

# CHARTER

## ADVISORY PANEL ON MEDICARE EDUCATION

### **Purpose**

The passage of the Medicare Modernization Act of 2003 (MMA) expands the existing health plan options and benefits available under the Medicare Plus Choice (M+C) program created under Section 4001, Part C of the Balanced Budget Act of 1997. Under M+C, the Centers for Medicare & Medicaid Services (CMS) has had substantial responsibilities to provide information to Medicare beneficiaries about the range of health plan options available and better tools to evaluate these options. Successful M+C implementation required CMS to consider the views and policy input of a variety of private sector constituents and to develop a broad range of public-private partnerships. The Secretary, and by delegation, the Administrator of CMS is authorized under Title II of MMA to establish the Medicare Advantage (MA) program under Part C. The MA program expands the health plan options and benefits available under M+C.

In addition, the Secretary, and by delegation, the Administrator of CMS are authorized under Title I of MMA to establish the Medicare prescription drug benefit. The drug benefit will allow beneficiaries to obtain qualified prescription drug coverage. In order to implement the MA program and the Medicare prescription drug benefit, CMS has substantial responsibilities to provide information to Medicare beneficiaries about the range of health plan options and benefits available and to develop better tools to evaluate these plans and benefits. Successful MA program and Medicare prescription drug benefit implementation will require CMS to consider the views and policy input from a variety of private sector constituents and to develop a broad range of public-private partnerships. To provide for an orderly transition and to avoid beneficiary and provider confusion, any reference to the MA program shall be deemed to include a reference to M+C until January 1, 2006.

The Advisory Panel on Medicare Education (APME) will allow CMS to consider a broad range of views and information from interested audiences and will contribute to establishing a more effective M+C/MA and Medicare prescription drug benefit programs at available levels of Federal funding.

### **Authority**

42 USC 2 17(a), Section 222 of the Public Health Service Act, as amended. The Panel is governed by provisions of Public Law 92-463, as amended (5 USC Appendix 2), which sets forth standards for the formation and use of advisory committees.

### **Function**

The APME shall advise the Secretary and the CMS Administrator concerning optimal strategies for:

- developing and implementing a national Medicare education program that describes the options for selecting a health plan under Medicare;

- enhancing the Federal government's effectiveness in informing the Medicare consumer about Medicare issues, including the appropriate use of public-private partnerships;
- expanding outreach to vulnerable and underserved communities, including racial and ethnic minorities, in the context of a national Medicare education program;
- assembling an information base of "best practices" for helping consumers evaluate health plan options; and
- building a community infrastructure for information, counseling and assistance.

## **Structure**

The APME shall consist of no more than 20 members. The Chair shall either be appointed from among the 20 members, or a Federal official will be designated to serve as the Chair. The members and the Chair shall be selected by the Secretary, or designee, from authorities knowledgeable in the fields of senior citizen advocacy; outreach to minority communities; health communications; disease-related health advocacy; disability policy and access; health economics research; health insurers and plans; direct patient care; labor, and retirement. Representatives of the general public will also serve on the APME. Additional nonmember observers, who can provide expertise on the subject matter of a particular meeting, may be named from among other government agencies.

Members shall be invited to serve for a 2-year term, contingent upon the renewal of the APME by appropriate action prior to its termination. Any member appointed to fill a vacancy for an unexpired term shall be appointed for the remainder of that term.

As necessary, standing and ad hoc subcommittees, composed of members of the parent committee, may be established to perform functions within the APME's jurisdiction. The Department Committee Management Officer shall be notified upon the establishment of each standing subcommittee and shall be given information on its name, membership, function, and estimated frequency of meetings.

A quorum for the conduct of business shall consist of a majority of currently appointed members.

Management and support services shall be provided by the Center for Beneficiary Choices, CMS.

## **Meetings**

Meetings shall be held approximately 4 times per year. If the Chair is selected from among the 20 members, the Chair will call the meeting with the advance approval of a Government official, who shall also approve the agenda and be present at the meeting. If the Chair is a Government official, the Government official will call the meeting, approve the agenda and serve as the Government official at the meeting.

Meetings shall be open to the public except as determined otherwise by the Secretary or other official to whom the authority has been delegated; notice of all meetings shall be given to the public.

Meetings shall be conducted, and records of the proceedings kept, as required by applicable laws and Departmental regulations.

**Compensation**

Members shall receive compensation for each day they are engaged in the performance of the function of the APME, at no more than \$250 per day, plus per diem, and travel expenses as authorized by Section 5703, Title 5 USC, as amended, for persons in the government service employed intermittently. Members who are industry, labor, or consumer representatives shall serve in a voluntary status without compensation pursuant to advance written agreement. Officers or employees of the United States shall not receive additional compensation for service on the APME.

**Annual Cost Estimate**

The estimated annual cost for operating the Panel, including compensation and travel expenses for members but excluding staff support, is \$110,466. The estimate of annual person-years of staff support required is 1.5 at an estimated annual cost of \$117,571.

**Reports**

In the event a portion of a meeting is closed to the public, a report shall be prepared, which shall contain, as a minimum, a list of members and their business addresses, the APME's function, dates and places of meetings, and a summary of committee activities and recommendations made during the fiscal year. A copy of the report shall be provided to the Department Committee Management Officer.

**Termination Date**

Unless renewed by appropriate action prior to its expiration, the APME will expire January 21, 2007.

**APPROVED:**

January 14, 2005

/s/ Tommy Thompson

Date

Secretary