

PERINATAL ADVISORY COMMITTEE

BYLAWS

NAME

The name of the organization shall be the Perinatal Advisory Committee (PAC).

PURPOSE

The PAC shall have the duties and responsibilities as set forth in the Developmental Disability Prevention Act (410 ILCS 250) and the Regionalized Perinatal Health Care Code (Code) (77 Ill. Admin. Code 640), as amended from time to time. The PAC is an advisory body to the Illinois Department of Public Health (Department) whose purpose is to advise the Department on the establishment and implementation of policy related to perinatal and maternal health care.

ARTICLE I

Membership:

Section 1-1. The PAC will consist of 22 members appointed by the Director of the Department and six (6) ex-officio members in accordance with the Code.

Section 1-2. The appointed members shall serve for terms of 4 years with no term limits. PAC members may resign at any time during their term. PAC members may be removed at the discretion of the Director of the Department at any time during their term. If a member is appointed to a vacancy in which case the appointment shall be the remainder of the term vacated. Appointed members serve at the discretion of the Director. The ex-officio members shall have no set term of service.

Section 1-3. Members shall be legal residents of the State of Illinois.

Section 1-4. There shall not be alternates permitted for absent members.

Section 1-5. All members, including ex-officio members, shall have full voting privileges.

Section 1-6. In the event that a PAC member has unexcused absences from more than one-half (1/2) of the PAC meetings in a calendar year, beginning January 1 and ending December 31, the PAC Chairperson *shall* request that the Director of the Department remove and replace that PAC member.

Section 1-7. In the event that a PAC member has excused absences from more than two-thirds (2/3) of the PAC meetings in a calendar year, beginning January 1 and ending December 31, the PAC Chairperson *may* request that the Director of the Department remove and replace that PAC member.

Section 1-8. PAC members are expected to participate in at least one site visit per year. Participation may be in person, by teleconference, or by videoconference. Failure to participate in at least one site visit per year *may* result in the PAC Chairperson requesting that the Director of the Department remove and replace that PAC member.

Section 1-9. PAC members may be required to restate their commitment to serving on the committee two years into each term they serve. Failure to recommit may result in removal from the committee, at the discretion of the Director of the Department.

ARTICLE II

Officers:

Section 2-1. The officers of PAC consist of a Chairperson and a Vice Chairperson. Individuals who are not members of the PAC are not eligible to be PAC officers. The PAC shall elect a Chairperson and a Vice Chairperson every four years if they have not been appointed by the Director. If they have not been appointed by the Director prior to the last meeting of the year of the end of their term, then the PAC shall elect the new officers. The election shall take place by the last meeting of the end of the four-year term, with the term of the new officers to begin in January. The Chairperson shall have the duties and responsibilities described in these Bylaws.

Section 2-2. If the Chairperson's membership on the PAC is vacated for any reason, or the Chairperson resigns from that office, the Vice Chairperson shall serve in his/her place until the next regularly scheduled election. If the Vice Chairperson declines the position of Chairperson, an election shall take place at the next scheduled meeting.

ARTICLE III

Meetings:

Section 3-1. The PAC year begins January 1 and ends December 31. The PAC shall meet at least 4 times per calendar year.

Section 3-2. Additional or special meetings may be called by the Director of the Department or the Director's designee or at the request of five (5) or more members. These meetings may be held in person or by audio or video conference.

Section 3-3. A meeting may be rescheduled by the Director, the Director's designee, or at the request of five (5) or more members.

Section 3-4. All PAC meetings shall be open to the public unless a meeting or portion thereof qualifies for a closed session in accordance with the Open Meetings Act (5 ILCS 120). Time shall be set aside for public comment at every meeting. The PAC Chair is authorized to limit the amount of time given to each speaker if necessary, based upon the total amount of time available for public comment and the number of people wishing to speak. If the PAC Chair exercises this discretion, each speaker shall be given an equal amount of time to speak. Time not used by one commenter cannot be granted to another. The PAC Chair is authorized to limit public comment to only the topics discussed during the meeting. The PAC Chair is authorized to suspend public comment if the speaker is disruptive, unduly repetitious, interfering with the rights of other speakers, or interfering with the orderly transaction of public business. All public commenters shall be treated equally, and no viewpoint-based restrictions may be imposed on any commenter.

