**NEWBORN HEARING SCREENING ADVISORY COMMITTEE**

**OPERATING RULES AND PROCEDURES**

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## Article I Name

# The name of the group is the Newborn Hearing Screening Advisory Committee (“Committee”).

## Article II Purpose

Pursuant to G.L. c.111, §67F, the Committee shall advise the Massachusetts Department of Public Health (“Department”) regarding proposed regulations and the validity of cost of screening procedures. The Committee shall also recommend 1) standards for appropriate screening methodology based on updated technological developments; 2) methods of recording results and follow-up from the Newborn Hearing Screening program; and 3) methods to facilitate interaction of professions and agencies which participate in follow-up.

**Article III Membership**

#### **Section 1: Committee Members**

The Committee shall consist of the following 14 members.

Appointed by the Commissioner of Public Health:

1. A representative of the health insurance industry;
2. A pediatrician or family practitioner;
3. An otolaryngologist;
4. A neonatologist;
5. A nurse representing newborn nurseries;
6. An audiologist;
7. An audiologist;
8. A teacher of the deaf and hard of hearing;
9. A representative of the Commonwealth’s Early Intervention Program;
10. A representative of the Department;
11. A parent of a child/ren who is/are deaf or hard of hearing;
12. A parent of a child/ren who is/are deaf or hard of hearing.

Designated by the Massachusetts Commission for the Deaf and Hard of Hearing:

1. An adult who is deaf;
2. An adult who is hard of hearing.

The Committee must elect a chairperson. The Committee should also elect a vice-chairperson who would serve in the chairperson’s absence. There shall be a Committee coordinator who shall support oversight and administration. The Committee Coordinator is: Sarah Stone, who can be contacted via telephone at 617-624-5912 and email at Sarah.Stone@state.ma.us.

#### **Section 2: Term of Office**

All members of the Committee shall be appointed until a successor is appointed. Members shall be eligible to be reappointed. Members may resign. Members shall serve without compensation.

#### **Section 3: Cessation of Membership**

Membership on the Committee ceases upon a successor appointment or by resignation by submission of written notice to the appointing authority.

#### **Section 4: Conflict of Interest**

4.1 The members of the Committee are subject to the requirements of the Commonwealth’s conflict of interest law, M .G.L. c. 268A, available at: <http://www.malegislature.gov/Laws/GeneralLaws/PartIV/TitleI/Chapter268A>. These requirements include abiding by the Conflict of Interest annual and biannual training requirements. Every calendar year, members must acknowledge receipt of the Summary of the Conflict of Interest law, which will be provided by the Committee Coordinator. Every two years, members must take the required Conflict of Interest training program, available online at: <http://www.mass.gov/ethics/conflict-of-interest-law-online-training-programs.html>, print a certificate of completion, and give the certificate of completion to the Committee Coordinator. For purposes of the conflict of interest law, Committee members are considered special state employees.

#### 4.2 Procedures

1. It is each individual member’s responsibility to consult with the State Ethics Commission (<http://www.mass.gov/ethics>) if they feel they may have a potential conflict of interest.
2. Any time a conflict of interest arises or becomes apparent to a Committee member, the member shall act promptly to remain in compliance with the Commonwealth’s conflict of interest law, M.G.L. c. 268A by making oral and written disclosures of the conflict of interest and abstaining from participation as appropriate. As stated above, members should always consult the State Ethics Commission if they are unsure of a potential conflict.
3. A Committee member with a conflict of interest in a particular matter, not subject to any exception, will not participate in the discussion of that matter and will not vote on the matter.

## Article IV Governance

### *Section 1: Agenda*

#### Agendas for Committee meetings will be generated by the Committee Coordinator and submitted to the chairperson of the Committee prior to the meeting date for approval. Committee members may recommend agenda items to the Committee Coordinator up to two weeks prior to the meeting date.

Committee meetings are subject to the requirements of the Massachusetts Open Meeting Law M.G.L. c. 30A, §§ 18-25, available at: <http://www.mass.gov/ago/docs/government/oml/oml-guide.pdf>. All Committee meeting agendas will be posted publicly on the MDPH website at least 48 hours in advance of the meeting. All discussions at the meeting must follow the pre-posted meeting agenda; no new business may be raised at the meetings, and no deliberation or substantive discussion of meeting issues may be conducted prior to the meeting by any mechanism, either oral or electronic. All Committee members must acknowledge receipt of all required Open Meeting Law materials, which will be provided by the Committee Coordinator.

***Section 2: Attendance***

2.1 Members are expected to attend all meetings in their entirety except in cases of illness or emergency. Attendance by proxy is not permitted.

2.4 Remote participation is permitted in certain circumstances. The Department and the Attorney General’s Office strongly encourage members of the Committee to physically attend meetings whenever possible. Remote participation may be used during a meeting if it has first been adopted by a majority vote of the Committee. If remote participation is adopted by the Committee, a Committee member may participate in the meeting remotely (by conference call) if the chairperson determines that one of the following factors makes the Committee member’s physical attendance unreasonably difficult: in cases of personal illness, personal disability, emergency, military service, or geographic distance[[1]](#footnote-1). A Committee member may only participate remotely if a quorum of Committee members is physically present at the meeting (see Section 4 below).

2.5 All meetings are open to the public. In the extremely rare event that the Committee must enter Executive (closed) Session, the chairperson must convene in open session, state the reason for the executive session, state whether the public body will reconvene in open session, and take a roll call vote of the Committee to enter executive session. Specific procedures for Executive Session are outlined in the Open Meeting Law materials.

# ***Section 3: Meeting Facilitation***

The chairperson will facilitate meetings of the Committee.

##### ***Section 4: Quorum***

A quorum will require the physical presence of no fewer than 8 Committee members for deliberation and voting.

###### **Section 5: Voting**

All recommendations of the Committee may be made by a majority vote of the Committee members in attendance (both in physically and remotely) who do not have a conflict of interest, provided that the Committee maintains quorum. Voting by proxy is not permitted.

###### **Section 6: Minutes**

#### Proceedings of all Committee meetings must be recorded in minutes, which will be created in accordance with M.G.L. c. 30A, § 22, and will include, at a minimum, the date, time and place, members present or absent, a summary of discussions, a list of documents used at the meeting, decisions made and actions taken, including a record of all votes, which may not be taken by secret ballot.

The Committee Coordinator will record, process, and email minutes to members as soon as possible, and no later than one week before the next scheduled meeting. The Committee members will vote on the previous meeting’s minutes at the next scheduled meeting.

## *Section 7: Cancellation of Meeting(s)*

7.1 Committee meetings may be cancelled at any time for cause and at the discretion of the Chairperson for the following reasons:

* Weather related emergencies
* Terrorist Threat and/or Disaster
* Prior knowledge of absence of quorum
* No Agenda

7.2: It is the responsibility of the Committee Coordinator to notify the membership of meeting cancellations.

7.3: A Committee meeting may not proceed if a quorum of Committee members is not physically present in the room. If members indicate at the last minute that they will not attend the meeting, and it negatively affects quorum, then the meeting may be cancelled only a few minutes prior to its start time. Committee members must be cognizant of how a last-minute cancellation may affect the Committee’s ability to meet and the impact on other Committee members.

**Article V Amendments to Operating Procedures**

These Operating Procedures will be voted on and adopted by a majority vote of the Committee. All future amendments to these Operating Procedures will also require a majority vote of the Committee.

1. Circumstances regarding traffic or long commutes do not fall under any of the factors for remote participation- please plan your travels accordingly. [↑](#footnote-ref-1)