

DEPARTMENT OF LABOR AND INDUSTRIES
ADVISORY COMMITTEE ON HEALTHCARE INNOVATION AND EVALUATION

CHARTER
Adopted April 25, 2024

I. Mandate

The Department of Labor and Industries (Department) is committed to improving health care quality in order to improve injured worker outcomes and reduce disability. A critical element is active engagement of stakeholders from business, labor, and health care providers in Department innovations. Substitute Senate Bill 5801 (SSB5801)(2011), an important piece of historic workers' compensation reform legislation, incorporates these key concepts into law, requiring the Department to enact key reforms to improve health care quality and to seek advice on implementation and evaluation of health care quality innovations.

II. Name

This entity shall be known as the Advisory Committee on Healthcare Innovation and Evaluation (ACHIEv).

III. Purpose of Charter

The purpose of the charter is to establish a framework for the work of the Advisory Committee; to provide for selection of a chair and such other officers as the Advisory Committee may determine; to create subcommittees as may be necessary; to establish regular times and places for meetings of the Advisory Committee.

IV. Purpose of the Advisory Committee on Healthcare Innovation and Evaluation (ACHIEv)

A. Purpose

The purpose of the Advisory Committee on Healthcare Innovation and Evaluation (ACHIEv) is to help identify, implement, and evaluate initiatives that improve equity and access for workers and quality of health and return to work outcomes that benefit workers and the community.

The Advisory Committee is the primary venue for business, labor, and provider representatives to advise the Department on quality improvements initiatives, research and evaluation, and incentives related to health care delivery for injured workers. The Advisory Committee will advise the Department on programs and issues including:

- Provider Network
- Top Tier/Provider Recognition Program
- Centers for Occupational Health and Education (COHE)
- Occupational health best practices, pilots, and programs
- Self-insured participation in COHEs and/or other health care quality improvement initiatives
- Financial and non-financial incentives for quality and best practices
- Other health care delivery projects and quality improvement initiatives

The Advisory Committee serves as a **key linkage** regarding health care initiatives to other Department committees, including but not limited to:

- Workers' Compensation Advisory Committee (WCAC)
- Industrial Insurance Medical Advisory Committee
- Industrial Insurance Chiropractic Advisory Committee

B. Communication and responsibilities to other committees

Members serving on ACHIEv are responsible for reporting to the committees that appointed them and familiarizing themselves with the perspectives and issues of the appointing committee(s).

- Business and labor representatives are responsible to their respective caucuses of the Workers' Compensation Advisory Committee, informing them of issues addressed by ACHIEv.
- Provider representatives are responsible for reporting to the Industrial Insurance Medical Advisory Committee and the Industrial Insurance Chiropractic Advisory Committee, informing them of issues addressed by ACHIEv.

V. Membership

Members of the Advisory Committee will include:

- 4 members from the Industrial Insurance Medical Advisory Committee (IIMAC)
- 2 members from the Industrial Insurance Chiropractic Advisory Committee (IICAC)
- 3 business representatives selected by the business members of WCAC
- 3 labor representatives selected by the labor members of the WCAC

Three year terms are staggered to preserve group continuity and so that no more than 1/3 of the advisory group changes per year, except in the case of resignations or terminations. After serving the initial three-year term, a member may choose to serve an additional three-year term. Thereafter, a member must be re-nominated by their sponsoring committee for each additional three-year term not to exceed a total of 15 consecutive years. If a member leaves the committee for at least one year, they may be nominated to begin a new, initial membership term. Exceptions to the 15 consecutive year maximum may be made by agreement of the Chair, Vice Chair, and the department.

Advisory Committee members are undertaking a position of public trust and are responsible for being an effective participant. Members will take appropriate actions to disclose and mitigate potential conflicts, including recusing themselves from discussions and voting as necessary.

Members are to:

- Attend all Advisory Committee meetings.
- Be well prepared for the meetings.
- Recognize that the Advisory Committee must operate in an open and public manner.
- Communicate well and actively participate in group discussions.
- Possess a willingness to work with the group in making decisions.
- Report back to their respective groups or advisory committees/boards.
- Recognize that compromise may be necessary in order to reach group consensus.

In the event there is cause for the Chair, Vice Chair, and the department to recommend removal of a committee member, they will inform the member's sponsoring committee. The sponsoring committee may elect to end the member's nomination thereby terminating ACHIEV committee membership.

VI. Officers

A Chair and Vice Chair, selected by the members, shall manage the Advisory Committee and such other Officers as are deemed necessary to administer the affairs of the Advisory Committee. Each Officer shall hold office for an initial term of two years and may be elected to serve in that office for up to six consecutive years. After leaving that office for at least one year, a member may be selected to begin a new initial term in that office.

The Chair shall fulfill the following functions:

- Preside at all meetings of the Advisory Committee;
- Serve as an ex-officio member of all subcommittees;
- Prepare recommendations to the Director for removal of an Advisory Committee or subcommittee member(s) for good cause shown, should it become necessary;
- Consult with the Director and other members of the Advisory Committee when it is necessary to replace an Advisory Committee position that has been vacated.

The Vice Chair shall fulfill the following functions:

- Provide assistance and advice to the Chair;
- If the Chair is not present at a meeting, fulfill the functions of the Chair;
- As requested by the Chair, serve as an ex-officio member of the subcommittees.

The Chair, Vice Chair, or any officer selected or appointed by the Committee may be removed by a majority vote of the full Advisory Committee whenever in its judgment the best interests of the Advisory Committee would be served.

