

**BYLAWS OF  
THE NORTH CAROLINA STATE HEALTH PLAN  
MEDICAL POLICY ADVISORY COMMITTEE**

**Article I. Membership**

**Section 1. Members:** The Committee is comprised of seventeen voting members, including the Chairperson, who are licensed physicians in North Carolina and one ex officio member, the State Health Plan's (Plan) Director of Integrated Health Management.

**Section 2. Appointment:** Each member shall be appointed by the Executive Administrator of the State Health Plan (Plan). Appointments shall be effective until rescinded by the Executive Administrator or upon resignation of a member.

**Section 3. Removal:** The Executive Administrator may remove any member of the Medical Policy Advisory Committee at any time for any reason.

**Article II. Organization**

**Section 1. Chairperson:** The Plan's Executive Administrator shall appoint a Committee Chairperson.

The Chairperson has the following authority, duties, and responsibilities:

1. Maintain a current list of Committee members
2. Call meetings
3. Facilitate the scheduling of meetings
4. Provide notice of meetings to the Committee and the public
5. Publish an agenda prior to each meeting
6. Maintain official minutes and records of all proceedings from meetings
7. Coordinate and disseminate information to the Committee
8. Consult with outside specialists when needed to leverage expertise that is not represented on the Committee
9. Enforce the governing rules of the Committee as established by these bylaws

**Section 2. Designees.** The Chairperson may delegate his or her powers and duties under this section

to a designee. In delegating powers or duties, however, the Chairperson maintains the responsibility for the performance of those powers or duties.

**Section 3. Committee Secretary.** The Director of Integrated Health Management for the Plan shall serve as secretary for the Committee. The Director of Integrated Health Management may delegate her or his powers and duties as secretary to another person; however, the Director of Integrated Health Management maintains the responsibility for the performance of those powers or duties.

**Section 4. Support.** As determined necessary by the Executive Administrator, the Plan will support the Committee, including the provision of documentation and Plan staff to help the committee.

### **Article III. Meetings**

**Section 1. Official Meetings:** Official Meetings are those meetings in which Committee members gather for the purpose of participating in discussion, deliberations, or otherwise transacting the business of the Committee. The Committee shall meet at least twice per year with the anticipation of meeting quarterly. Meetings will be held virtually or telephonically unless otherwise decided by the Chairperson. A majority of members of the Committee serving in an active appointment on the Committee shall constitute a quorum.

**Section 2. Emergency or Special Meetings:** Emergency or Special Meetings may be called by the Chairperson.

**Section 3. Public Meetings:** All Official Meetings shall be open to the public pursuant to N.C.G.S. § 143-318.10 except for those parts of the meeting moved to closed session pursuant to N.C.G.S. § 143-318.11.

**Section 4. Closed Session:** The Chairperson may make a motion to move to closed session pursuant to N.C.G.S. § 143-318.11 only during an open public meeting. The motion by the Chairperson to move to closed session must cite the statutorily permissible reason for the closed session. Only those persons authorized by law or invited by the Chairperson may be present during closed session.

**Section 5. Guests:** The Chairperson may request the attendance of Plan staff, Department of State Treasurer staff, or guest speakers as necessary to provide information to the Committee.

**Section 6. Meeting by Telephone or Other Electronic Media:** At the discretion of the Chairperson, members of the Committee may participate in meetings by means of telephone, video conference, webinar, or other acceptable means. Members participating via these means are present for the purposes of quorum, voting, and carrying out any other Committee business at a meeting.

**Section 7. Notice:** The date, time, and place for all Committee meetings will be published on the Plan's website when known but no later than forty-eight hours prior to any meeting. If a preliminary agenda is created it shall be posted as soon as practicable in the same manner as the notice; however, the preliminary agenda will not limit the scope of the Committee's meeting. If a preliminary agenda is not available, the notice shall include a general description of the nature and purpose of the meeting. Notice of Emergency or Special Meetings will be published at the same time notice is given to the Committee.

**Section 8. Motions and Seconds:** A member who makes a motion shall be counted as an affirmative vote for that motion. A member who seconds a motion shall be counted as an affirmative vote for that motion.

#### **Article IV. Operation of the Committee**

**Section 1. Actions of the Committee:** The Committee shall act only as authorized by these Bylaws. No member of the Committee shall exercise individually any authority with respect to the Committee except as authorized by these Bylaws. No individual member of the Committee shall make a statement of policy which purports to be that of the Committee unless the Committee shall have adopted such policy, but no one shall be prohibited from stating his or her personal opinions provided they are clearly identified as such.

