

OREGON PUBLIC MEETING LAWS

Guidelines for the Medicaid Advisory Committee

History

The Oregon Public Meetings Law, ORS 192.610 to 192.690 was enacted in 1973 in an effort to ensure that deliberations and decisions of governing bodies are made openly.

Definitions

Since the Medicaid Advisory Committee (MAC) was created by statute, they are considered to be “*public bodies*.” A “*governing body*” is a group of members of a public body with the authority to make decisions for or recommendations to a public body on policy or administration, which in the case of the MAC is at least a quorum.

Statute defines “*decision*” as any determination, action, vote or final disposition upon a motion, proposal, resolution, order, ordinance or measure on which a vote of a governing body is required. “*Meeting*” is defined as the convening of a governing body of a public body for which a quorum is required in order to make a decision or to deliberate toward a decision on any matter.

Meeting Requirements

Any time a quorum of the MAC meets to deliberate towards a decision the meeting must be open to the public. Meetings cannot take place in locations which practice discrimination and must be accessible to persons with disabilities. Persons who are deaf or hard of hearing may request an interpreter be provided at a regularly scheduled meeting, having given the agency at least 48 hours’ notice of the request. If the request is made less than 48 hours’ prior to a meeting, every effort will be made to have an interpreter present.

Public notices for all meetings must be provided to interested parties at least 48 hours prior to the start of the meeting. Meeting notices must include the time and location of the meeting, as well as a list of the principal subjects expected to be discussed.

A sound, video or digital recording or a set of written minutes must be taken at every meeting and must be made available to the public within a reasonable time after the meeting. The minutes must be a true reflection of the matters discussed at the meeting and the views of the participants and must include the following information: all members present; all motions, proposals, resolutions, orders, ordinances and measures proposed and their disposition; the results of all votes and the vote of each member; the substance of any discussion; a reference to any document discussed at the meeting.

Notice rules still apply to meetings held by phone or other electronic means. In such cases, at least one place will be made available to the public where the public can listen to the meeting in real time.

Public Record

All documents distributed to the Committee, discussed at meetings, or produced by the Committee will be considered public record. Documents will be made available at meetings and upon request from any member of the public. Correspondence, including but not limited to, letters, memoranda, notes and electronic messages that communicate formal approvals, direction for action and information about the Committee is considered part of administrative record and thus are subject to public record requirements.

Enforcement

Decisions made by the Committee in violation of the Public Meeting Laws will be voided, unless it is reinstated while in compliance. A reinstated decision is effective from the date it was initially adopted.