In the absence of the Chair and Vice Chair and when a quorum of Advisory Committee members are present, an acting Vice Chair shall be appointed by a majority of the Advisory Committee present at that meeting and shall preside at that meeting of the Advisory Committee.

Election of officers may be conducted by either oral or written ballot.

An executive committee consisting of at least the Chair, Vice Chair, and Department representatives will develop meeting agendas and serve other duties as tasked by the Chair or Department.

VII. Consensus and Voting

The Advisory Committee members shall act in good faith to reach consensus when working to develop recommendations to the Department.

A. Consensus

The Advisory Committee and all subcommittees shall utilize a consensus seeking process when deciding what advice or recommendation to give the Department. The Chair of the Advisory Committee or designee shall facilitate using the consensus seeking process. When the Chair

determines that consensus cannot be achieved among the quorum present, the Chair can either refer the discussion to a subcommittee for further review, ask that the discussion be moved to the next agenda, or can call for a vote.

B. Voting

The presence of one-half plus one of the membership shall constitute a quorum.

A simple majority of the quorum shall be required for all voting matters. A majority of the quorum must vote in favor of a motion in order for the motion to be adopted.

Members must be present, either in person or virtually/remotely, to cast votes.

When a member must recuse himself or herself from acting on any matter, that person will not count for purposes of determining a quorum.

For all decisions not requiring a vote, if after all deliberate effort, consensus cannot be achieved the Chair shall call for a verbal vote.

VIII. Meetings of the Advisory Committee

The Advisory Committee shall meet at least quarterly, unless the Chair and agency lead agree that an exception is warranted, and may meet at other times by recommendation of the Chair and at the discretion of the Department.

Meetings shall be held at such time and place as the Advisory Committee Chair and the Department determines in order to conduct all business necessary for the administration of the Advisory Committee. All meetings will be open to the public. As time permits, the Chair will accept public comment at these meetings on issues that are being considered for a vote. The Chair will also accept written comments from any interested person, which will be distributed by the Department staff to all Advisory Committee members.

At each meeting, the Advisory Committee shall review the status of all business before the Advisory Committee, and shall review and act upon outstanding issues.

Advance notice of all meetings, both regular and special, of the Advisory Committee will be posted on the L&I website. The current web address is: <https://lni.wa.gov/patient-care/advisory-committees/advisory-committee-on-health-care-innovation-and-evaluation>. Notice of regular meetings will be published at least 1 week in advance.

The Department will assign a staff person to keep minutes of the Advisory Committee's deliberations. Meetings of the Advisory Committee may be held by means of conference telephone, videoconference, or similar communication equipment, by which all persons participating can hear each other at the same time and participation by such means shall constitute the presence of a person at a meeting.

Advisory Committee meeting minutes will document the presence/absence of committee members, presenters, and department executives.

IX. Staff Assistance

Staff assistance to the Advisory Committee will be provided by the Department employees, independent contractors employed by the department for this purpose, or such other supporting staff as the Director may deem appropriate or necessary to assure that the mission of the Advisory Committee is carried out.

Staff shall:

- Email or call all members of the Advisory Committee to notify them of upcoming meetings, and post notice online for other interested parties on the L&I website as described above;
- Act as a custodian of the records of the Advisory Committee;
- Keep a register of the addresses of each member, maintain a record of the names of members entitled to vote, and provide public access to all such records;
- Assist Advisory Committee members to complete reports of expenses, as may be required for reimbursement by the state and keep accurate accounts of such reports;
- Make every effort to ensure any materials required for Advisory Committee action are provided at least five calendar days in advance of an Advisory Committee meeting; and
- Perform such other duties as may be prescribed by the Advisory Committee, the Department, or the Director.

X. Counsel to the Committee

The Chief of the Labor & Industries Division of the Office of the Attorney General, or any Assistant Attorneys General they designate, will provide general legal assistance to the Advisory Committee.

XI. Changes to the Charter

The members of the Advisory Committee may vote to alter, amend, or repeal this charter.

No alteration, amendment, or repeal of this charter shall be effective until it is approved by the Department in writing. Any amendment or alteration to this charter must be in conformity with all applicable state and federal laws and administrative regulations.

XII. Termination

The Advisory Committee shall continue in existence subject to termination in accordance with requirements of laws of the state of Washington or action of the Department. In case of termination, to the extent consistent with such laws or consistent with the action of the department, the Advisory Committee shall continue operating only to the extent necessary to orderly complete the work of the Advisory Committee.

XIII. Report to the Legislature

For implementation of SSB 5801, the Department shall report to the WCAC and to the appropriate committees of the legislature on each December 1st, beginning in 2012 and ending in 2016. The Chair shall review the report and provide input in regard to the activities of the Advisory Committee.

The Chair may also participate in the review of other reports to the legislature or WCAC concerning the subject matter of the Advisory Committee as requested by the Department.

XIV. Effective Date

This charter shall be effective the date of adoption by the Advisory Committee and approval by the Department, and shall terminate at termination of the Advisory Committee.

This charter of the Advisory Committee on Healthcare Innovation and Evaluation was duly adopted at the meeting of the advisory committee on the 25nd day of April, 2024.

Signed: David Folweiler, DC Date: 1 Oct 24

David Folweiler, Chair, Advisory Committee on Healthcare Innovation and Evaluation

This charter of the Advisory Committee on Healthcare Innovation and Evaluation was approved by the Department of Labor and Industries on the 25th day of April, 2024.

Signed: Audrey Dorsey Date: 10/9/2024

Brenda Heilman, Assistant Director for Insurance Services, Department of Labor and Industries