**Section 2. Access to Documents and Information:** The Executive Administrator may either directly or through the Chairperson supply the Committee with any documents or information that the Executive Administrator determines are necessary for the proper conduct of the Committee. If supplied, such items shall be subject to confidentiality requirements set forth in state and federal law.

**Section 3. Rules of Order:** The rules contained in the most recent edition of Robert's Rules of Order shall govern in all cases to which they are applicable and in which they are not inconsistent with these bylaws.

**Section 4. Agenda:** The agenda for each meeting will be set by the Executive Administrator. If available, the Chairperson shall send a preliminary agenda to each member of the Committee in advance of any meeting of the Committee. The final agenda as approved by the Executive Administrator will be provided at the Committee meeting and shall govern the order of business for the meeting.

**Section 5. Minutes:** The secretary of the Committee shall prepare minutes of the proceedings of all Committee meetings, including the date, time, place, members present or absent, and action taken. The minutes shall not be considered official until approved by the Committee. Official minutes will be published to the Plan's website.

**Section 6. Recusal from Participation:** After a meeting has been called to order and the final

agenda reviewed, the Chairperson shall read to the Committee the Conflict-of-Interest Statement—*“it is the duty of every Committee member to avoid both conflicts of interest and appearances of conflict. Does any member have any known conflict of interest or appearance of conflict with respect to any matters coming before the Committee today? If so, please identify the conflict or appearance of conflict and refrain from any undue participation in the particular matter involved.”* Any Committee member with a conflict of interest or an appearance of a conflict of interest for any agenda item shall identify and recuse himself or herself from participating in discussion or hold sway on that particular agenda item.

## **Article V. Authority, Duty, Responsibilities and Conduct of the Committee**

**Section 1. Standard of Care:** Committee members shall carry out their duties and responsibilities as fiduciaries for the Plan. As fiduciaries, Committee members are obligated to act in the best interest of the Plan and its members while always considering the most up-to-date, unbiased patient care and medical literature.

**Section 2. Conflict of Interest:** A conflict of interest arises when a committee member, or a member of his or her immediate family, may benefit from actions taken by the Committee. In such instances, the Committee member must disclose the conflict to the Committee and recuse himself or herself from participation in addressing or influencing the Committee on the matter in which there is a conflict of interest or appearance of a conflict of interest.

**Section 3. Authority:** The Committee shall serve solely in an advisory capacity to the Plan. The Committee shall have no authority to act independent of and without direction of the Plan, except as expressly provided in these Bylaws.

**Section 4. Responsibilities:** The Committee is responsible for the following core functions:

1. In line with the Plan’s mission and objectives, review and report on recent medical advances applicable to the Plan’s current benefits and medical policies
2. In line with the Plan’s mission and objectives, make clinical and quality standard recommendations to update, if necessary, the Plan’s current benefits and medical policies.

**Section 5. Expectations:** Committee members are expected to:

1. Be informed about the State Health Plan's policies and practices.
2. Work constructively with other Committee members to fulfill their duties and responsibilities.
3. Interact professionally and appropriately with Committee members, the State

Treasurer, Executive Administrator, Plan staff, and guests.

4. Be prepared for all Committee meetings by reviewing agendas and supporting materials prior to the meeting.
5. Attend Committee meetings, share expertise, and actively participate in discussions.
6. Maintain high ethical standards and avoid the appearance of impropriety.
7. Make requests of Plan staff, Committee members, Guests and Guest speakers only under the directive of the Chairperson.
8. Maintain confidentiality at all times related to matters discussed in closed session pursuant to N.C.G.S. § 143-318.11 as well as information that meets the definition of "confidential information" under N.C.G.S § 132-1.2 or as required by other applicable law.

**Section 6. Education and Training:** Committee members shall review any educational or training materials provided by the Chairperson prior to the next occurring Committee meeting, unless otherwise instructed by the Chairperson.

## **Article VI. AMENDMENTS**

**Section 1. Amendment:** These Bylaws may be amended at any meeting of the Committee only upon motion by the Chairperson and a majority vote of the Committee members.

**Section 2. Effective Date:** Amendments shall go into effect immediately upon their adoption unless the motion to adopt specifies a time for the amendment to go into effect.

The North Carolina State Health Plan Medical Policy Advisory Committee does hereby adopt these updated bylaws, effective February 25, 2026.



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Brian Miller, MD  
Chairperson of Medical Policy Advisory Committee