Section 3-5. The PAC Chair shall assist the Director of the Department, or the Director's designee, in the preparation of an agenda prior to each meeting. The approval of minutes from the previous meeting shall be included on each agenda.

ARTICLE IV

Conducting Business:

Section 4-1. A quorum shall be present in order to conduct business. A quorum shall consist of a majority of the appointed members. A member is present to conduct business if attending a meeting in person, or by audio or video conference. Physical presence at the meetings, however, is strongly encouraged and is preferred by the Department.

Section 4-2. All business shall be conducted in accordance with the current edition of Robert's Rules of Order, unless otherwise specified in these Bylaws.

Section 4-3. The Chairperson of the PAC shall preside at all PAC meetings. In the Chairperson's absence, the Vice Chairperson shall preside over that meeting and assume the Chairperson's duties related to that meeting. In the absence of both the Chairperson and Vice Chairperson, the PAC shall appoint a presiding officer for that meeting, by majority vote.

Section 4-4. The presiding officer shall be responsible for conducting the meeting in accordance with the Bylaws.

Section 4-5. A representative of the Department shall be present at all meetings of the PAC and its subcommittees.

Section 4-6. The Department's representative shall record and prepare the minutes of the PAC meetings and the meetings of the PAC subcommittees, with the cooperation and approval of the Chairperson.

ARTICLE V

Motions, Voting, and Roll Call:

Section 5-1. Motions shall be stated by the mover. No motion shall be debated before it has received a second.

Section 5-2. Every member of a committee present at a meeting except the Chairman may vote on all questions. The approval of a motion shall be decided by the majority of the members who cast a vote, unless otherwise stipulated in these Bylaws. Members who do not vote affirmative or negative shall be considered not to have cast a vote and will have no effect on the outcome of the vote. There shall be no absentee or proxy voting on any question.

Section 5-3. The Chairman shall vote on any motion that would change the outcome of a vote such as to break a tie vote, to create a tie vote, or to constitute a quorum.

Section 5-4. A roll call vote on any question may be requested by any member.

Section 5-5. When a motion is made, the name of the member making the motion and the name of the person who seconds the motion shall be entered in the minutes along with the result of the vote. A voice vote shall be recorded as "Motion Approved" or "Motion Defeated." A roll call vote shall be recorded as "Motion Approved" or "Motion Defeated" with the names of the members and their votes recorded.

Section 5-6. If a motion fails to receive a second, that motion shall be entered into the minutes with a notation: "Motion failed for lack of a second."

ARTICLE VI

Subcommittees:

Section 6-1. The PAC may form standing or ad hoc subcommittees or task forces upon a passing vote of a majority of the PAC members present at a meeting. A subcommittee may form ad hoc subcommittees or task forces upon a passing vote of (i) a majority of subcommittee members present at a meeting; and (ii) a passing vote of a majority of the PAC members present at the PAC meeting in which a vote is taken. As used in these Bylaws, the term "subcommittee" shall mean subcommittee, sub-subcommittee, or task force.

Section 6-2. With the exception of Section 1-1, or unless otherwise noted in these Bylaws, all bylaws which apply to PAC members and PAC meetings, apply to subcommittee members and subcommittee meetings.

Section 6-3. The Chairperson of each subcommittee shall be a PAC member, appointed upon a passing vote of PAC members. The subcommittee Chairperson shall be responsible for making recommendations to the PAC regarding appointments to the subcommittee. The subcommittee Chairperson shall also be responsible for providing the PAC with CVs of recommended subcommittee candidates in advance of the meeting during which the PAC will vote on the proposed candidate's subcommittee appointment. The subcommittee Chairperson shall provide the Department with the names and addresses of all subcommittee members, and shall promptly notify the PAC Chairperson and the Department of any changes in subcommittee membership. Non-PAC members may be invited to serve on subcommittees. The membership of each subcommittee shall be reviewed by PAC on an as-needed basis.

