing up to speak. Once your request has been reviewed, you will receive a confirmation email from DOI.HBEAC@illinois.gov. Individuals in need of interpreters, reasonable accommodations to facilitate their attendance, or other special needs must contact the Committee at least two weeks prior to the scheduled meeting to effectuate their request. Reasonable accommodations will be made at no cost.

Section B – Speaker Requirements

The Committee will try to accommodate as many requests as possible. However, there is limited availability for public comments. At the Committee Co-Chairs' discretion - and based upon the public comment time allotted - each speaker will be given no more than 3 minutes to provide comments during the meeting. Responses by Committee members to public comments shall not count towards the time limitations for public comments. Speakers on the same subject are encouraged to collaborate and have a single spokesperson. Public attendees may only speak during the allotted time for public comment unless they are asked a question by a member of the Committee or otherwise by permission of the Chair. However, to the extent the Committee Chair, in consultation with the Committee, deems it appropriate to permit individuals wishing to use their allotted time to speak on a particular issue while it is under consideration, the Chair may permit comments to be made outside of the designated period. Public comments must pertain to one or more items on the Committee's agenda for that meeting or otherwise under discussion at the meeting at which the commentary is offered. The Chair, in consultation with the Committee, expressly retains the right under these rules to stop any speaker who raises issues that are either not on the agenda or are not otherwise sufficiently related to the meeting at hand.

Section C – Written Comments

Interested parties may also provide written comments to the IHBEAC in lieu of speaking during the meeting. Comments will automatically be placed in the meeting record, and the Committee can decide to read supplied comments as they see fit.

Section D – Other Requirements

1. Neither speakers nor other attendees of a meeting are allowed to give their time to another speaker.
2. To the extent the Committee, or any of its members, wishes to respond to issues or questions posed in public comments, the Committee reserves the prerogative, but not the responsibility, to do so.
3. The Chair, in consultation with the Committee, expressly retains the right under these rules to stop and/or remove any speaker whose comments or behavior compromise the decorum and order of the meeting or the Committee's control of the meeting in any way. This includes, but is not limited to, comments which employ the use of profanity, abusive language, threats, interruptions of the Committee or its members, and disruptive behavior.

4. To the extent the Committee, or any of its members, wishes to respond to issues or questions posed in public comments, the Committee reserves the prerogative, but not the responsibility, to do so. Responses by Committee members to public comments shall not count towards the time limitations for public comments.
5. Members of the public may not bring in signs, banners, or display materials. A member of the public may record a Committee meeting, subject to the constraints imposed by Section 2.05 of the Open Meetings Act (5 ILCS 120/2.05).
6. The Committee reserves the right to suspend Article XIII of these by-laws, without prior notice, in the event of an emergency or unforeseen circumstances.