

Attachment 1

HHS Circular C-022 Health and Human Services

Enterprise Policy for Advisory Committees

Advisory Committee

For the purposes of this guide, this includes any advisory committee, council, board, panel, or task force that requires appointment of members by the Governor, an HHS agency commissioner, or the HHSC Executive Commissioner, or for which an HHS agency has lead administrative responsibilities.

Note: This guidance applies to advisory committees that are mandated by federal law, except for the guidance in the Evaluation section of the circular. This guidance applies to any advisory committee except for any other guidance that conflicts with federal and state laws regarding a particular advisory committee to the extent of the conflict. HHS agencies must complete Section 2 of the Evaluation template for all advisory committees (except those committees whose entire membership is appointed by the Governor) for which they are considered lead agency.

Advisory Committee Support Staff

HHS agency employees assigned to support a specific advisory committee. This is often, but not necessarily, program staff from a program area related to the work of the advisory committee.

Application Review Team

This team is primarily comprised of HHS agency employees who will review applications for membership to advisory committees in order to make recommendations to the HHSC Executive Commissioner or an agency commissioner. Each team should include a non-voting advisor from the Civil Rights Office. Teams may also include current members of the advisory committee and/or stakeholders.

Lead Agency

An agency is considered to be the lead agency of an advisory committee when it provides the primary support staff and/or resources.

Non-Public/Non-Consumer Member

Any non-public/non-consumer member who represents a specific profession, industry, or special interest group. Specific membership requirements are typically outlined in the appropriate statute and/or rule for each advisory committee.

Public/Consumer Member

The composition of advisory committees must provide a balanced representation between public/consumer members and industry or occupation members, unless superceded by a statutory requirement. Unless otherwise defined by statute or rule, a “consumer” or “public member” is:

- A user of a service provided by or through the agency (or another HHS agency), or by an industry or occupation that is regulated by the agency with the advice of the advisory committee of which the individual would be a member;
- A representative of the interests of the general public; or
- As defined in that advisory committee's statute or rule.

A "consumer" or "public member" should not create a conflict of interest or the appearance of a conflict of interest through employment or financial interest in entities regulated by HHS agencies.

Stakeholder

An individual or group of individuals, who have an expressed or potential interest in one or more HHS agency program and/or advisory committee. This term may also refer to an HHS agency staff member who has an expressed or potential interest in a policy, goal, or program.

Health and Human Services Agency Councils

The HHS agency councils study and make recommendations to the HHSC Executive Commissioner and agency commissioners regarding the management and operation of the agency, including policies and rules governing the delivery of services to individuals who are served or regulated by the agency.