Section 6-4. The subcommittee Chairperson shall promptly notify all PAC members and the Department of all dates, times and locations for all regularly scheduled, rescheduled, or special meetings.

Section 6-5. A quorum shall be present in order to conduct business. A quorum shall consist of majority of the members of the subcommittee. A member is present to conduct business if attending a meeting in person, or by audio or video conference.

Section 6-6. All business shall be conducted in accordance with the current edition of Robert's Rules of Order, unless otherwise specified in these Bylaws.

Section 6-7. Each subcommittee member shall have one vote on each Motion. All Motions shall be passed by a majority vote of the members present

Section 6-8. Each subcommittee which has conducted business subsequent to the previous PAC meeting shall present an oral or written report to the PAC. The report shall include any motions passed by the members of the subcommittee, and a summary of any advice or recommendations offered by members of the subcommittee.

ARTICLE VII

Standing Subcommittees:

Section 7-1. Statewide Quality Council (SQC):

A Statewide Quality Council shall be appointed by the PAC promptly after the beginning of the PAC appointment cycle. The SQC shall be responsible for monitoring the quality of care and implementing

recommendations for improving the quality of care in the perinatal care system. The membership of the SQC shall be determined by the PAC.

Section 7-2. Subcommittee on Facility Designation (SFD or HFDSC):

The Subcommittee on Facility Designation is to provide guidance to the PAC on the compliance of institutions that provide perinatal services in accordance with the Regionalized Perinatal Health Care Code. The membership of the SFD shall be representative of a broad-based statewide membership. The membership of the SFD shall be determined by the PAC.

Section 7-3. Maternal Mortality Review Committee (MMRC)

The MMRC shall review selected clinical maternal deaths as referred by the Department and, based on the reviews, provide the Department with recommendations for improvement in population health. The MMRC will review statistical reports regarding maternal deaths and report its findings to the PAC and the Department. The membership of the MMRC shall be determined by the PAC.

Section 7-4. Maternal Mortality Review of Violent Death Committee (MMRC-V)

The MMRC-V shall review selected non-clinical maternal deaths occurring outside a hospital as referred by the Department which are likely unrelated to childbirth. Based on its reviews, the MMRC-V will provide the Department with recommendations for improvement in population health. The MMRC-V will review statistical reports regarding these deaths and report its findings to the PAC and the Department. The membership of the MMRC-V shall be determined by the PAC.

ARTICLE VIII

Remuneration and Reimbursement:

Section 8-1. Members of the PAC and its subcommittees shall be subject to the Travel Regulations promulgated by the Illinois Travel Regulation Council (80 Ill. Admin. Code 3000) and the Department of Central Management Services/Governor's Travel Control Board (80 Ill. Admin. Code 2800).

Section 8-2. For the purpose of travel expense reimbursement, expenses incurred by PAC members, and members of the subcommittees, participating singly, or as a unit of the whole, or as a total PAC, shall be considered official business of the State and of the PAC and shall be reimbursed to the extent allowed by the travel regulations referenced in Section 8-1 when such expenses are incurred as a participant in the following activities:

- (a) Regular and special meetings of the PAC called by the Chairperson or the Department;
- (b) Committee or other meetings as authorized by the Chairperson and the Department; and

(c) Hospital site visits, when attending as the official representative of PAC pursuant to the site visit team requirements of the Code.

Section 8-3. PAC members shall not receive reimbursement for serving on PAC.

Section 8-4. Non-PAC members are not eligible for reimbursement or remuneration for participation in PAC-sponsored activities including attending PAC meetings.

ARTICLE IX

Bylaws:

Section 9-1. Adoption or amendment of these Bylaws requires a 2/3 majority vote of the PAC. Amendments shall be proposed at a meeting of the PAC and voted upon during the next subsequent meeting.

