

## **CHARTER**

### **ADVISORY COMMITTEE ON MINORITY HEALTH**

#### **AUTHORITY**

Section 1707 of the Public Health Service (PHS) Act, as amended (42 U.S.C. § 300u-6). The Committee is also governed by provisions of the Federal Advisory Committee Act, P.L. 92-463, as amended (5 U.S.C. App.), which sets forth standards for the formation and use of advisory committees.

#### **OBJECTIVES AND SCOPE OF ACTIVITIES**

Establishment of the Advisory Committee on Minority Health (ACMH or the Committee) is mandated under Section 1707(c) of the PHS Act (42 U.S.C § 300u-6(c)) to provide advice to the Deputy Assistant Secretary on Minority Health (DASMH) on the development of goals and program activities related to the Office of Minority Health's responsibilities.

#### **DESCRIPTION OF DUTIES**

The Committee shall provide advice to the DASMH on the development of goals and specific program activities for improving the health and the quality of health care minorities receive and eliminating racial and ethnic health disparities consistent with Section 1707 of the PHS Act, 42 U.S.C. § 300u-6.

#### **AGENCY OR OFFICIAL TO WHOM THE COMMITTEE REPORTS**

It is stipulated in the authorizing legislation that the Committee shall advise the DASMH.

#### **SUPPORT**

Management and support services for Committee activities will be provided by the OMH, which is organizationally located within the Office of the Secretary in the Department of Health and Human Services (DHHS). OMH is administratively supported by the Office of the Assistant Secretary for Health, which is a staff division in the Office of the Secretary, DHHS.

#### **ESTIMATED ANNUAL OPERATING COSTS AND STAFF YEARS**

The estimated annual cost for operating the Committee, including compensation and travel expenses for members, but excluding staff support, is \$98,625. The estimated annual person-years of staff support required is 0.9 at an estimated annual cost of \$119,105.

*Advisory Committee on Minority Health*

**DESIGNATED FEDERAL OFFICER (DFO)**

The DFO for the Committee will be selected by the Deputy Assistant Secretary for Minority Health, or a designee from among permanent full-time or part-time senior level staff within the Office of Minority Health. In the event that the DFO cannot fulfill the assigned responsibilities for the Committee, then the Deputy Assistant Secretary for Minority Health, or a designee, will temporarily select one or more permanent full-time or part-time senior level OMH staff to carry out the assigned duties.

The DFO will schedule and approve all meetings of the Committee and respective subcommittees to be held. The DFO will prepare and approve all meeting agendas in collaboration with the Committee Chair. The DFO or designee will attend all meetings of the Committee and respective subcommittees. The DFO also has authority to adjourn meetings, when it is determined to be in the public interest, and can be directed by the Deputy Assistant Secretary for Minority Health, or a designee, to chair Committee meetings.

**ESTIMATED NUMBER AND FREQUENCY OF MEETINGS**

The Committee will meet, at a minimum, two times each calendar year, depending upon the availability of funds. Meetings will be open to the public, except as determined otherwise by the Secretary or designee, in keeping with the guidelines under Government in the Sunshine Act, 5 U.S.C. § 552b(c). Notice of all meetings will be given to the public. Meetings will be conducted and records of the proceedings will be kept, as required by applicable laws and Departmental policies. A quorum of the membership is required for the parent Committee to meet to conduct business. A quorum is defined as a majority (one more than half) of the Committee's appointed membership.

When it is determined by the Secretary or designee that a meeting will be closed or partially closed to the public, in accordance with stipulations of Government in the Sunshine Act, 5 U.S.C. § 552b(c), then a report will be prepared that includes, at a minimum, a list of the members and their business addresses, the Committee's functions, date and place of the meeting, and a summary of the Committee's activities and recommendations made during the fiscal year. A copy of the report will be provided to the Department Committee Management Officer.

**DURATION**

Continuing

**TERMINATION**

Unless renewed by appropriate action prior to its expiration, the charter for the Committee will expire two years from the date it is filed.

**MEMBERSHIP AND DESIGNATION**

The Committee shall be composed of 12 voting members. The Committee membership also may include non-voting *ex-officio* members. The voting members of the Committee shall be appointed by the Secretary or designee from among individuals who are not officers or employees of the federal Government and who have expertise regarding issues of minority health. The Committee must equally represent the health interests of the racial and ethnic minority groups: African Americans, Hispanic/Latino Americans, Asian Americans and Pacific Islanders, and Native Americans/Alaska Natives. The Chairperson of the Committee is selected by the Secretary or designee from among the voting members of the Committee. All voting members of the Committee are classified as Special Government Employees (SGEs). Officials of HHS organizational components may be invited to serve as non-voting *ex-officio* members, as deemed appropriate by the Secretary or designee to effectively carry out the Committee's mission.

Each voting member shall be appointed to serve a term of four years. Terms of more than two years are contingent upon renewal of the Committee by appropriate action prior to its termination. The term of office of the Chairperson shall be two years.

A member may serve after the expiration of his/her term until a successor has taken office, but not longer than 180 days. If a vacancy occurs on the Committee, a new member shall be appointed by the Secretary or designee within 90 days from the date that the vacancy occurs, and serve for the remainder of the term for which the predecessor of such member was appointed. The vacancy shall not affect the power of remaining members to execute the duties of the Committee.

Members of the Committee who are not officers or employees of the United States shall be paid at a rate not to exceed \$200 per day (including travel time) that they are engaged in performing duties in relation to work being done by the Committee. Such compensation cannot be in an amount in excess of the daily equivalent of the annual maximum rate of basic pay payable under the General Schedule (under Title 5 U.S.C.) for positions above GS-15. Non-members who are selected to work with the Committee as special consultants and/or subcommittee members will be compensated for services performed at a rate of pay that is consistent with the rate of pay authorized for members of the parent committee. Individuals who serve as members of the parent committee and/or subcommittees also may receive per diem and reimbursement for any applicable travel expenses, as authorized by Section 5703, Title 5 U.S.C., for persons who are employed intermittently in the Government service. Members of the parent committee and/or subcommittees who are officers or employees of the United States Government shall serve without compensation.

### **SUBCOMMITTEES**

With approval of the Deputy Assistant Secretary for Minority Health or designee, the Committee may establish subcommittees that are composed of members of the Committee, as well as other individuals who have expertise regarding issues of minority health (including racial and ethnic health disparities) to provide assistance in carrying out the function of the Committee. The Department Committee Management Officer shall be notified upon establishment of each subcommittee and shall be given information regarding its name, membership, function, and estimated frequency of meetings.

### **RECORDKEEPING**

Meetings of the Committee and its subcommittees will be conducted according to the Federal Advisory Committee Act, other applicable laws, and Departmental policies. Committee and subcommittee records will be handled in accordance with General Records Schedule 6.2, Federal Advisory Committee Records, or other approved agency records disposition schedule. These records will be available for public inspection and copying, subject to the Freedom of Information Act, 5 U.S.C. § 552.

### **FILING DATE:**

September 17, 2019