

CHARTER
CENTERS FOR MEDICARE & MEDICAID SERVICES (CMS)
HEALTH EQUITY ADVISORY COMMITTEE

COMMITTEE’S OFFICAL DESIGNATION

CMS Health Equity Advisory Committee (the Committee)

AUTHORITY

42 U.S.C. § 300u-6a (section 1707A of the Public Health Service Act, as amended). The Committee is also governed by provisions of the Federal Advisory Committee Act (FACA), P.L. 92-463, as amended, 5 U.S. Code 10.

OBJECTIVE AND SCOPE OF ACTIVITIES

The Committee is established to advise and make recommendations on the identification and resolution of systemic barriers in the CMS programs that hinder access and quality for beneficiaries and consumers. Consistent with Executive Order (EO) 13985, *Advancing Racial Equity and Support for Underserved Communities through the Federal Government*¹, CMS seeks to address systemic barriers in health care, including structural racism, as it relates to all CMS programs (including but not limited to Medicare, Medicaid, the Children’s Health Insurance Program (CHIP), and Health Insurance Marketplace). The Committee will also serve as a dedicated platform for collaborating with key stakeholders to advance health equity by eliminating systemic barriers in CMS programs, and promoting access, and quality for all its beneficiaries and consumers. The Committee would help CMS consider a broad range of views and information from interested and impacted audiences and to identify CMS programs and policies that, according to section 1 of the EO “perpetuate systemic barriers to opportunities and benefits for people of color and other underserved groups.”

DESCRIPTION OF DUTIES

The Committee shall advise the Secretary and the CMS Administrator concerning optimal strategies for those enrolled in, or eligible for Medicare, Medicaid and CHIP, or health coverage available through the Health Insurance Marketplace and other CMS programs, that eliminate or reduce systemic barriers including:

- A. Enhancing the federal government’s effectiveness in understanding and promoting the consistent and systemic fair, just and impartial treatment of *all* individuals as outlined in the Executive Order within their health program policies.
- B. Developing and implementing opportunities to increase coordination and engagement with community-based organizations.

¹ <https://www.federalregister.gov/documents/2021/01/25/2021-01753/advancing-racial-equity-and-support-for-underserved-communities-through-the-federal-government>

- C. Developing and implementing strategies to assess whether, and to what extent, the agency's programs and policies perpetuate systemic barriers to opportunities and benefits.

AGENCY OR OFFICIAL TO WHOM THE COMMITTEE REPORTS

The Committee reports to the Secretary of the Department of Health & Human Services (HHS) and the Administrator of CMS.

ESTIMATED ANNUAL OPERATING COSTS AND STAFF YEARS

The estimated annual cost for operating the Committee, including compensation and travel expenses for members, but excluding staff support, is \$1.5M. The estimated annual staff support required for the Committee is 1.50 full-time equivalents.

DESIGNATED FEDERAL OFFICER

A full-time Federal employee, appointed in accordance with agency procedures, will serve as the Designated Federal Officer (DFO) to attend each Committee meeting and ensure that all Committee policies and procedures comply with applicable statutory and regulatory requirements, including those under FACA. The DFO will approve or call all the Committee's and subcommittees' meetings, prepare and approve all meeting agendas, attend all committee and subcommittee meetings, adjourn any meeting when the DFO determines adjournment to be in the public interest, and chair meetings when directed to do so by the officials to whom the Committee reports. In the event the DFO cannot fulfill the assigned duties of the Committee, one or more full-time or permanent part-time employees will be assigned as DFO and carry out these duties on a temporary basis.

ESTIMATED NUMBER AND FREQUENCY OF MEETINGS

The Committee will hold approximately 2-4 meetings per year. Meetings are open to the public, except as determined otherwise by the Secretary of HHS, or a designee of the Secretary. Adequate advance notice of all meetings shall be published in the Federal Register, as required by applicable laws and departmental regulations, stating reasonable, accessible, and convenient locations and times.

DURATION

Continuing.

TERMINATION

Unless renewed by appropriate action, the Committee will terminate two years from the date the charter is filed.

MEMBERSHIP AND DESIGNATION

The Committee shall consist of at least 20 but no more than 30 individuals that have experience working with underserved communities that have been denied fair, just and impartial treatment, such

as Black, Latino, and Indigenous and Native American persons, Asian and Pacific Islanders and persons of color; members of religious minorities; lesbian, gay, bisexual, transgender and queer (LGBTQ+) persons; persons with disabilities; persons who live in rural areas; and persons who otherwise adversely affected by persistent poverty or inequality. The members shall be selected by the CMS Administrator, or their designee, and shall be knowledgeable in the fields of health equity; outreach to underserved populations; community/safety net providers; disability policy and access; and other relevant health equity matters that are presented or addressed by the agency. The Committee may also be comprised of Special Government Employee and Representative Members.

The HHS Secretary or designee will appoint a Chair and Co-chair from among the pool of at-large members.

Members shall be invited to serve for a 2-year term. The period of service for the Chair and Co-Chair shall be no more than 4 years. Any member appointed to fill a vacancy for an unexpired term shall be appointed for the remainder of that term.

SUBCOMMITTEES

The DFO may establish subcommittees as necessary to support the work of the Committee. All subcommittees will be composed of members and nonmembers of the Committee, and shall be appointed by and serve at the pleasure of the Secretary. Subcommittees may not work independently of the chartered Committee and shall report all of their recommendations and advice to the Committee for deliberation and discussion. Subcommittees have no authority to make decisions on behalf the Committee. Subcommittees must not provide advice or work products directly to the Department or any Federal agency.

RECORDKEEPING

The records of the Committee and any of its established subcommittees, shall be managed in accordance with applicable provisions of General Records Schedule 6.2, Federal Advisory Committee Records, and other approved department and agency records disposition schedules. These records will be available for public inspection and copying, subject to the Freedom of Information Act, 5 U.S.C. 552.

FILING DATE

APPROVED:

Date

Xavier Becerra
Secretary