ARTICLE X

Ethics and Conduct:

Section 10-1. The strongest guarantee of good government is the integrity, objectivity, honesty, and sincere commitment to ethical principles of conduct by appointed officials. Therefore, to promote public confidence and to maintain a positive public image, each member of the PAC shall abide by the standards of ethics and conduct outline in this rule. To wit:

- (a) Conflicts of Interest: No PAC member shall directly or indirectly influence, or attempt to influence, a PAC action or decision in a matter in which the member or the member's immediate family has any economic interest distinguishable from that of the general public.
- (b) Gifts, Fees, or Favors: No PAC member shall receive, solicit, or accept anything of value in exchange for favorable action by the PAC member on behalf of the grantor of such gifts and shall comply with any applicable ethics laws related to receipt, solicitation, or acceptance of gifts.
- (c) Advice or Assistance: No PAC member shall receive, solicit, or accept anything of value in return for advice or assistance on any matter directly concerning the operation or business of the PAC.
- (d) Threats and Intimidation: No PAC member shall knowingly intimidate, threaten, or undermine the personal integrity of a fellow PAC member.
- (e) Confidential Information: No PAC member shall breach the confidentiality of privileged information.

The penalty for violation of these specific rules, if any, shall be as provided by law.

Section 10-2. With regard to the closed sessions of the MMRC and MMRC-V subcommittee meetings and the materials reviewed during those closed sessions, including case summaries and case review discussions, all PAC members and members of the MMRC and MMRC-V subcommittees shall:

- (a) Maintain the confidentiality of all matters discussed during the MMRC and MMRC-V meetings and not disclose this information to any third party in any manner or at any time outside of the subcommittee meetings, closed sessions of PAC meetings, or with appropriate Department personnel;
- (b) Keep all confidential and/or protected information in strict confidence and shall exercise a reasonable degree of care to maintain the security of the information and prevent disclosure to others;
- (c) Not disclose or divulge, either directly or indirectly, any confidential and/or protected information to others unless first authorized to do so in writing by the Department;
- (d) Not copy, duplicate, or reproduce in any manner any confidential and/or protected information, use this information commercially, speak to the public, the media, or any third party, post information in any public forum including social media, or use the confidential and/or protected information heard or received during subcommittee meetings for any purpose other than advising and consulting with the PAC and the Department;
- (e) Not disclose the identity of the individual or institution being reviewed during the subcommittee meeting, nor share any anecdotal information about the individual or institution being reviewed during the subcommittee meeting, including during the actual case review(s);
- (f) Conform to the requirements of applicable state and federal statutes and regulations regarding the confidentiality of information obtained for the purpose of carrying out the work of the MMRC and MMRC-V subcommittees including, but not limited to the Illinois Administrative Code regarding Maternal Death Review (77 Ill. Admin. Code 657.40), the Medical Studies Act (735 ILCS 5/8-2101), the Illinois Health Statistics Act (410 ILCS 520), and all applicable provisions of the Health Insurance Portability and Accountability Act of 1996 (HIPAA); and
- (g) Notify the Department's Deputy Director of the Office of Women's Health and Family Services immediately upon awareness of any unauthorized breach of confidential information.

These confidentiality obligations extend beyond both the subcommittee meetings themselves as well as the term of the individual PAC members and members of the MMRC and MMRC-V subcommittees. The penalty for violation of these specific rules, if any, shall be as provided by law.

ARTICLE XI

Public Health Emergencies:

Section 11-1. The PAC serves as an advisory group to the Director of the Department for public health emergencies.

Section 11-2. Upon notification of an emergency, the Chairperson may convene the PAC within 24 hours or as requested by the Director, to review the emergency and advise on an appropriate response.

Section 11-3. For the purpose of implementing Section XI of these Bylaws, a public health emergency shall mean:

A serious and immediate threat to the health or safety of a significant segment of the population either in number or because of the nature of the condition of the persons affected, as determined by the Director, which calls for a rapid and coordinated response by public health professionals in order to mitigate the threat of actual or potential adverse health effects, and which is ongoing despite application of conventional public health measures.

Section 11-4. The existence of a health problem or condition that does not meet the definition of public health emergency set for in Section XI of these Bylaws shall not be construed as depriving the PAC of the authority to study or advise the Department on the issue.